

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 845

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending sections 3, 6, 6a, 11, 11a, 11j, 11k, 11m, 11s, 15, 18,
20, 20d, 20f, 20m, 21b, 21f, 21h, 22a, 22b, 22c, 22d, 22m, 22p, 24,
24a, 25f, 25g, 26a, 26b, 26c, 26d, 28, 31a, 31d, 31f, 31j, 31n,
31o, 31p, 31y, 31z, 32d, 32p, 35a, 35d, 35f, 35g, 35h, 39, 39a, 41,
51a, 51c, 51d, 51g, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61c, 61d,
62, 65, 67, 67a, 74, 81, 94, 94a, 95b, 97, 97a, 98, 98b, 99h, 99i,
99s, 99t, 99u, 99x, 99aa, 101, 104, 104f, 104h, 107, 147, 147a,
147b, 147c, 147e, 152a, 152b, 201, 202a, 206, 207a, 207b, 207c,
209, 209a, 210h, 226b, 226d, 226g, 229, 229a, 230, 236, 236b, 236c,
236h, 237b, 241, 245a, 251, 252, 256, 259, 260, 263, 264, 265,
265a, 265b, 267, 268, 269, 270c, 274, 275, 275b, 275f, 275g, 275h,



275i, 276, 277, 278, 279, 280, 281, and 282 (MCL 388.1603, 388.1606, 388.1606a, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1611s, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1620f, 388.1620m, 388.1621b, 388.1621f, 388.1621h, 388.1622a, 388.1622b, 388.1622c, 388.1622d, 388.1622m, 388.1622p, 388.1624, 388.1624a, 388.1625f, 388.1625g, 388.1626a, 388.1626b, 388.1626c, 388.1626d, 388.1628, 388.1631a, 388.1631d, 388.1631f, 388.1631j, 388.1631n, 388.1631o, 388.1631p, 388.1631y, 388.1631z, 388.1632d, 388.1632p, 388.1635a, 388.1635d, 388.1635f, 388.1635g, 388.1635h, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1651g, 388.1653a, 388.1654, 388.1654b, 388.1654d, 388.1655, 388.1656, 388.1661a, 388.1661b, 388.1661c, 388.1661d, 388.1662, 388.1665, 388.1667, 388.1667a, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695b, 388.1697, 388.1697a, 388.1698, 388.1698b, 388.1699h, 388.1699i, 388.1699s, 388.1699t, 388.1699u, 388.1699x, 388.1699aa, 388.1701, 388.1704, 388.1704f, 388.1704h, 388.1707, 388.1747, 388.1747a, 388.1747b, 388.1747c, 388.1747e, 388.1752a, 388.1752b, 388.1801, 388.1802a, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1809a, 388.1810h, 388.1826b, 388.1826d, 388.1826g, 388.1829, 388.1829a, 388.1830, 388.1836, 388.1836b, 388.1836c, 388.1836h, 388.1837b, 388.1841, 388.1845a, 388.1851, 388.1852, 388.1856, 388.1859, 388.1860, 388.1863, 388.1864, 388.1865, 388.1865a, 388.1865b, 388.1867, 388.1868, 388.1869, 388.1870c, 388.1874, 388.1875, 388.1875b, 388.1875f, 388.1875g, 388.1875h, 388.1875i, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, and 388.1882), sections 3, 202a, 237b, and 275 as amended by 2020 PA 165, sections 6, 6a, 11a, 11j, 11k, 11m, 11s, 15, 18, 20, 20d, 20f, 21f, 21h, 22a, 22b, 22d, 22m, 22p, 24, 24a, 25f, 25g, 26a, 26b, 26c, 28, 31a, 31d, 31f, 31j, 31n, 32d, 32p,



35a, 35d, 35f, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61c, 61d, 62, 65, 67, 67a, 74, 81, 94, 94a, 95b, 98, 99h, 99i, 99s, 99t, 99u, 99x, 101, 104, 104f, 107, 147, 147a, 147b, 147c, 147e, 152a, and 152b as amended and sections 20m, 22c, 26d, 31o, 31p, 31y, 31z, 35g, 35h, 51g, 97, 97a, 98b, 99aa, and 104h as added by 2021 PA 48, section 11 as amended by 2022 PA 93, section 21b as amended by 2014 PA 196, sections 201, 206, 207a, 207b, 207c, 209, 209a, 226b, 226d, 229, 229a, 230, 236, 236b, 236c, 241, 245a, 256, 259, 260, 263, 264, 265, 265b, 267, 268, 269, 270c, 274, 275f, 275g, 275h, 275i, 276, 277, 278, 279, 280, 281, and 282 as amended and sections 210h, 226g, and 236h as added by 2021 PA 86, sections 251 and 252 as amended by 2019 PA 162, section 265a as amended by 2019 PA 62, and section 275b as amended by 2018 PA 265, and by adding sections 8c, 11x, 11y, 23f, 27a, 27b, 27c, 27d, 27e, 27f, 30c, 31q, 31aa, 31bb, 31cc, 31dd, 31ee, 32n, 32t, 32u, 41b, 51e, 61i, 67c, 67d, 67e, 97b, 97e, 97f, 98c, 99cc, 99dd, 99ee, 104i, 216, 216a, 216b, 226e, 226f, 227, 227a, 236j, 236k, 265f, 265g, 266a, 274a, 275j, and 275k; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 3. (1) "Average daily attendance", for the purposes of
2 complying with federal law, means 92% of the pupils counted in
3 membership on the pupil membership count day, as defined in section
4 6(7).
- 5 (2) "Board" means the governing body of a district or public
6 school academy.
- 7 (3) "Center" means the center for educational performance and
8 information created in section 94a.
- 9 (4) "Community district" means a school district organized
10 under part 5b of the revised school code, **MCL 380.381 to 380.396.**



1 (5) "Cooperative education program" means a written voluntary
2 agreement between and among districts to provide certain
3 educational programs for pupils in certain groups of districts. The
4 written agreement must be approved by all affected districts at
5 least annually and must specify the educational programs to be
6 provided and the estimated number of pupils from each district who
7 will participate in the educational programs.

8 (6) "Department", except as otherwise provided in this
9 article, means the department of education.

10 (7) "District" means, **except as otherwise specifically**
11 **provided in this act**, a local school district established under the
12 revised school code or, except in sections 6(4), 6(6), **11x, 11y,**
13 13, 20, 22a, 22p, 31a, 51a(14), 105, 105c, and 166b, a public
14 school academy. Except in section 20, district also includes a
15 community district.

16 (8) "District of residence", except as otherwise provided in
17 this subsection, means the district in which a pupil's custodial
18 parent or parents or legal guardian resides. For a pupil described
19 in section 24b, the pupil's district of residence is the district
20 in which the pupil enrolls under that section. For a pupil
21 described in section 6(4)(d), the pupil's district of residence is
22 considered to be the district or intermediate district in which the
23 pupil is counted in membership under that section. For a pupil
24 under court jurisdiction who is placed outside the district in
25 which the pupil's custodial parent or parents or legal guardian
26 resides, the pupil's district of residence is considered to be the
27 educating district or educating intermediate district.

28 (9) "District superintendent" means the superintendent of a
29 district or the chief administrator of a public school academy.



1 Sec. 6. (1) "Center program" means a program operated by a
2 district or by an intermediate district for special education
3 pupils from several districts in programs for pupils with autism
4 spectrum disorder, pupils with severe cognitive impairment, pupils
5 with moderate cognitive impairment, pupils with severe multiple
6 impairments, pupils with hearing impairment, pupils with visual
7 impairment, and pupils with physical impairment or other health
8 impairment. Programs for pupils with emotional impairment housed in
9 buildings that do not serve regular education pupils also qualify.
10 Unless otherwise approved by the department, a center program
11 either serves all constituent districts within an intermediate
12 district or serves several districts with less than 50% of the
13 pupils residing in the operating district. In addition, special
14 education center program pupils placed part-time in noncenter
15 programs to comply with the least restrictive environment
16 provisions of section 1412 of the individuals with disabilities
17 education act, 20 USC 1412, may be considered center program pupils
18 for pupil accounting purposes for the time scheduled in either a
19 center program or a noncenter program.

20 (2) "District and high school graduation rate" means the
21 annual completion and pupil dropout rate that is calculated by the
22 center pursuant to nationally recognized standards.

23 (3) "District and high school graduation report" means a
24 report of the number of pupils, excluding adult education
25 participants, in the district for the immediately preceding school
26 year, adjusted for those pupils who have transferred into or out of
27 the district or high school, who leave high school with a diploma
28 or other credential of equal status.

29 (4) "Membership", except as otherwise provided in ~~this~~



~~1 subsection of this article, means for a district, a public school
 2 academy, or an intermediate district the sum of the product of .90
 3 times the number of full-time equated pupils in grades K to 12
 4 actually enrolled and in regular daily attendance in the district,
 5 public school academy, or intermediate district on the pupil
 6 membership count day for the current school year, plus the product
 7 of .10 times the final audited count from the supplemental count
 8 day of full-time equated pupils in grades K to 12 actually enrolled
 9 and in regular daily attendance in the district, public school
 10 academy, or intermediate district for the immediately preceding
 11 school year. A district's, public school academy's, or intermediate
 12 district's membership is adjusted as provided under section 25e for
 13 pupils who enroll after the pupil membership count day in a strict
 14 discipline academy operating under sections 1311b to 1311m of the
 15 revised school code, MCL 380.1311b to 380.1311m. For 2021-2022
 16 only, membership means for a district, a public school academy, or
 17 an intermediate district, the sum of the product of .90 times the
 18 number of full-time equated pupils in grades K to 12 actually
 19 enrolled and in regular daily attendance in the district, public
 20 school academy, or intermediate district on the pupil membership
 21 count day for the current school year and the product of .10 times
 22 the final audited count of the number of full-time equated pupils
 23 engaged in pandemic learning for spring 2021, or, for a public
 24 school academy that operates as a cyber school, as that term is
 25 defined in section 551 of the revised school code, MCL 380.551, the
 26 final audited count from the supplemental count day of full-time
 27 equated pupils in grades K to 12 actually enrolled and in regular
 28 daily attendance in the public school academy for the immediately
 29 preceding school year. All pupil counts used in this subsection are~~



1 as determined by the department and calculated by adding the number
2 of pupils registered for attendance plus pupils received by
3 transfer and minus pupils lost as defined by rules promulgated by
4 the superintendent, and as corrected by a subsequent department
5 audit. The amount of the foundation allowance for a pupil in
6 membership is determined under section 20. In making the
7 calculation of membership, all of the following, as applicable,
8 apply to determining the membership of a district, a public school
9 academy, or an intermediate district:

10 (a) Except as otherwise provided in this subsection, and
11 pursuant to subsection (6), a pupil is counted in membership in the
12 pupil's educating district or districts. An individual pupil must
13 not be counted for more than a total of 1.0 full-time equated
14 membership.

15 (b) If a pupil is educated in a district other than the
16 pupil's district of residence, if the pupil is not being educated
17 as part of a cooperative education program, if the pupil's district
18 of residence does not give the educating district its approval to
19 count the pupil in membership in the educating district, and if the
20 pupil is not covered by an exception specified in subsection (6) to
21 the requirement that the educating district must have the approval
22 of the pupil's district of residence to count the pupil in
23 membership, the pupil is not counted in membership in any district.

24 (c) A special education pupil educated by the intermediate
25 district is counted in membership in the intermediate district.

26 (d) A pupil placed by a court or state agency in an on-grounds
27 program of a juvenile detention facility, a child caring
28 institution, or a mental health institution, or a pupil funded
29 under section 53a, is counted in membership in the district or



1 intermediate district approved by the department to operate the
2 program.

3 (e) A pupil enrolled in the Michigan Schools for the Deaf and
4 Blind is counted in membership in the pupil's intermediate district
5 of residence.

6 (f) A pupil enrolled in a career and technical education
7 program supported by a millage levied over an area larger than a
8 single district or in an area vocational-technical education
9 program established under section 690 of the revised school code,
10 MCL 380.690, is counted in membership only in the pupil's district
11 of residence.

12 (g) A pupil enrolled in a public school academy is counted in
13 membership in the public school academy.

14 (h) For the purposes of this section and section 6a, for a
15 cyber school, as that term is defined in section 551 of the revised
16 school code, MCL 380.551, that is in compliance with section 553a
17 of the revised school code, MCL 380.553a, a pupil's participation
18 in the cyber school's educational program is considered regular
19 daily attendance, and for a district or public school academy, a
20 pupil's participation in a virtual course as that term is defined
21 in section 21f is considered regular daily attendance. **Beginning**
22 **July 1, 2021, this subdivision is subject to section 8c. It is the**
23 **intent of the legislature that the immediately preceding sentence**
24 **apply retroactively and is effective July 1, 2021.** For the purposes
25 of this subdivision, for a pupil enrolled in a cyber school, ~~and~~
26 ~~utilizing sequential learning,~~ **all of the following apply with**
27 **regard to the** participation ~~means that term as defined in the pupil~~
28 ~~accounting manual, section 5-0-D: requirements for counting pupils~~
29 ~~in membership subsection 10.~~ **requirement as described in this**



1 subdivision:

2 (i) Except as otherwise provided in this subdivision, the pupil
3 shall participate in each scheduled course on pupil membership
4 count day or supplemental count day, as applicable. If the pupil is
5 absent on pupil membership count day or supplemental count day, as
6 applicable, the pupil must attend and participate in class during
7 the next 10 consecutive school days if the absence was unexcused,
8 or during the next 30 calendar days if the absence was excused.

9 (ii) For a pupil who is not learning sequentially, 1 or more of
10 the following must be met on pupil membership count day or
11 supplemental count day, as applicable, for each scheduled course to
12 satisfy the participation requirement under this subdivision:

13 (A) The pupil attended a live lesson from the teacher.

14 (B) The pupil logged into a lesson or lesson activity and the
15 login can be documented.

16 (C) The pupil and teacher engaged in a subject-oriented
17 telephone conversation.

18 (D) There is documentation of an email dialogue between the
19 pupil and teacher.

20 (E) There is documentation of activity or work between the
21 learning coach and pupil.

22 (F) An alternate form of attendance as determined and agreed
23 upon by the cyber school and the pupil membership auditor was met.

24 (iii) For a pupil using sequential learning, the participation
25 requirement under this subdivision is satisfied if either of the
26 following occurs:

27 (A) Except as otherwise provided in this sub-subparagraph, the
28 pupil and the teacher of record or mentor complete a 2-way
29 interaction for 1 course during the week on which pupil membership



1 count day or supplemental count day, as applicable, occurs, and the
 2 3 consecutive weeks following that week. However, if a school break
 3 is scheduled during any of the weeks described in this sub-
 4 subparagraph that is 4 or more days in length or instruction has
 5 been canceled districtwide during any of the weeks described in
 6 this sub-subparagraph for 3 or more school days, the district is
 7 not required to ensure that the pupil and the teacher of record or
 8 mentor completed a 2-way interaction for that week. As used in this
 9 sub-subparagraph:

10 (I) "2-way interaction" means the communication that occurs
 11 between the teacher of record or mentor and pupil, where 1 party
 12 initiates communication and a response from the other party follows
 13 that communication. Responses as described in this sub-sub-
 14 subparagraph must be to the communication initiated by the teacher
 15 of record or mentor, and not some other action taken. This
 16 interaction may occur through, but is not limited to, means such as
 17 email, telephone, instant messaging, or face-to-face conversation.
 18 A parent- or legal-guardian-facilitated 2-way interaction is
 19 considered a 2-way interaction if the pupil is in any of grades K
 20 to 5 and does not yet possess the skills necessary to participate
 21 in 2-way interactions unassisted. The interactions described in
 22 this sub-sub-subparagraph must relate to a virtual course on the
 23 pupil's schedule and pertain to course content or progress.

24 (II) "Mentor" means a professional employee of the district
 25 who monitors the pupil's progress, ensures the pupil has access to
 26 needed technology, is available for assistance, and ensures access
 27 to the teacher of record. A mentor may also be the teacher of
 28 record if the mentor meets the definition of a teacher of record
 29 under this sub-subparagraph and the district is the provider for



1 the course.

2 (III) "Teacher of record" means a teacher to whom all of the
3 following apply:

4 (1) He or she is responsible for providing instruction,
5 determining instructional methods for each pupil, diagnosing
6 learning needs, assessing pupil learning, prescribing intervention
7 strategies and modifying lessons, reporting outcomes, and
8 evaluating the effects of instruction and support strategies. The
9 teacher of record may coordinate the distribution and assignment of
10 the responsibilities described in this sub-sub-sub-subparagraph
11 with other teachers participating in the instructional process for
12 a course.

13 (2) He or she is certified for the grade level or is working
14 under a valid substitute permit, authorization, or approval issued
15 by the department.

16 (3) He or she has a personnel identification code provided by
17 the center.

18 (IV) "Week" means a period that starts on Wednesday and ends
19 the following Tuesday.

20 (B) The pupil completes a combination of 1 or more of the
21 following activities for each scheduled course on pupil membership
22 count day or supplemental count day, as applicable:

23 (I) Documented attendance in a virtual course where
24 synchronous, live instruction occurred with the teacher.

25 (II) Documented completion of a course assignment.

26 (III) Documented completion of a course lesson or lesson
27 activity.

28 (IV) Documented pupil access to an ongoing lesson, which does
29 not include a login.



1 (V) Documented physical attendance on pupil membership count
2 day or supplemental count day, as applicable, in each scheduled
3 course, if the pupil will attend at least 50% of the instructional
4 time for each scheduled course on-site, face-to-face with the
5 teacher of record. As used in this sub-sub-subparagraph, "teacher
6 of record" means that term as defined in subparagraph (iii) (A).

7 (iv) For purposes of subparagraph (iii), each scheduled course
8 currently being attempted by the pupil, rather than every course on
9 the pupil's schedule for the entire term, is considered a part of
10 each scheduled course for the pupil.

11 (i) For a new district or public school academy beginning its
12 operation after December 31, 1994, membership for the first 2 full
13 or partial fiscal years of operation is determined as follows:

14 (i) If operations begin before the pupil membership count day
15 for the fiscal year, membership is the average number of full-time
16 equated pupils in grades K to 12 actually enrolled and in regular
17 daily attendance on the pupil membership count day for the current
18 school year and on the supplemental count day for the current
19 school year, as determined by the department and calculated by
20 adding the number of pupils registered for attendance on the pupil
21 membership count day plus pupils received by transfer and minus
22 pupils lost as defined by rules promulgated by the superintendent,
23 and as corrected by a subsequent department audit, plus the final
24 audited count from the supplemental count day for the current
25 school year, and dividing that sum by 2.

26 (ii) If operations begin after the pupil membership count day
27 for the fiscal year and not later than the supplemental count day
28 for the fiscal year, membership is the final audited count of the
29 number of full-time equated pupils in grades K to 12 actually



1 enrolled and in regular daily attendance on the supplemental count
2 day for the current school year.

3 (j) If a district is the authorizing body for a public school
4 academy, then, in the first school year in which pupils are counted
5 in membership on the pupil membership count day in the public
6 school academy, the determination of the district's membership
7 excludes from the district's pupil count for the immediately
8 preceding supplemental count day any pupils who are counted in the
9 public school academy on that first pupil membership count day who
10 were also counted in the district on the immediately preceding
11 supplemental count day.

12 (k) For an extended school year program approved by the
13 superintendent, a pupil enrolled, but not scheduled to be in
14 regular daily attendance, on a pupil membership count day, is
15 counted in membership.

16 (l) To be counted in membership, a pupil must meet the minimum
17 age requirement to be eligible to attend school under section 1147
18 of the revised school code, MCL 380.1147, ~~or must be enrolled under~~
19 ~~subsection (3) of that section,~~ and must be less than 20 years of
20 age on September 1 of the school year except as follows:

21 (i) A special education pupil who is enrolled and receiving
22 instruction in a special education program or service approved by
23 the department, who does not have a high school diploma, and who is
24 less than 26 years of age as of September 1 of the current school
25 year is counted in membership.

26 (ii) A pupil who is determined by the department to meet all of
27 the following may be counted in membership:

28 (A) Is enrolled in a public school academy or an alternative
29 education high school diploma program, that is primarily focused on



1 educating pupils with extreme barriers to education, such as being
2 homeless as that term is defined under 42 USC 11302.

3 (B) Had dropped out of school.

4 (C) Is less than 22 years of age as of September 1 of the
5 current school year.

6 (iii) If a child does not meet the minimum age requirement to be
7 eligible to attend school for that school year under section 1147
8 of the revised school code, MCL 380.1147, but will be 5 years of
9 age not later than December 1 of that school year, the district may
10 count the child in membership for that school year if the parent or
11 legal guardian has notified the district in writing that he or she
12 intends to enroll the child in kindergarten for that school year.

13 (m) An individual who has achieved a high school diploma is
14 not counted in membership. An individual who has achieved a high
15 school equivalency certificate is not counted in membership unless
16 the individual is a student with a disability as that term is
17 defined in R 340.1702 of the Michigan Administrative Code. An
18 individual participating in a job training program funded under
19 former section 107a or a jobs program funded under former section
20 107b, administered by the department of labor and economic
21 opportunity, or participating in any successor of either of those 2
22 programs, is not counted in membership.

23 (n) If a pupil counted in membership in a public school
24 academy is also educated by a district or intermediate district as
25 part of a cooperative education program, the pupil is counted in
26 membership only in the public school academy unless a written
27 agreement signed by all parties designates the party or parties in
28 which the pupil is counted in membership, and the instructional
29 time scheduled for the pupil in the district or intermediate



1 district is included in the full-time equated membership
2 determination under subdivision (q) and section 101. However, for
3 pupils receiving instruction in both a public school academy and in
4 a district or intermediate district but not as a part of a
5 cooperative education program, the following apply:

6 (i) If the public school academy provides instruction for at
7 least 1/2 of the class hours required under section 101, the public
8 school academy receives as its prorated share of the full-time
9 equated membership for each of those pupils an amount equal to 1
10 times the product of the hours of instruction the public school
11 academy provides divided by the number of hours required under
12 section 101 for full-time equivalency, and the remainder of the
13 full-time membership for each of those pupils is allocated to the
14 district or intermediate district providing the remainder of the
15 hours of instruction.

16 (ii) If the public school academy provides instruction for less
17 than 1/2 of the class hours required under section 101, the
18 district or intermediate district providing the remainder of the
19 hours of instruction receives as its prorated share of the full-
20 time equated membership for each of those pupils an amount equal to
21 1 times the product of the hours of instruction the district or
22 intermediate district provides divided by the number of hours
23 required under section 101 for full-time equivalency, and the
24 remainder of the full-time membership for each of those pupils is
25 allocated to the public school academy.

26 (o) An individual less than 16 years of age as of September 1
27 of the current school year who is being educated in an alternative
28 education program is not counted in membership if there are also
29 adult education participants being educated in the same program or



1 classroom.

2 (p) The department shall give a uniform interpretation of
3 full-time and part-time memberships.

4 (q) The number of class hours used to calculate full-time
5 equated memberships must be consistent with section 101. In
6 determining full-time equated memberships for pupils who are
7 enrolled in a postsecondary institution or for pupils engaged in an
8 internship or work experience under section 1279h of the revised
9 school code, MCL 380.1279h, a pupil is not considered to be less
10 than a full-time equated pupil solely because of the effect of his
11 or her postsecondary enrollment or engagement in the internship or
12 work experience, including necessary travel time, on the number of
13 class hours provided by the district to the pupil.

14 (r) Full-time equated memberships for pupils in kindergarten
15 are determined by dividing the number of instructional hours
16 scheduled and provided per year per kindergarten pupil by the same
17 number used for determining full-time equated memberships for
18 pupils in grades 1 to 12. However, to the extent allowable under
19 federal law, for a district or public school academy that provides
20 evidence satisfactory to the department that it used federal title
21 I money in the 2 immediately preceding school fiscal years to fund
22 full-time kindergarten, full-time equated memberships for pupils in
23 kindergarten are determined by dividing the number of class hours
24 scheduled and provided per year per kindergarten pupil by a number
25 equal to 1/2 the number used for determining full-time equated
26 memberships for pupils in grades 1 to 12. The change in the
27 counting of full-time equated memberships for pupils in
28 kindergarten that took effect for 2012-2013 is not a mandate.

29 (s) For a district or a public school academy that has pupils



1 enrolled in a grade level that was not offered by the district or
2 public school academy in the immediately preceding school year, the
3 number of pupils enrolled in that grade level to be counted in
4 membership is the average of the number of those pupils enrolled
5 and in regular daily attendance on the pupil membership count day
6 and the supplemental count day of the current school year.
7 Membership is calculated by adding the number of pupils registered
8 for attendance in that grade level on the pupil membership count
9 day plus pupils received by transfer and minus pupils lost as
10 defined by rules promulgated by the superintendent, and as
11 corrected by subsequent department audit, plus the final audited
12 count from the supplemental count day for the current school year,
13 and dividing that sum by 2.

14 (t) A pupil enrolled in a cooperative education program may be
15 counted in membership in the pupil's district of residence with the
16 written approval of all parties to the cooperative agreement.

17 (u) If, as a result of a disciplinary action, a district
18 determines through the district's alternative or disciplinary
19 education program that the best instructional placement for a pupil
20 is in the pupil's home or otherwise apart from the general school
21 population, if that placement is authorized in writing by the
22 district superintendent and district alternative or disciplinary
23 education supervisor, and if the district provides appropriate
24 instruction as described in this subdivision to the pupil at the
25 pupil's home or otherwise apart from the general school population,
26 the district may count the pupil in membership on a pro rata basis,
27 with the proration based on the number of hours of instruction the
28 district actually provides to the pupil divided by the number of
29 hours required under section 101 for full-time equivalency. For the



1 purposes of this subdivision, a district is considered to be
2 providing appropriate instruction if all of the following are met:

3 (i) The district provides at least 2 nonconsecutive hours of
4 instruction per week to the pupil at the pupil's home or otherwise
5 apart from the general school population under the supervision of a
6 certificated teacher.

7 (ii) The district provides instructional materials, resources,
8 and supplies that are comparable to those otherwise provided in the
9 district's alternative education program.

10 (iii) Course content is comparable to that in the district's
11 alternative education program.

12 (iv) Credit earned is awarded to the pupil and placed on the
13 pupil's transcript.

14 (v) If a pupil was enrolled in a public school academy on the
15 pupil membership count day, if the public school academy's contract
16 with its authorizing body is revoked or the public school academy
17 otherwise ceases to operate, and if the pupil enrolls in a district
18 within 45 days after the pupil membership count day, the department
19 shall adjust the district's pupil count for the pupil membership
20 count day to include the pupil in the count.

21 (w) For a public school academy that has been in operation for
22 at least 2 years and that suspended operations for at least 1
23 semester and is resuming operations, membership is the sum of the
24 product of .90 times the number of full-time equated pupils in
25 grades K to 12 actually enrolled and in regular daily attendance on
26 the first pupil membership count day or supplemental count day,
27 whichever is first, occurring after operations resume, plus the
28 product of .10 times the final audited count from the most recent
29 pupil membership count day or supplemental count day that occurred



1 before suspending operations, as determined by the superintendent.

2 (x) If a district's membership for a particular fiscal year,
 3 as otherwise calculated under this subsection, would be less than
 4 1,550 pupils, the district has 4.5 or fewer pupils per square mile,
 5 as determined by the department, and the district does not receive
 6 funding under section 22d(2), the district's membership is
 7 considered to be the membership figure calculated under this
 8 subdivision. If a district educates and counts in its membership
 9 pupils in grades 9 to 12 who reside in a contiguous district that
 10 does not operate grades 9 to 12 and if 1 or both of the affected
 11 districts request the department to use the determination allowed
 12 under this sentence, the department shall include the square
 13 mileage of both districts in determining the number of pupils per
 14 square mile for each of the districts for the purposes of this
 15 subdivision. If a district has established a community engagement
 16 advisory committee in partnership with the department of treasury,
 17 is required to submit a deficit elimination plan or an enhanced
 18 deficit elimination plan under section 1220 of the revised school
 19 code, MCL 380.1220, and is located in a city with a population
 20 between 9,000 and 11,000, as determined by the department, that is
 21 in a county with a population between 150,000 and 160,000, as
 22 determined by the department, the district's membership is
 23 considered to be the membership figure calculated under this
 24 subdivision. The membership figure calculated under this
 25 subdivision is the greater of the following:

26 (i) The average of the district's membership for the 3-fiscal-
 27 year period ending with that fiscal year, calculated by adding the
 28 district's actual membership for each of those 3 fiscal years, as
 29 otherwise calculated under this subsection, and dividing the sum of



1 those 3 membership figures by 3.

2 (ii) The district's actual membership for that fiscal year as
3 otherwise calculated under this subsection.

4 (y) Full-time equated memberships for special education pupils
5 who are not enrolled in kindergarten but are enrolled in a
6 classroom program under R 340.1754 of the Michigan Administrative
7 Code are determined by dividing the number of class hours scheduled
8 and provided per year by 450. Full-time equated memberships for
9 special education pupils who are not enrolled in kindergarten but
10 are receiving early childhood special education services under R
11 340.1755 or R 340.1862 of the Michigan Administrative Code are
12 determined by dividing the number of hours of service scheduled and
13 provided per year per pupil by 180.

14 (z) A pupil of a district that begins its school year after
15 Labor Day who is enrolled in an intermediate district program that
16 begins before Labor Day is not considered to be less than a full-
17 time pupil solely due to instructional time scheduled but not
18 attended by the pupil before Labor Day.

19 (aa) For the first year in which a pupil is counted in
20 membership on the pupil membership count day in a middle college
21 program, the membership is the average of the full-time equated
22 membership on the pupil membership count day and on the
23 supplemental count day for the current school year, as determined
24 by the department. If a pupil described in this subdivision was
25 counted in membership by the operating district on the immediately
26 preceding supplemental count day, the pupil is excluded from the
27 district's immediately preceding supplemental count for the
28 purposes of determining the district's membership.

29 (bb) A district or public school academy that educates a pupil



1 who attends a United States Olympic Education Center may count the
2 pupil in membership regardless of whether or not the pupil is a
3 resident of this state.

4 (cc) A pupil enrolled in a district other than the pupil's
5 district of residence under section 1148(2) of the revised school
6 code, MCL 380.1148, is counted in the educating district.

7 (dd) For a pupil enrolled in a dropout recovery program that
8 meets the requirements of section 23a, the pupil is counted as 1/12
9 of a full-time equated membership for each month that the district
10 operating the program reports that the pupil was enrolled in the
11 program and was in full attendance. However, if the special
12 membership counting provisions under this subdivision and the
13 operation of the other membership counting provisions under this
14 subsection result in a pupil being counted as more than 1.0 FTE in
15 a fiscal year, the payment made for the pupil under sections 22a
16 and 22b must not be based on more than 1.0 FTE for that pupil, and
17 any portion of an FTE for that pupil that exceeds 1.0 is instead
18 paid under section 25g. The district operating the program shall
19 report to the center the number of pupils who were enrolled in the
20 program and were in full attendance for a month not later than 30
21 days after the end of the month. A district shall not report a
22 pupil as being in full attendance for a month unless both of the
23 following are met:

24 (i) A personalized learning plan is in place on or before the
25 first school day of the month for the first month the pupil
26 participates in the program.

27 (ii) The pupil meets the district's definition under section
28 23a of satisfactory monthly progress for that month or, if the
29 pupil does not meet that definition of satisfactory monthly



1 progress for that month, the pupil did meet that definition of
2 satisfactory monthly progress in the immediately preceding month
3 and appropriate interventions are implemented within 10 school days
4 after it is determined that the pupil does not meet that definition
5 of satisfactory monthly progress.

6 (ee) A pupil participating in a virtual course under section
7 21f is counted in membership in the district enrolling the pupil.

8 (ff) If a public school academy that is not in its first or
9 second year of operation closes at the end of a school year and
10 does not reopen for the next school year, the department shall
11 adjust the membership count of the district or other public school
12 academy in which a former pupil of the closed public school academy
13 enrolls and is in regular daily attendance for the next school year
14 to ensure that the district or other public school academy receives
15 the same amount of membership aid for the pupil as if the pupil
16 were counted in the district or other public school academy on the
17 supplemental count day of the preceding school year.

18 (gg) If a special education pupil is expelled under section
19 1311 or 1311a of the revised school code, MCL 380.1311 and
20 380.1311a, and is not in attendance on the pupil membership count
21 day because of the expulsion, and if the pupil remains enrolled in
22 the district and resumes regular daily attendance during that
23 school year, the district's membership is adjusted to count the
24 pupil in membership as if he or she had been in attendance on the
25 pupil membership count day.

26 (hh) A pupil enrolled in a community district is counted in
27 membership in the community district.

28 (ii) A part-time pupil enrolled in a nonpublic school in
29 grades K to 12 in accordance with section 166b must not be counted



1 as more than 0.75 of a full-time equated membership.

2 (jj) A district that borders another state or a public school
3 academy that operates at least grades 9 to 12 and is located within
4 20 miles of a border with another state may count in membership a
5 pupil who is enrolled in a course at a college or university that
6 is located in the bordering state and within 20 miles of the border
7 with this state if all of the following are met:

8 (i) The pupil would meet the definition of an eligible student
9 under the postsecondary enrollment options act, 1996 PA 160, MCL
10 388.511 to 388.524, if the course were an eligible course under
11 that act.

12 (ii) The course in which the pupil is enrolled would meet the
13 definition of an eligible course under the postsecondary enrollment
14 options act, 1996 PA 160, MCL 388.511 to 388.524, if the course
15 were provided by an eligible postsecondary institution under that
16 act.

17 (iii) The department determines that the college or university
18 is an institution that, in the other state, fulfills a function
19 comparable to a state university or community college, as those
20 terms are defined in section 3 of the postsecondary enrollment
21 options act, 1996 PA 160, MCL 388.513, or is an independent
22 nonprofit degree-granting college or university.

23 (iv) The district or public school academy pays for a portion
24 of the pupil's tuition at the college or university in an amount
25 equal to the eligible charges that the district or public school
26 academy would pay to an eligible postsecondary institution under
27 the postsecondary enrollment options act, 1996 PA 160, MCL 388.511
28 to 388.524, as if the course were an eligible course under that
29 act.



1 (v) The district or public school academy awards high school
2 credit to a pupil who successfully completes a course as described
3 in this subdivision.

4 (kk) A pupil enrolled in a middle college program may be
5 counted for more than a total of 1.0 full-time equated membership
6 if the pupil is enrolled in more than the minimum number of
7 instructional days and hours required under section 101 and the
8 pupil is expected to complete the 5-year program with both a high
9 school diploma and at least 60 transferable college credits or is
10 expected to earn an associate's degree in fewer than 5 years.

11 (ll) If a district's or public school academy's membership for
12 a particular fiscal year, as otherwise calculated under this
13 subsection, includes pupils counted in membership who are enrolled
14 under section 166b, all of the following apply for the purposes of
15 this subdivision:

16 (i) If the district's or public school academy's membership for
17 pupils counted under section 166b equals or exceeds 5% of the
18 district's or public school academy's membership for pupils not
19 counted in membership under section 166b in the immediately
20 preceding fiscal year, then the growth in the district's or public
21 school academy's membership for pupils counted under section 166b
22 must not exceed 10%.

23 (ii) If the district's or public school academy's membership
24 for pupils counted under section 166b is less than 5% of the
25 district's or public school academy's membership for pupils not
26 counted in membership under section 166b in the immediately
27 preceding fiscal year, then the district's or public school
28 academy's membership for pupils counted under section 166b must not
29 exceed the greater of the following:



1 (A) ~~5%~~ **Five percent** of the district's or public school
2 academy's membership for pupils not counted in membership under
3 section 166b.

4 (B) ~~10%~~ **Ten percent** more than the district's or public school
5 academy's membership for pupils counted under section 166b in the
6 immediately preceding fiscal year.

7 (iii) If 1 or more districts consolidate or are parties to an
8 annexation, then the calculations under subparagraphs (i) and (ii)
9 must be applied to the combined total membership for pupils counted
10 in those districts for the fiscal year immediately preceding the
11 consolidation or annexation.

12 (5) "Public school academy" means that term as defined in
13 section 5 of the revised school code, MCL 380.5.

14 (6) "Pupil" means an individual in membership in a public
15 school. A district must have the approval of the pupil's district
16 of residence to count the pupil in membership, except approval by
17 the pupil's district of residence is not required for any of the
18 following:

19 (a) A nonpublic part-time pupil enrolled in grades K to 12 in
20 accordance with section 166b.

21 (b) A pupil receiving 1/2 or less of his or her instruction in
22 a district other than the pupil's district of residence.

23 (c) A pupil enrolled in a public school academy.

24 (d) A pupil enrolled in a district other than the pupil's
25 district of residence if the pupil is enrolled in accordance with
26 section 105 or 105c.

27 (e) A pupil who has made an official written complaint or
28 whose parent or legal guardian has made an official written
29 complaint to law enforcement officials and to school officials of



1 the pupil's district of residence that the pupil has been the
2 victim of a criminal sexual assault or other serious assault, if
3 the official complaint either indicates that the assault occurred
4 at school or that the assault was committed by 1 or more other
5 pupils enrolled in the school the pupil would otherwise attend in
6 the district of residence or by an employee of the district of
7 residence. A person who intentionally makes a false report of a
8 crime to law enforcement officials for the purposes of this
9 subdivision is subject to section 411a of the Michigan penal code,
10 1931 PA 328, MCL 750.411a, which provides criminal penalties for
11 that conduct. As used in this subdivision:

12 (i) "At school" means in a classroom, elsewhere on school
13 premises, on a school bus or other school-related vehicle, or at a
14 school-sponsored activity or event whether or not it is held on
15 school premises.

16 (ii) "Serious assault" means an act that constitutes a felony
17 violation of chapter XI of the Michigan penal code, 1931 PA 328,
18 MCL 750.81 to 750.90h, or that constitutes an assault and
19 infliction of serious or aggravated injury under section 81a of the
20 Michigan penal code, 1931 PA 328, MCL 750.81a.

21 (f) A pupil whose district of residence changed after the
22 pupil membership count day and before the supplemental count day
23 and who continues to be enrolled on the supplemental count day as a
24 nonresident in the district in which he or she was enrolled as a
25 resident on the pupil membership count day of the same school year.

26 (g) A pupil enrolled in an alternative education program
27 operated by a district other than his or her district of residence
28 who meets 1 or more of the following:

29 (i) The pupil has been suspended or expelled from his or her



1 district of residence for any reason, including, but not limited
2 to, a suspension or expulsion under section 1310, 1311, or 1311a of
3 the revised school code, MCL 380.1310, 380.1311, and 380.1311a.

4 (ii) The pupil had previously dropped out of school.

5 (iii) The pupil is pregnant or is a parent.

6 (iv) The pupil has been referred to the program by a court.

7 (h) A pupil enrolled in the Michigan Virtual School, for the
8 pupil's enrollment in the Michigan Virtual School.

9 (i) A pupil who is the child of a person who works at the
10 district or who is the child of a person who worked at the district
11 as of the time the pupil first enrolled in the district but who no
12 longer works at the district due to a workforce reduction. As used
13 in this subdivision, "child" includes an adopted child, stepchild,
14 or legal ward.

15 (j) An expelled pupil who has been denied reinstatement by the
16 expelling district and is reinstated by another school board under
17 section 1311 or 1311a of the revised school code, MCL 380.1311 and
18 380.1311a.

19 (k) A pupil enrolled in a district other than the pupil's
20 district of residence in a middle college program if the pupil's
21 district of residence and the enrolling district are both
22 constituent districts of the same intermediate district.

23 (l) A pupil enrolled in a district other than the pupil's
24 district of residence who attends a United States Olympic Education
25 Center.

26 (m) A pupil enrolled in a district other than the pupil's
27 district of residence under section 1148(2) of the revised school
28 code, MCL 380.1148.

29 (n) A pupil who enrolls in a district other than the pupil's



1 district of residence as a result of the pupil's school not making
 2 adequate yearly progress under the no child left behind act of
 3 2001, Public Law 107-110, or the every student succeeds act, Public
 4 Law 114-95.

5 However, if a district educates pupils who reside in another
 6 district and if the primary instructional site for those pupils is
 7 established by the educating district after 2009-2010 and is
 8 located within the boundaries of that other district, the educating
 9 district must have the approval of that other district to count
 10 those pupils in membership.

11 (7) "Pupil membership count day" of a district or intermediate
 12 district means:

13 (a) Except as provided in subdivision (b), the first Wednesday
 14 in October each school year or, for a district or building in which
 15 school is not in session on that Wednesday due to conditions not
 16 within the control of school authorities, with the approval of the
 17 superintendent, the immediately following day on which school is in
 18 session in the district or building.

19 (b) For a district or intermediate district maintaining school
 20 during the entire school year, the following days:

- 21 (i) Fourth Wednesday in July.
- 22 (ii) First Wednesday in October.
- 23 (iii) Second Wednesday in February.
- 24 (iv) Fourth Wednesday in April.

25 (8) "Pupils in grades K to 12 actually enrolled and in regular
 26 daily attendance" means, **except as otherwise provided in this**
 27 **section**, pupils in grades K to 12 in attendance and receiving
 28 instruction in all classes for which they are enrolled on the pupil
 29 membership count day or the supplemental count day, as applicable.



1 Except as otherwise provided in this **section and** subsection, a
 2 pupil who is absent from any of the classes in which the pupil is
 3 enrolled on the pupil membership count day or supplemental count
 4 day and who does not attend each of those classes during the 10
 5 consecutive school days immediately following the pupil membership
 6 count day or supplemental count day, except for a pupil who has
 7 been excused by the district, is not counted as 1.0 full-time
 8 equated membership. ~~A-Except as otherwise provided in this section,~~
 9 **a** pupil who is excused from attendance on the pupil membership
 10 count day or supplemental count day and who fails to attend each of
 11 the classes in which the pupil is enrolled within 30 calendar days
 12 after the pupil membership count day or supplemental count day is
 13 not counted as 1.0 full-time equated membership. ~~In-Except as~~
 14 **otherwise provided in this section, in** addition, a pupil who was
 15 enrolled and in attendance in a district, intermediate district, or
 16 public school academy before the pupil membership count day or
 17 supplemental count day of a particular year but was expelled or
 18 suspended on the pupil membership count day or supplemental count
 19 day is only counted as 1.0 full-time equated membership if the
 20 pupil resumed attendance in the district, intermediate district, or
 21 public school academy within 45 days after the pupil membership
 22 count day or supplemental count day of that particular year. ~~A~~
 23 **Except as otherwise provided in this section, a** pupil not counted
 24 as 1.0 full-time equated membership due to an absence from a class
 25 is counted as a prorated membership for the classes the pupil
 26 attended. For purposes of this subsection, "class" means either of
 27 the following, as applicable:

28 (a) A period of time in 1 day when pupils and an individual
 29 who is appropriately placed under a valid certificate, substitute



1 permit, authorization, or approval issued by the department, are
 2 together and instruction is taking place. This subdivision does not
 3 apply for the 2020-2021, ~~and 2021-2022,~~ **and 2022-2023** school years.

4 (b) For the 2020-2021, ~~and 2021-2022,~~ **and 2022-2023** school
 5 years only, a period of time in 1 day when pupils and a
 6 certificated teacher, a teacher engaged to teach under section
 7 1233b of the revised school code, MCL 380.1233b, or an individual
 8 working under a valid substitute permit, authorization, or approval
 9 issued by the department are together and instruction is taking
 10 place.

11 ~~(9) "Pupils engaged in pandemic learning for spring 2021"~~
 12 ~~means that term as defined in section 6a.~~

13 (9) ~~(10)~~ "Rule" means a rule promulgated pursuant to the
 14 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
 15 24.328.

16 (10) ~~(11)~~ "The revised school code" means the revised school
 17 code, 1976 PA 451, MCL 380.1 to 380.1852.

18 (11) ~~(12)~~ "School district of the first class", "first class
 19 school district", and "district of the first class" mean, for the
 20 purposes of this article only, a district that had at least 40,000
 21 pupils in membership for the immediately preceding fiscal year.

22 (12) ~~(13)~~ "School fiscal year" means a fiscal year that
 23 commences July 1 and continues through June 30.

24 (13) ~~(14)~~ "State board" means the state board of education.

25 (14) ~~(15)~~ "Superintendent", unless the context clearly refers
 26 to a district or intermediate district superintendent, means the
 27 superintendent of public instruction described in section 3 of
 28 article VIII of the state constitution of 1963.

29 (15) ~~(16)~~ "Supplemental count day" means the day on which the



1 supplemental pupil count is conducted under section 6a. ~~or the day~~
 2 ~~specified as supplemental count day under section 6a.~~

3 **(16)** ~~(17)~~—"Tuition pupil" means a pupil of school age
 4 attending school in a district other than the pupil's district of
 5 residence for whom tuition may be charged to the district of
 6 residence. Tuition pupil does not include a pupil who is a special
 7 education pupil, a pupil described in subsection (6) (d) to (n), or
 8 a pupil whose parent or guardian voluntarily enrolls the pupil in a
 9 district that is not the pupil's district of residence. A pupil's
 10 district of residence shall not require a high school tuition
 11 pupil, as provided under section 111, to attend another school
 12 district after the pupil has been assigned to a school district.

13 **(17)** ~~(18)~~—"State school aid fund" means the state school aid
 14 fund established in section 11 of article IX of the state
 15 constitution of 1963.

16 **(18)** ~~(19)~~—"Taxable value" means, except as otherwise provided
 17 in this article, the taxable value of property as determined under
 18 section 27a of the general property tax act, 1893 PA 206, MCL
 19 211.27a.

20 **(19)** ~~(20)~~—"Textbook" means a book, electronic book, or other
 21 instructional print or electronic resource that is selected and
 22 approved by the governing board of a district and that contains a
 23 presentation of principles of a subject, or that is a literary work
 24 relevant to the study of a subject required for the use of
 25 classroom pupils, or another type of course material that forms the
 26 basis of classroom instruction.

27 **(20)** ~~(21)~~—"Total state aid" or "total state school aid",
 28 except as otherwise provided in this article, means the total
 29 combined amount of all funds due to a district, intermediate



1 district, or other entity under this article.

2 Sec. 6a. ~~(1) Except as otherwise provided in this subsection~~
 3 ~~and this act, in addition to the pupil membership count day, there~~
 4 ~~is a supplemental pupil count of the number of full-time equated~~
 5 ~~pupils in grades K-12 actually enrolled and in regular daily~~
 6 ~~attendance in a district or intermediate district on the second~~
 7 ~~Wednesday in February or, for a district that is not in session on~~
 8 ~~that day due to conditions not within the control of school~~
 9 ~~authorities, with the approval of the superintendent, the~~
 10 ~~immediately following day on which the district is in session. 7~~
 11 ~~but, for 2020-2021 only, in addition to the pupil membership count~~
 12 ~~day, there is a supplemental pupil count of the number of full-time~~
 13 ~~equated pupils engaged in pandemic learning for spring 2021 or, for~~
 14 ~~a district that operates as a cyber school, as that term is defined~~
 15 ~~in section 551 of the revised school code, MCL 380.551, the number~~
 16 ~~of full-time equated pupils in grades K to 12 actually enrolled and~~
 17 ~~in regular attendance in the district on 2020-2021 supplemental~~
 18 ~~count day. For the purposes of this act, and except as otherwise~~
 19 ~~provided in this subsection, the day on which the supplemental~~
 20 ~~pupil count is conducted is the supplemental count day. For 2020-~~
 21 ~~2021, for purposes of this act, and except as otherwise~~
 22 ~~specifically provided in this article, supplemental count day is~~
 23 ~~the second Wednesday in February or, for a district that is not in~~
 24 ~~session on that day due to conditions not within the control of~~
 25 ~~school authorities, with the approval of the superintendent, the~~
 26 ~~immediately following day on which the district is in session. A~~
 27 ~~district is considered to be in session for purposes of this~~
 28 ~~subsection when the district is providing pupil instruction~~
 29 ~~pursuant to an extended COVID-19 learning plan approved under~~



1 ~~section 98a.~~

2 ~~(2) As used in this section, "pupils engaged in pandemic~~
 3 ~~learning for spring 2021" means pupils in grades K to 12 who are~~
 4 ~~enrolled in a district, excluding a district that operates as a~~
 5 ~~cyber school, as that term is defined in section 551 of the revised~~
 6 ~~school code, MCL 380.551, or intermediate district and to which any~~
 7 ~~of the following apply:~~

8 ~~(a) For a pupil who is not learning sequentially, any of the~~
 9 ~~following occurs for each of the pupil's scheduled courses:~~

10 ~~(i) The pupil attends a live lesson from the pupil's teacher or~~
 11 ~~at least 1 of the pupil's teachers on 2020-2021 supplemental count~~
 12 ~~day.~~

13 ~~(ii) The pupil logs into an online or virtual lesson or lesson~~
 14 ~~activity on 2020-2021 supplemental count day and the login can be~~
 15 ~~documented by the district or intermediate district.~~

16 ~~(iii) The pupil and the pupil's teacher or at least 1 of the~~
 17 ~~pupil's teachers engage in a subject-oriented telephone~~
 18 ~~conversation on 2020-2021 supplemental count day.~~

19 ~~(iv) The district or intermediate district documents that an~~
 20 ~~email dialogue occurred between the pupil and the pupil's teacher~~
 21 ~~or at least 1 of the pupil's teachers on 2020-2021 supplemental~~
 22 ~~count day.~~

23 ~~(b) For a pupil who is using sequential learning, any of the~~
 24 ~~following occurs for each of the pupil's scheduled courses:~~

25 ~~(i) The pupil attends a virtual course where synchronous, live~~
 26 ~~instruction occurs with the pupil's teacher or at least 1 of the~~
 27 ~~pupil's teachers on 2020-2021 supplemental count day and the~~
 28 ~~attendance is documented by the district or intermediate district.~~

29 ~~(ii) The pupil completes a course assignment on 2020-2021~~



1 ~~supplemental count day and the completion is documented by the~~
 2 ~~district or intermediate district.~~

3 ~~(iii) The pupil completes a course lesson or lesson activity on~~
 4 ~~2020-2021 supplemental count day and the completion is documented~~
 5 ~~by the district or intermediate district.~~

6 ~~(iv) The pupil accesses an ongoing lesson that is not a login~~
 7 ~~on 2020-2021 supplemental count day and the access is documented by~~
 8 ~~the district or intermediate district.~~

9 ~~(c) At a minimum, 1 2 way interaction has occurred between the~~
 10 ~~pupil and the pupil's teacher or at least 1 of the pupil's teachers~~
 11 ~~or another district employee who has responsibility for the pupil's~~
 12 ~~learning, grade progression, or academic progress during the week~~
 13 ~~on which 2020-2021 supplemental count day falls and during each~~
 14 ~~week for the 3 consecutive weeks after the week on which 2020-2021~~
 15 ~~supplemental count day falls. A district may utilize 2-way~~
 16 ~~interactions that occur under this subdivision toward meeting the~~
 17 ~~requirement under section 101(3)(h). As used in this subdivision:~~

18 ~~(i) "2-way interaction" means a communication that occurs~~
 19 ~~between a pupil and the pupil's teacher or at least 1 of the~~
 20 ~~pupil's teachers or another district employee who has~~
 21 ~~responsibility for the pupil's learning, grade progression, or~~
 22 ~~academic progress, where 1 party initiates communication and a~~
 23 ~~response from the other party follows that communication, and that~~
 24 ~~is relevant to course progress or course content for at least 1 of~~
 25 ~~the courses in which the pupil is enrolled or relevant to the~~
 26 ~~pupil's overall academic progress or grade progression. Responses,~~
 27 ~~as described in this subparagraph, must be to communication~~
 28 ~~initiated by the teacher, by another district employee who has~~
 29 ~~responsibility for the pupil's learning, grade progression, or~~



1 ~~academic progress, or by the pupil, and not some other action~~
 2 ~~taken. The communication described in this subparagraph may occur~~
 3 ~~through, but is not limited to, any of the following means:~~

4 ~~(A) Email.~~

5 ~~(B) Telephone.~~

6 ~~(C) Instant messaging.~~

7 ~~(D) Face-to-face conversation.~~

8 ~~(ii) "Week" means a period beginning on Wednesday and ending on~~
 9 ~~the following Tuesday.~~

10 ~~(d) The pupil has not participated or completed an activity~~
 11 ~~described in subdivision (a), (b), or (c) and the pupil was not~~
 12 ~~excused from participation or completion, but the pupil~~
 13 ~~participates in or completes an activity described in subdivision~~
 14 ~~(a) or (b) during the 10 consecutive school days immediately~~
 15 ~~following the 2020-2021 supplemental count day.~~

16 ~~(e) The pupil has not participated or completed an activity~~
 17 ~~described in subdivision (a), (b), or (c) and the pupil was excused~~
 18 ~~from participation or completion, but the pupil participates in or~~
 19 ~~completes an activity described in subdivision (a) or (b) during~~
 20 ~~the 30 calendar days immediately following the 2020-2021~~
 21 ~~supplemental count day.~~

22 ~~(f) The pupil meets the criteria of pupils in grades K to 12~~
 23 ~~actually enrolled and in regular daily attendance.~~

24 **Sec. 8c. (1) Beginning July 1, 2021, the department shall not**
 25 **require, including, but not limited to, through the pupil**
 26 **accounting manual or pupil auditing manual, for any of the**
 27 **following purposes, that a cyber school, as that term is defined in**
 28 **section 551 of the revised school code, MCL 380.551, ensure that**
 29 **each pupil enrolled in the cyber school participate in all of the**



1 hours of educational services made available to the pupil by the
 2 cyber school or track a pupil's participation in the educational
 3 program offered by the cyber school through attendance:

4 (a) For the purposes of section 6(4)(h), for establishing a
 5 pupil's participation in the cyber school's educational program.
 6 However, to the extent that the cyber school is required to track a
 7 pupil's participation in the educational program offered by the
 8 cyber school through attendance as specifically specified in
 9 section 6(4)(h), it shall.

10 (b) For the receipt of any funding under this act, including,
 11 but not limited to, the receipt of funding under section 51a.

12 (c) For purposes of section 101, for the application of the
 13 exemption under section 101(11).

14 (2) It is the intent of the legislature that this section
 15 apply retroactively and is effective July 1, 2021.

16 Sec. 11. (1) For the fiscal year ending September 30, 2022,
 17 there is appropriated for the public schools of this state and
 18 certain other state purposes relating to education the sum of
 19 ~~\$14,821,340,700.00~~ **\$14,465,414,700.00** from the state school aid
 20 fund, the sum of ~~\$97,619,400.00~~ **\$98,119,400.00** from the general
 21 fund, an amount not to exceed \$72,000,000.00 from the community
 22 district education trust fund created under section 12 of the
 23 Michigan trust fund act, 2000 PA 489, MCL 12.262, and an amount not
 24 to exceed \$100.00 from the water emergency reserve fund. **For the**
 25 **fiscal year ending September 30, 2023, there is appropriated for**
 26 **the public schools of this state and certain other state purposes**
 27 **relating to education the sum of \$16,754,072,900.00 from the state**
 28 **school aid fund, the sum of \$112,000,000.00 from the general fund,**
 29 **an amount not to exceed \$72,000,000.00 from the community district**



1 **education trust fund created under section 12 of the Michigan trust**
2 **fund act, 2000 PA 489, MCL 12.262, and an amount not to exceed**
3 **\$140,400,000.00 from the MPSERS retirement obligation reform**
4 **reserve fund created under section 147b.** In addition, all available
5 federal funds are only appropriated as allocated in this article
6 for the fiscal ~~year~~**years** ending September 30, 2022 **and September**
7 **30, 2023.**

8 (2) The appropriations under this section are allocated as
9 provided in this article. Money appropriated under this section
10 from the general fund must be expended to fund the purposes of this
11 article before the expenditure of money appropriated under this
12 section from the state school aid fund.

13 (3) Any general fund allocations under this article that are
14 not expended by the end of the fiscal year are transferred to the
15 school aid stabilization fund created under section 11a.

16 Sec. 11a. (1) The school aid stabilization fund is created as
17 a separate account within the state school aid fund.

18 (2) The state treasurer may receive money or other assets from
19 any source for deposit into the school aid stabilization fund. The
20 state treasurer shall deposit into the school aid stabilization
21 fund all of the following:

22 (a) Unexpended and unencumbered state school aid fund revenue
23 for a fiscal year that remains in the state school aid fund as of
24 the bookclosing for that fiscal year.

25 (b) Money statutorily dedicated to the school aid
26 stabilization fund.

27 (c) Money appropriated to the school aid stabilization fund.

28 (3) Money available in the school aid stabilization fund may
29 not be expended without a specific appropriation from the school



1 aid stabilization fund. Money in the school aid stabilization fund
 2 must be expended only for purposes for which state school aid fund
 3 money may be expended.

4 (4) The state treasurer shall direct the investment of the
 5 school aid stabilization fund. The state treasurer shall credit to
 6 the school aid stabilization fund interest and earnings from fund
 7 investments.

8 (5) Money in the school aid stabilization fund at the close of
 9 a fiscal year remains in the school aid stabilization fund and does
 10 not lapse to the unreserved school aid fund balance or the general
 11 fund.

12 (6) If the maximum amount appropriated under section 11 from
 13 the state school aid fund for a fiscal year exceeds the amount
 14 available for expenditure from the state school aid fund for that
 15 fiscal year, there is appropriated from the school aid
 16 stabilization fund to the state school aid fund an amount equal to
 17 the projected shortfall as determined by the department of
 18 treasury, but not to exceed available money in the school aid
 19 stabilization fund. If the money in the school aid stabilization
 20 fund is insufficient to fully fund an amount equal to the projected
 21 shortfall, the state budget director shall notify the legislature
 22 as required under section 296(2) and state payments in an amount
 23 equal to the remainder of the projected shortfall must be prorated
 24 in the manner provided under section 296(3).

25 (7) For ~~2021-2022~~, **2022-2023**, in addition to the
 26 appropriations in section 11, there is appropriated from the school
 27 aid stabilization fund to the state school aid fund the amount
 28 necessary to fully fund the allocations under this article.

29 Sec. 11j. From the state school aid fund money appropriated in



1 section 11, there is allocated an amount not to exceed
 2 \$111,000,000.00 for ~~2021-2022-2022-2023~~ for payments to the school
 3 loan bond redemption fund in the department of treasury on behalf
 4 of districts and intermediate districts. Notwithstanding section
 5 296 or any other provision of this act, funds allocated under this
 6 section are not subject to proration and must be paid in full.

7 Sec. 11k. For ~~2021-2022,~~ **2022-2023**, there is appropriated from
 8 the general fund to the school loan revolving fund an amount equal
 9 to the amount of school bond loans assigned to the Michigan finance
 10 authority, not to exceed the total amount of school bond loans held
 11 in reserve as long-term assets. As used in this section, "school
 12 loan revolving fund" means that fund created in section 16c of the
 13 shared credit rating act, 1985 PA 227, MCL 141.1066c.

14 Sec. 11m. From the state school aid fund money appropriated in
 15 section 11, there is allocated for ~~2020-2021-2021-2022~~ an amount
 16 not to exceed ~~\$8,700,000.00~~ **\$1,000,000.00** and there is allocated
 17 for ~~2021-2022-2022-2023~~ an amount not to exceed ~~\$9,500,000.00~~
 18 **\$7,800,000.00** for fiscal year cash-flow borrowing costs solely
 19 related to the state school aid fund established under section 11
 20 of article IX of the state constitution of 1963.

21 Sec. 11s. (1) From the state school aid fund money
 22 appropriated in section 11, there is allocated \$5,000,000.00 for
 23 ~~2021-2022-2022-2023~~ and from the general fund money appropriated in
 24 section 11, there is allocated \$3,075,000.00 for ~~2021-2022-2022-~~
 25 **2023** for the purpose of providing services and programs to children
 26 who reside within the boundaries of a district with the majority of
 27 its territory located within the boundaries of a city for which an
 28 executive proclamation of emergency concerning drinking water is
 29 issued in the current or immediately preceding ~~6-7~~ fiscal years



1 under the emergency management act, 1976 PA 390, MCL 30.401 to
 2 30.421, **and that has at least 4,500 pupils in membership for the**
 3 **2016-2017 fiscal year or has at least 2,900 pupils in membership**
 4 **for a fiscal year after 2016-2017.** ~~From the funding appropriated in~~
 5 ~~section 11, there is allocated for 2021-2022 \$100.00 from the water~~
 6 ~~emergency reserve fund for the purposes of this section.~~

7 (2) From the general fund money allocated in subsection (1),
 8 there is allocated to a district with the majority of its territory
 9 located within the boundaries of a city for which an executive
 10 proclamation of emergency concerning drinking water is issued in
 11 the current or immediately preceding ~~6-7~~ fiscal years **under the**
 12 **emergency management act, 1976 PA 390, MCL 30.401 to 30.421,** and
 13 that has at least 4,500 pupils in membership for the 2016-2017
 14 fiscal year or has at least ~~3,000-2,900~~ pupils in membership for a
 15 fiscal year after 2016-2017, an amount not to exceed \$2,425,000.00
 16 for ~~2021-2022-2022-2023~~ for the purpose of employing school nurses,
 17 classroom aides, and school social workers. The district shall
 18 provide a report to the department in a form, manner, and frequency
 19 prescribed by the department. The department shall provide a copy
 20 of that report to the governor, the house and senate school aid
 21 subcommittees, the house and senate fiscal agencies, and the state
 22 budget director within 5 days after receipt. The report must
 23 provide at least the following information:

24 (a) How many personnel were hired using the funds allocated
 25 under this subsection.

26 (b) A description of the services provided to pupils by those
 27 personnel.

28 (c) How many pupils received each type of service identified
 29 in subdivision (b).



1 (d) Any other information the department considers necessary
2 to ensure that the children described in subsection (1) received
3 appropriate levels and types of services.

4 (3) ~~For 2020-2021, from the state school aid fund money~~
5 ~~appropriated in section 11, there is allocated \$2,400,000.00, and,~~
6 ~~for 2021-2022, For 2022-2023, from the state school aid fund money~~
7 allocated in subsection (1), there is allocated an amount not to
8 exceed \$2,000,000.00 to an intermediate district that has a
9 constituent district described in subsection (2) to provide state
10 early intervention services for children described in subsection
11 (1) who are between age 3 and age 5. The intermediate district
12 shall use these funds to provide state early intervention services
13 that are similar to the services described in the early on Michigan
14 state plan.

15 (4) From the state school aid fund money allocated in
16 subsection (1), there is allocated an amount not to exceed
17 \$1,000,000.00 for ~~2021-2022~~ **2022-2023** to the intermediate district
18 described in subsection (3) to enroll children described in
19 subsection (1) in school-day great start readiness programs,
20 regardless of household income eligibility requirements contained
21 in section 32d. The department shall administer this funding
22 consistent with all other provisions that apply to great start
23 readiness programs under sections 32d and 39.

24 (5) For ~~2021-2022,~~ **2022-2023**, from the general fund money
25 allocated in subsection (1), there is allocated an amount not to
26 exceed \$650,000.00 for nutritional services to children described
27 in subsection (1).

28 (6) For ~~2021-2022,~~ **2022-2023**, from the state school aid fund
29 money allocated in subsection (1), there is allocated an amount not



1 to exceed \$2,000,000.00 to the intermediate district described in
 2 subsection (3) for interventions and supports for students in K to
 3 12 who were impacted by an executive proclamation of emergency
 4 described in subsection (1) concerning drinking water. Funds under
 5 this subsection must be used for behavioral supports, social
 6 workers, counselors, psychologists, nursing services, including,
 7 but not limited to, vision and hearing services, transportation
 8 services, parental engagement, community coordination, and other
 9 support services.

10 (7) In addition to the allocation under subsection (1), from
 11 the general fund money appropriated under section 11, there is
 12 allocated an amount not to exceed \$1,000,000.00 for ~~2021-2022~~**2022-**
 13 **2023** only for an early childhood collaborative that serves students
 14 located in a county with a population of not less than 400,000 or
 15 more than 500,000. The funds allocated under this subsection must
 16 be used to continue the expansion of early childhood services in
 17 response to an executive proclamation of emergency described in
 18 this section concerning drinking water.

19 ~~(8) In addition to the allocation under subsection (1), from~~
 20 ~~the general fund money appropriated under section 11, there is~~
 21 ~~allocated an amount not to exceed \$1,384,900.00 for 2021-2022 only~~
 22 ~~for the early childhood collaborative described in subsection (7)~~
 23 ~~to be used in support of enrollment software and staff. The~~
 24 ~~collaborative described in this subsection may use back office~~
 25 ~~supports from Genesee Intermediate School District and the Genesee~~
 26 ~~County Community Action Resource Department to reduce project costs~~
 27 ~~for purposes of this subsection. The collaborative described in~~
 28 ~~this subsection must ensure that all of the following are met:~~

29 (a) ~~It chooses an enrollment program for purposes of this~~



1 ~~subsection that provides families with all of the following:~~

2 ~~(i) A coordinated information campaign.~~

3 ~~(ii) Coordinated eligibility determination and preferences.~~

4 ~~(iii) A coordinated application.~~

5 ~~(iv) Highly qualified full-time and seasonal enrollment and~~
6 ~~analytics staff.~~

7 ~~(v) Content built with language services, program overhead,~~
8 ~~equipment, and supplies.~~

9 ~~(b) The enrollment program selected by the collaborative for~~
10 ~~purposes of this subsection has a record of improving enrollment in~~
11 ~~New Orleans.~~

12 ~~(c) The enrollment program selected by the collaborative for~~
13 ~~purposes of this subsection received funds from the C.S. Mott~~
14 ~~Foundation for the project.~~

15 ~~(d) It complies with application and reporting requirements as~~
16 ~~determined by the department.~~

17 ~~(e) It allocates the funds received under this subsection over~~
18 ~~3 phases, to provide explicit, targeted enrollment within an~~
19 ~~individualized enrollment system that continually adjusts to a~~
20 ~~family's needs.~~

21 ~~(8) (9)~~—In addition to other funding allocated and
22 appropriated in this section, there is appropriated an amount not
23 to exceed \$5,000,000.00 for ~~2021-2022~~ **2022-2023** for state
24 restricted contingency funds. These contingency funds are not
25 available for expenditure until they have been transferred to a
26 section within this article under section 393(2) of the management
27 and budget act, 1984 PA 431, MCL 18.1393.

28 ~~(9) (10)~~—Notwithstanding section 17b, the department shall
29 make payments under this section on a schedule determined by the



1 department.

2 Sec. 11x. (1) The school consolidation and infrastructure fund
3 is created as a separate account within the state school aid fund
4 for the purpose of improving student academic outcomes, increasing
5 the efficiency of the state's public education system, and creating
6 a healthy and safe space for students in this state.

7 (2) The state treasurer may receive money or other assets from
8 any source for deposit into the school consolidation and
9 infrastructure fund. The state treasurer shall direct the
10 investment of the school consolidation and infrastructure fund. The
11 state treasurer shall credit to the school consolidation and
12 infrastructure fund interest and earnings from school consolidation
13 and infrastructure fund investments.

14 (3) Money in the school consolidation and infrastructure fund
15 at the close of the fiscal year remains in the school consolidation
16 and infrastructure fund and does not lapse to the state school aid
17 fund or the general fund.

18 (4) The department of treasury is the administrator of the
19 school consolidation and infrastructure fund for auditing purposes.

20 (5) Money available in the school consolidation and
21 infrastructure fund must not be expended without a specific
22 appropriation. No more than 50% of funds in the school
23 consolidation and infrastructure fund may be appropriated for non-
24 consolidation-related infrastructure projects.

25 (6) From the state school aid fund money appropriated under
26 section 11, there is allocated for 2022-2023 only an amount not to
27 exceed \$5,000,000.00 for grants to districts and intermediate
28 districts to support the cost of a feasibility study or analysis of
29 consolidation among 1 or more districts or among 1 or more



1 intermediate districts. Districts and intermediate districts may
2 apply for a grant under this section to the department on a first-
3 come, first-serve basis. The maximum amount of a grant to be
4 distributed under this section may not exceed \$250,000.00.

5 Notwithstanding section 17b, the department shall make payments
6 under this subsection on a schedule determined by the department.

7 (7) For the fiscal year ending September 30, 2022 only,
8 \$475,000,000.00 from the state school aid fund must be deposited
9 into the school consolidation and infrastructure fund.

10 (8) To be eligible for the receipt of funds appropriated from
11 the school consolidation and infrastructure fund created under this
12 section, a district must allow for the facility condition
13 assessments described in section 11y to be conducted in the
14 district.

15 Sec. 11y. (1) From the state school aid fund money
16 appropriated in section 11, there is allocated an amount not to
17 exceed \$20,000,000.00 for 2022-2023 only for a statewide school
18 facilities study as prescribed in this section.

19 (2) The department must award funds under this section to an
20 intermediate district or a consortium of intermediate districts.

21 (3) The recipient of funding under this section must use the
22 funds to coordinate with engineers from Michigan-based construction
23 companies familiar with school construction to perform facility
24 condition assessments of each school building in this state in
25 which students are educated that is operated by a district. As part
26 of the assessment described in this subsection, the engineers must
27 report to the recipient of funding under this section either of the
28 following, as applicable:

29 (a) If the engineers do not determine that the most cost-



1 effective way to bring a building to health, safety, and wellness
2 standards is new construction, the investments required to ensure
3 that the building meets health, safety, and wellness standards and
4 the estimated cost of the investments.

5 (b) If the engineers determine that the most cost-effective
6 way to bring a building to health, safety, and wellness standards
7 is new construction, the estimated cost of the new construction
8 that meets the education needs of the student population currently
9 being served by the existing building.

10 (4) The recipient of funding under this section must provide a
11 report to the house and senate appropriations subcommittees on
12 school aid, the state budget director, the house and senate fiscal
13 agencies, and the department summarizing the information it
14 receives under subsection (3). The report described in this
15 subsection must include, at a minimum, the estimated statewide
16 costs received under subsection (3).

17 (5) Notwithstanding section 17b, the department shall make
18 payments under this section on a schedule determined by the
19 department.

20 Sec. 15. (1) If a district or intermediate district fails to
21 receive its proper apportionment, the department, upon satisfactory
22 proof that the district or intermediate district was entitled
23 justly, shall apportion the deficiency in the next apportionment.
24 Subject to subsections (2) and (3), if a district or intermediate
25 district has received more than its proper apportionment, the
26 department, upon satisfactory proof, shall deduct the excess in the
27 next apportionment. Notwithstanding any other provision in this
28 article, state aid overpayments to a district, other than
29 overpayments in payments for special education or special education



1 transportation, may be recovered from any payment made under this
2 article other than a special education or special education
3 transportation payment, from the proceeds of a loan to the district
4 under the emergency municipal loan act, 1980 PA 243, MCL 141.931 to
5 141.942, or from the proceeds of millage levied or pledged under
6 section 1211 of the revised school code, MCL 380.1211. State aid
7 overpayments made in special education or special education
8 transportation payments may be recovered from subsequent special
9 education or special education transportation payments, from the
10 proceeds of a loan to the district under the emergency municipal
11 loan act, 1980 PA 243, MCL 141.931 to 141.942, or from the proceeds
12 of millage levied or pledged under section 1211 of the revised
13 school code, MCL 380.1211.

14 (2) If the result of an audit conducted by or for the
15 department affects the current fiscal year membership, the
16 department shall adjust affected payments in the current fiscal
17 year. A deduction due to an adjustment made as a result of an audit
18 conducted by or for the department, or as a result of information
19 obtained by the department from the district, an intermediate
20 district, the department of treasury, or the office of auditor
21 general, must be deducted from the district's apportionments when
22 the adjustment is finalized. At the request of the district and
23 upon the district presenting evidence satisfactory to the
24 department of the hardship, the department may grant up to an
25 additional 4 years for the adjustment and may advance payments to
26 the district otherwise authorized under this article if the
27 district would otherwise experience a significant hardship in
28 satisfying its financial obligations. However, a district that
29 presented satisfactory evidence of hardship and was undergoing an



1 extended adjustment during 2018-2019 may continue to use the period
2 of extended adjustment as originally granted by the department.

3 (3) If, based on an audit by the department or the
4 department's designee or because of new or updated information
5 received by the department, the department determines that the
6 amount paid to a district or intermediate district under this
7 article for the current fiscal year or a prior fiscal year was
8 incorrect, the department shall make the appropriate deduction or
9 payment in the district's or intermediate district's allocation in
10 the next apportionment after the adjustment is finalized. The
11 department shall calculate the deduction or payment according to
12 the law in effect in the fiscal year in which the incorrect amount
13 was paid. If the district does not receive an allocation for the
14 fiscal year or if the allocation is not sufficient to pay the
15 amount of any deduction, the amount of any deduction otherwise
16 applicable must be satisfied from the proceeds of a loan to the
17 district under the emergency municipal loan act, 1980 PA 243, MCL
18 141.931 to 141.942, or from the proceeds of millage levied or
19 pledged under section 1211 of the revised school code, MCL
20 380.1211, as determined by the department.

21 (4) If the department makes an adjustment under this section
22 based in whole or in part on a membership audit finding that a
23 district or intermediate district employed an educator in violation
24 of certification requirements under the revised school code and
25 rules promulgated by the department, the department shall prorate
26 the adjustment according to the period of noncompliance with the
27 certification requirements.

28 (5) The department may conduct audits, or may direct audits by
29 designee of the department, for the current fiscal year and the



1 immediately preceding fiscal year of all records related to a
 2 program for which a district or intermediate district has received
 3 funds under this article.

4 (6) Expenditures made by the department under this article
 5 that are caused by the write-off of prior year accruals may be
 6 funded by revenue from the write-off of prior year accruals.

7 (7) In addition to funds appropriated in section 11 for all
 8 programs and services, there is appropriated for ~~2021-2022-2022-~~
 9 **2023** for obligations in excess of applicable appropriations an
 10 amount equal to the collection of overpayments, but not to exceed
 11 amounts available from overpayments.

12 Sec. 18. (1) Except as provided in another section of this
 13 article, each district or other entity shall apply the money
 14 received by the district or entity under this article to salaries
 15 and other compensation of teachers and other employees, tuition,
 16 transportation, lighting, heating, ventilation, water service, the
 17 purchase of textbooks, other supplies, and any other school
 18 operating expenditures defined in section 7. However, not more than
 19 20% of the total amount received by a district under sections 22a
 20 and 22b or received by an intermediate district under section 81
 21 may be transferred by the board to either the capital projects fund
 22 or to the debt retirement fund for debt service. A district or
 23 other entity shall not apply or take the money for a purpose other
 24 than as provided in this section. The department shall determine
 25 the reasonableness of expenditures and may withhold from a
 26 recipient of funds under this article the apportionment otherwise
 27 due upon a violation by the recipient. A district must not be
 28 prohibited or limited from using funds appropriated or allocated
 29 under this article that are permitted for use for noninstructional



1 services to contract or subcontract with an intermediate district,
2 third party, or vendor for the noninstructional services.

3 (2) A district or intermediate district shall adopt an annual
4 budget in a manner that complies with the uniform budgeting and
5 accounting act, 1968 PA 2, MCL 141.421 to 141.440a. Within 15 days
6 after a district board adopts its annual operating budget for the
7 following school fiscal year, or after a district board adopts a
8 subsequent revision to that budget, the district shall make all of
9 the following available through a link on its website homepage, or
10 may make the information available through a link on its
11 intermediate district's website homepage, in a form and manner
12 prescribed by the department:

13 (a) The annual operating budget and subsequent budget
14 revisions.

15 (b) Using data that have already been collected and submitted
16 to the department, a summary of district expenditures for the most
17 recent fiscal year for which they are available, expressed in the
18 following 2 visual displays:

19 (i) A chart of personnel expenditures, broken into the
20 following subcategories:

21 (A) Salaries and wages.

22 (B) Employee benefit costs, including, but not limited to,
23 medical, dental, vision, life, disability, and long-term care
24 benefits.

25 (C) Retirement benefit costs.

26 (D) All other personnel costs.

27 (ii) A chart of all district expenditures, broken into the
28 following subcategories:

29 (A) Instruction.



1 (B) Support services.

2 (C) Business and administration.

3 (D) Operations and maintenance.

4 (c) Links to all of the following:

5 (i) The current collective bargaining agreement for each
6 bargaining unit.

7 (ii) Each health care benefits plan, including, but not limited
8 to, medical, dental, vision, disability, long-term care, or any
9 other type of benefits that would constitute health care services,
10 offered to any bargaining unit or employee in the district.

11 (iii) The audit report of the financial audit conducted under
12 subsection (4) for the most recent fiscal year for which it is
13 available.

14 (iv) The bids required under section 5 of the public employees
15 health benefit act, 2007 PA 106, MCL 124.75.

16 (v) The district's written policy governing procurement of
17 supplies, materials, and equipment.

18 (vi) The district's written policy establishing specific
19 categories of reimbursable expenses, as described in section
20 1254(2) of the revised school code, MCL 380.1254.

21 (vii) Either the district's accounts payable check register for
22 the most recent school fiscal year or a statement of the total
23 amount of expenses incurred by board members or employees of the
24 district that were reimbursed by the district for the most recent
25 school fiscal year.

26 (d) The total salary and a description and cost of each fringe
27 benefit included in the compensation package for the superintendent
28 of the district and for each employee of the district whose salary
29 exceeds \$100,000.00.



1 (e) The annual amount spent on dues paid to associations.

2 (f) The annual amount spent on lobbying or lobbying services.

3 As used in this subdivision, "lobbying" means that term as defined
4 in section 5 of 1978 PA 472, MCL 4.415.

5 (g) Any deficit elimination plan or enhanced deficit
6 elimination plan the district was required to submit under the
7 revised school code.

8 (h) Identification of all credit cards maintained by the
9 district as district credit cards, the identity of all individuals
10 authorized to use each of those credit cards, the credit limit on
11 each credit card, and the dollar limit, if any, for each
12 individual's authorized use of the credit card.

13 (i) Costs incurred for each instance of out-of-state travel by
14 the school administrator of the district that is fully or partially
15 paid for by the district and the details of each of those instances
16 of out-of-state travel, including at least identification of each
17 individual on the trip, destination, and purpose.

18 (3) For the information required under subsection (2) (a),
19 (2) (b) (i), and (2) (c), an intermediate district shall provide the
20 same information in the same manner as required for a district
21 under subsection (2).

22 (4) For the purposes of determining the reasonableness of
23 expenditures, whether a district or intermediate district has
24 received the proper amount of funds under this article, and whether
25 a violation of this article has occurred, all of the following
26 apply:

27 (a) The department shall require that each district and
28 intermediate district have an audit of the district's or
29 intermediate district's financial and pupil accounting records



1 conducted at least annually, and at such other times as determined
2 by the department, at the expense of the district or intermediate
3 district, as applicable. The audits must be performed by a
4 certified public accountant or by the intermediate district
5 superintendent, as may be required by the department, or in the
6 case of a district of the first class by a certified public
7 accountant, the intermediate superintendent, or the auditor general
8 of the city. A district or intermediate district shall retain these
9 records for the current fiscal year and from at least the 3
10 immediately preceding fiscal years.

11 (b) If a district operates in a single building with fewer
12 than 700 full-time equated pupils, if the district has stable
13 membership, and if the error rate of the immediately preceding 2
14 pupil accounting field audits of the district is less than 2%, the
15 district may have a pupil accounting field audit conducted
16 biennially but must continue to have desk audits for each pupil
17 count. The auditor must document compliance with the audit cycle in
18 the pupil auditing manual. As used in this subdivision, "stable
19 membership" means that the district's membership for the current
20 fiscal year varies from the district's membership for the
21 immediately preceding fiscal year by less than 5%.

22 (c) A district's or intermediate district's annual financial
23 audit must include an analysis of the financial and pupil
24 accounting data used as the basis for distribution of state school
25 aid.

26 (d) The pupil and financial accounting records and reports,
27 audits, and management letters are subject to requirements
28 established in the auditing and accounting manuals approved and
29 published by the department.



1 (e) All of the following must be done not later than November
2 1 each year for reporting the prior fiscal year data:

3 (i) A district shall file the annual financial audit reports
4 with the intermediate district and the department.

5 (ii) The intermediate district shall file the annual financial
6 audit reports for the intermediate district with the department.

7 (iii) The intermediate district shall enter the pupil membership
8 audit reports, **known as the audit narrative**, for its constituent
9 districts and for the intermediate district, for the pupil
10 membership count day and supplemental count day, in the Michigan
11 student data system.

12 (f) The annual financial audit reports and pupil accounting
13 procedures reports must be available to the public in compliance
14 with the freedom of information act, 1976 PA 442, MCL 15.231 to
15 15.246.

16 (g) Not later than January 31 of each year, the department
17 shall notify the state budget director and the legislative
18 appropriations subcommittees responsible for review of the school
19 aid budget of districts and intermediate districts that have not
20 filed an annual financial audit and pupil accounting procedures
21 report required under this section for the school year ending in
22 the immediately preceding fiscal year.

23 (5) By the first business day in November of each fiscal year,
24 each district and intermediate district shall submit to the center,
25 in a manner prescribed by the center, annual comprehensive
26 financial data consistent with the district's or intermediate
27 district's audited financial statements and consistent with
28 accounting manuals and charts of accounts approved and published by
29 the department. For an intermediate district, the report must also



1 contain the website address where the department can access the
2 report required under section 620 of the revised school code, MCL
3 380.620. The department shall ensure that the prescribed Michigan
4 public school accounting manual chart of accounts includes standard
5 conventions to distinguish expenditures by allowable fund function
6 and object. The functions must include at minimum categories for
7 instruction, pupil support, instructional staff support, general
8 administration, school administration, business administration,
9 transportation, facilities operation and maintenance, facilities
10 acquisition, and debt service; and must include object
11 classifications of salary, benefits, including categories for
12 active employee health expenditures, purchased services, supplies,
13 capital outlay, and other. A district shall report the required
14 level of detail consistent with the manual as part of the
15 comprehensive annual financial report.

16 (6) By the last business day in September of each year, each
17 district and intermediate district shall file with the center the
18 special education actual cost report, known as "SE-4096", on a form
19 and in the manner prescribed by the center. An intermediate
20 district shall certify the audit of a district's report.

21 (7) By not later than 1 week after the last business day in
22 September of each year, each district and intermediate district
23 shall file with the center the audited transportation expenditure
24 report, known as "SE-4094", on a form and in the manner prescribed
25 by the center. An intermediate district shall certify the audit of
26 a district's report.

27 (8) The department shall review its pupil accounting and pupil
28 auditing manuals at least annually and shall periodically update
29 those manuals to reflect changes in this article. Any changes to



1 the pupil accounting manual that are applicable for the school year
2 that begins after March 31 of a fiscal year must be published by
3 not later than March 31 of that fiscal year. However, if
4 legislation is enacted that necessitates adjustments to the pupil
5 accounting manual after March 31 of a fiscal year, and a district
6 incurs a violation of the amended pupil accounting manual in the
7 subsequent fiscal year, the department must notify the district of
8 that violation and allow the district 30 days to correct the
9 violation before the department is allowed to impose financial
10 penalties under this act related to the violation.

11 (9) If a district that is a public school academy purchases
12 property using money received under this article, the public school
13 academy shall retain ownership of the property unless the public
14 school academy sells the property at fair market value.

15 (10) If a district or intermediate district does not comply
16 with subsections (4), (5), (6), (7), and (12), or if the department
17 determines that the financial data required under subsection (5)
18 are not consistent with audited financial statements, the
19 department shall withhold all state school aid due to the district
20 or intermediate district under this article, beginning with the
21 next payment due to the district or intermediate district, until
22 the district or intermediate district complies with subsections
23 (4), (5), (6), (7), and (12). If the district or intermediate
24 district does not comply with subsections (4), (5), (6), (7), and
25 (12) by the end of the fiscal year, the district or intermediate
26 district forfeits the amount withheld.

27 (11) If a district or intermediate district does not comply
28 with subsection (2), the department may withhold up to 10% of the
29 total state school aid due to the district or intermediate district



1 under this article, beginning with the next payment due to the
2 district or intermediate district, until the district or
3 intermediate district complies with subsection (2). If the district
4 or intermediate district does not comply with subsection (2) by the
5 end of the fiscal year, the district or intermediate district
6 forfeits the amount withheld.

7 (12) By November 1 of each year, if a district or intermediate
8 district offers virtual learning under section 21f, or for a school
9 of excellence that is a cyber school, as defined in section 551 of
10 the revised school code, MCL 380.551, the district or intermediate
11 district shall submit to the department a report that details the
12 per-pupil costs of operating the virtual learning by vendor type
13 and virtual learning model. The report must include information
14 concerning the operation of virtual learning for the immediately
15 preceding school fiscal year, including information concerning
16 summer programming. Information must be collected in a form and
17 manner determined by the department and must be collected in the
18 most efficient manner possible to reduce the administrative burden
19 on reporting entities.

20 (13) By March 31 of each year, the department shall submit to
21 the house and senate appropriations subcommittees on state school
22 aid, the state budget director, and the house and senate fiscal
23 agencies a report summarizing the per-pupil costs by vendor type of
24 virtual courses available under section 21f and virtual courses
25 provided by a school of excellence that is a cyber school, as
26 defined in section 551 of the revised school code, MCL 380.551.

27 (14) As used in subsections (12) and (13), "vendor type" means
28 the following:

29 (a) Virtual courses provided by the Michigan Virtual



1 University.

2 (b) Virtual courses provided by a school of excellence that is
3 a cyber school, as defined in section 551 of the revised school
4 code, MCL 380.551.

5 (c) Virtual courses provided by third party vendors not
6 affiliated with a public school in this state.

7 (d) Virtual courses created and offered by a district or
8 intermediate district.

9 (15) An allocation to a district or another entity under this
10 article is contingent upon the district's or entity's compliance
11 with this section.

12 (16) The department shall annually submit to the senate and
13 house subcommittees on school aid and to the senate and house
14 standing committees on education an itemized list of allocations
15 under this article to any association or consortium consisting of
16 associations in the immediately preceding fiscal year. The report
17 must detail the recipient or recipients, the amount allocated, and
18 the purpose for which the funds were distributed.

19 Sec. 20. (1) ~~For 2021-2022, both~~ **All** of the following apply:

20 (a) ~~The~~ **For 2021-2022, the** target foundation allowance is
21 \$8,700.00.

22 (b) ~~The~~ **For 2021-2022, the** minimum foundation allowance is
23 \$8,700.00.

24 (c) **For 2022-2023, the target foundation allowance is**
25 **\$9,150.00.**

26 (2) The department shall calculate the amount of each
27 district's foundation allowance as provided in this section, using
28 a target foundation allowance in the amount specified in subsection
29 (1).



1 (3) Except as otherwise provided in this section, the
 2 department shall calculate the amount of a district's foundation
 3 allowance as follows, using in all calculations the total amount of
 4 the district's foundation allowance as calculated before any
 5 proration:

6 (a) **For 2021-2022, for a district that had a foundation**
 7 **allowance for the immediately preceding fiscal year that was at**
 8 **least equal to the minimum foundation allowance for the immediately**
 9 **preceding fiscal year, but less than the target foundation**
 10 **allowance for the immediately preceding fiscal year, the district's**
 11 **foundation allowance is \$8,700.00.** Except as otherwise provided in
 12 this subdivision, except for 2021-2022, for a district that had a
 13 foundation allowance for the immediately preceding fiscal year that
 14 was ~~at least equal to the minimum foundation allowance for the~~
 15 ~~immediately preceding fiscal year, but less than~~ **equal to** the
 16 target foundation allowance for the immediately preceding fiscal
 17 year, the district receives a foundation allowance in an amount
 18 equal to ~~the sum of the district's foundation allowance for the~~
 19 ~~immediately preceding fiscal year plus the difference between twice~~
 20 ~~the dollar amount of the adjustment from the immediately preceding~~
 21 ~~fiscal year to the current fiscal year made in the target~~
 22 ~~foundation allowance and [(the difference between the target~~
 23 ~~foundation allowance for the current fiscal year and target~~
 24 ~~foundation allowance for the immediately preceding fiscal year~~
 25 ~~minus \$40.00) times (the difference between the district's~~
 26 ~~foundation allowance for the immediately preceding fiscal year and~~
 27 ~~the minimum foundation allowance for the immediately preceding~~
 28 ~~fiscal year) divided by the difference between the target~~
 29 ~~foundation allowance for the current fiscal year and the minimum~~



1 ~~foundation allowance for the immediately preceding fiscal year.]~~
 2 ~~The foundation allowance for a district that had less than the~~
 3 ~~target foundation allowance for the immediately preceding fiscal~~
 4 ~~year must not exceed the target foundation allowance for the~~
 5 ~~current fiscal year. For 2021-2022, for a district that had a~~
 6 ~~foundation allowance for the immediately preceding fiscal year that~~
 7 ~~was at least equal to the minimum foundation allowance for the~~
 8 ~~immediately preceding fiscal year, but less than the target~~
 9 ~~foundation allowance for the immediately preceding fiscal year, the~~
 10 ~~district's foundation allowance is \$8,700.00.~~ **the target foundation**
 11 **allowance described in subsection (1) for the current fiscal year.**

12 (b) ~~Except as otherwise provided in this subsection, for~~ **For** a
 13 district that in the immediately preceding fiscal year had a
 14 foundation allowance in an amount equal to the amount of the target
 15 foundation allowance for the immediately preceding fiscal year, the
 16 district receives a foundation allowance for 2021-2022 in an amount
 17 equal to the target foundation allowance for 2021-2022. **This**
 18 **subdivision does not apply after the 2021-2022 fiscal year.**

19 (c) For a district that had a foundation allowance for the
 20 immediately preceding fiscal year that was greater than the target
 21 foundation allowance for the immediately preceding fiscal year, the
 22 district's foundation allowance is an amount equal to the sum of
 23 the district's foundation allowance for the immediately preceding
 24 fiscal year plus the lesser of the increase in the target
 25 foundation allowance for the current fiscal year, as compared to
 26 the immediately preceding fiscal year, or the product of the
 27 district's foundation allowance for the immediately preceding
 28 fiscal year times the percentage increase in the United States
 29 Consumer Price Index in the calendar year ending in the immediately



1 preceding fiscal year as reported by the May revenue estimating
2 conference conducted under section 367b of the management and
3 budget act, 1984 PA 431, MCL 18.1367b. **This subdivision does not**
4 **apply after the 2021-2022 fiscal year.**

5 (d) For a district that had a foundation allowance for the
6 immediately preceding fiscal year that was greater than the target
7 foundation allowance for the immediately preceding fiscal year, the
8 district's foundation allowance is an amount equal to the lesser of
9 (the sum of the district's foundation allowance for the immediately
10 preceding fiscal year plus any per pupil amount calculated under
11 section 20m(2) in the immediately preceding fiscal year plus the
12 increase in the target foundation allowance for the current fiscal
13 year, as compared to the immediately preceding fiscal year) or (the
14 product of the district's foundation allowance for the immediately
15 preceding fiscal year times the percentage increase in the United
16 States Consumer Price Index in the calendar year ending in the
17 immediately preceding fiscal year as reported by the May revenue
18 estimating conference conducted under section 367b of the
19 management and budget act, 1984 PA 431, MCL 18.1367b). This
20 subdivision does not apply for the 2021-2022 fiscal year.

21 (e) For a district that has a foundation allowance that is
22 less than the target foundation allowance in the current fiscal
23 year but had a foundation allowance in fiscal year 2020-2021 that
24 was greater than the target foundation allowance in effect for that
25 fiscal year, the district's foundation allowance is an amount equal
26 to the lesser of (the sum of the district's foundation allowance
27 for fiscal year 2020-2021 plus the increase in the target
28 foundation allowance for the current fiscal year, as compared to
29 fiscal year 2020-2021) or (the product of the district's foundation



1 allowance for the immediately preceding fiscal year times the
 2 percentage increase in the United States Consumer Price Index in
 3 the calendar year ending in the immediately preceding fiscal year
 4 as reported by the May revenue estimating conference conducted
 5 under section 367b of the management and budget act, 1984 PA 431,
 6 MCL 18.1367b). This subdivision does not apply for the 2021-2022
 7 fiscal year.

8 (f) ~~(d)~~—For a district that has a foundation allowance that is
 9 not a whole dollar amount, the department shall round the
 10 district's foundation allowance up to the nearest whole dollar.

11 (4) Except as otherwise provided in this subsection, ~~beginning~~
 12 ~~in 2021-2022,~~ the state portion of a district's foundation
 13 allowance is an amount equal to the district's foundation allowance
 14 or the target foundation allowance for the current fiscal year,
 15 whichever is less, minus the local portion of the district's
 16 foundation allowance. **Except as otherwise provided in this**
 17 **subsection, for a district described in subsection (3) (d) and (e),**
 18 **beginning in 2021-2022, the state portion of the district's**
 19 **foundation allowance is an amount equal to the target foundation**
 20 **allowance minus the district's foundation allowance supplemental**
 21 **payment per pupil calculated under section 20m and minus the local**
 22 **portion of the district's foundation allowance.** For a district that
 23 has a millage reduction required under section 31 of article IX of
 24 the state constitution of 1963, the department shall calculate the
 25 state portion of the district's foundation allowance as if that
 26 reduction did not occur. For a receiving district, if school
 27 operating taxes continue to be levied on behalf of a dissolved
 28 district that has been attached in whole or in part to the
 29 receiving district to satisfy debt obligations of the dissolved



1 district under section 12 of the revised school code, MCL 380.12,
2 the taxable value per membership pupil of property in the receiving
3 district used for the purposes of this subsection does not include
4 the taxable value of property within the geographic area of the
5 dissolved district. For a community district, if school operating
6 taxes continue to be levied by a qualifying school district under
7 section 12b of the revised school code, MCL 380.12b, with the same
8 geographic area as the community district, the taxable value per
9 membership pupil of property in the community district to be used
10 for the purposes of this subsection does not include the taxable
11 value of property within the geographic area of the community
12 district.

13 (5) The allocation calculated under this section for a pupil
14 is based on the foundation allowance of the pupil's district of
15 residence. For a pupil enrolled under section 105 or 105c in a
16 district other than the pupil's district of residence, the
17 allocation calculated under this section is based on the lesser of
18 the foundation allowance of the pupil's district of residence or
19 the foundation allowance of the educating district. For a pupil in
20 membership in a K-5, K-6, or K-8 district who is enrolled in
21 another district in a grade not offered by the pupil's district of
22 residence, the allocation calculated under this section is based on
23 the foundation allowance of the educating district if the educating
24 district's foundation allowance is greater than the foundation
25 allowance of the pupil's district of residence. The calculation
26 under this subsection must take into account a district's per-pupil
27 allocation under section 20m.

28 (6) Except as otherwise provided in this subsection, for
29 pupils in membership, other than special education pupils, in a



1 public school academy, the allocation calculated under this section
 2 is an amount per membership pupil other than special education
 3 pupils in the public school academy equal to, **for 2021-2022**, the
 4 minimum foundation allowance specified in subsection ~~(1)~~.—**(1) (b)**
 5 **and, for 2022-2023, the target foundation allowance specified in**
 6 **subsection (1) (c)**. Notwithstanding section 101, for a public school
 7 academy that begins operations after the pupil membership count
 8 day, the amount per membership pupil calculated under this
 9 subsection must be adjusted by multiplying that amount per
 10 membership pupil by the number of hours of pupil instruction
 11 provided by the public school academy after it begins operations,
 12 as determined by the department, divided by the minimum number of
 13 hours of pupil instruction required under section 101(3). The
 14 result of this calculation must not exceed the amount per
 15 membership pupil otherwise calculated under this subsection.

16 (7) For pupils in membership, other than special education
 17 pupils, in a community district, the allocation calculated under
 18 this section is an amount per membership pupil other than special
 19 education pupils in the community district equal to the foundation
 20 allowance of the qualifying school district, as described in
 21 section 12b of the revised school code, MCL 380.12b, that is
 22 located within the same geographic area as the community district.

23 (8) Subject to subsection (4), for a district that is formed
 24 or reconfigured after June 1, 2002 by consolidation of 2 or more
 25 districts or by annexation, the resulting district's foundation
 26 allowance under this section beginning after the effective date of
 27 the consolidation or annexation is the lesser of the sum of the
 28 average of the foundation allowances of each of the original or
 29 affected districts, calculated as provided in this section,



1 weighted as to the percentage of pupils in total membership in the
 2 resulting district who reside in the geographic area of each of the
 3 original or affected districts plus \$100.00 or the highest
 4 foundation allowance among the original or affected districts. This
 5 subsection does not apply to a receiving district unless there is a
 6 subsequent consolidation or annexation that affects the district.
 7 The calculation under this subsection must take into account a
 8 district's per-pupil allocation under section 20m.

9 (9) The department shall round each fraction used in making
 10 calculations under this section to the fourth decimal place and
 11 shall round the dollar amount of an increase in the target
 12 foundation allowance to the nearest whole dollar.

13 (10) ~~State~~ **Except as otherwise provided in this subsection,**
 14 **state** payments related to payment of the foundation allowance for a
 15 special education pupil are not calculated under this section but
 16 are instead calculated under section 51a **and section 51e. All of**
 17 **the following apply with regard to state payments related to**
 18 **payment of the foundation allowance for a special education pupil:**

19 (a) **For 2022-2023, state payments described in this subsection**
 20 **are not calculated under this section but are instead calculated as**
 21 **follows:**

22 (i) **Twenty-five percent is calculated under section 51a.**

23 (ii) **Seventy-five percent is calculated under section 51e.**

24 (b) **It is the intent of the legislature that, in future fiscal**
 25 **years, 100% of state payments described in this subsection will be**
 26 **calculated under this section.**

27 (11) To assist the legislature in determining the target
 28 foundation allowance for the subsequent fiscal year, each revenue
 29 estimating conference conducted under section 367b of the



1 management and budget act, 1984 PA 431, MCL 18.1367b, must
2 calculate a pupil membership factor, a revenue adjustment factor,
3 and an index as follows:

4 (a) The pupil membership factor is computed by dividing the
5 estimated membership in the school year ending in the current
6 fiscal year, excluding intermediate district membership, by the
7 estimated membership for the school year ending in the subsequent
8 fiscal year, excluding intermediate district membership. If a
9 consensus membership factor is not determined at the revenue
10 estimating conference, the principals of the revenue estimating
11 conference shall report their estimates to the house and senate
12 subcommittees responsible for school aid appropriations not later
13 than 7 days after the conclusion of the revenue conference.

14 (b) The revenue adjustment factor is computed by dividing the
15 sum of the estimated total state school aid fund revenue for the
16 subsequent fiscal year plus the estimated total state school aid
17 fund revenue for the current fiscal year, adjusted for any change
18 in the rate or base of a tax the proceeds of which are deposited in
19 that fund and excluding money transferred into that fund from the
20 countercyclical budget and economic stabilization fund under the
21 management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, by
22 the sum of the estimated total school aid fund revenue for the
23 current fiscal year plus the estimated total state school aid fund
24 revenue for the immediately preceding fiscal year, adjusted for any
25 change in the rate or base of a tax the proceeds of which are
26 deposited in that fund. If a consensus revenue factor is not
27 determined at the revenue estimating conference, the principals of
28 the revenue estimating conference shall report their estimates to
29 the house and senate subcommittees responsible for school aid



1 appropriations not later than 7 days after the conclusion of the
2 revenue conference.

3 (c) The index is calculated by multiplying the pupil
4 membership factor by the revenue adjustment factor. If a consensus
5 index is not determined at the revenue estimating conference, the
6 principals of the revenue estimating conference shall report their
7 estimates to the house and senate subcommittees responsible for
8 state school aid appropriations not later than 7 days after the
9 conclusion of the revenue conference.

10 (12) Payments to districts and public school academies are not
11 made under this section. Rather, the calculations under this
12 section are used to determine the amount of state payments under
13 section 22b.

14 (13) If an amendment to section 2 of article VIII of the state
15 constitution of 1963 allowing state aid to some or all nonpublic
16 schools is approved by the voters of this state, each foundation
17 allowance or per-pupil payment calculation under this section may
18 be reduced.

19 (14) As used in this section:

20 (a) "Certified mills" means the lesser of 18 mills or the
21 number of mills of school operating taxes levied by the district in
22 1993-94.

23 ~~(b) "Combined state and local revenue" means the aggregate of~~
24 ~~the district's state school aid received by or paid on behalf of~~
25 ~~the district under this section and the district's local school~~
26 ~~operating revenue.~~

27 ~~(c) "Combined state and local revenue per membership pupil"~~
28 ~~means the district's combined state and local revenue divided by~~
29 ~~the district's membership excluding special education pupils.~~



1 **(b)** ~~(d)~~—"Current fiscal year" means the fiscal year for which
2 a particular calculation is made.

3 **(c)** ~~(e)~~—"Dissolved district" means a district that loses its
4 organization, has its territory attached to 1 or more other
5 districts, and is dissolved as provided under section 12 of the
6 revised school code, MCL 380.12.

7 **(d)** ~~(f)~~—"Immediately preceding fiscal year" means the fiscal
8 year immediately preceding the current fiscal year.

9 **(e)** ~~(g)~~—"Local portion of the district's foundation allowance"
10 means an amount that is equal to the difference between (the sum of
11 the product of the taxable value per membership pupil of all
12 property in the district that is nonexempt property times the
13 district's certified mills and, for a district with certified mills
14 exceeding 12, the product of the taxable value per membership pupil
15 of property in the district that is commercial personal property
16 times the certified mills minus 12 mills) and (the quotient of the
17 product of the captured assessed valuation under tax increment
18 financing acts times the district's certified mills divided by the
19 district's membership excluding special education pupils).

20 ~~(h) "Local school operating revenue" means school operating~~
21 ~~taxes levied under section 1211 of the revised school code, MCL~~
22 ~~380.1211. For a receiving district, if school operating taxes are~~
23 ~~to be levied on behalf of a dissolved district that has been~~
24 ~~attached in whole or in part to the receiving district to satisfy~~
25 ~~debt obligations of the dissolved district under section 12 of the~~
26 ~~revised school code, MCL 380.12, local school operating revenue~~
27 ~~does not include school operating taxes levied within the~~
28 ~~geographic area of the dissolved district.~~

29 ~~(i) "Local school operating revenue per membership pupil"~~



1 ~~means a district's local school operating revenue divided by the~~
 2 ~~district's membership excluding special education pupils.~~

3 (f) ~~(j)~~—"Membership" means the definition of that term under
 4 section 6 as in effect for the particular fiscal year for which a
 5 particular calculation is made.

6 (g) ~~(k)~~—"Nonexempt property" means property that is not a
 7 principal residence, qualified agricultural property, qualified
 8 forest property, supportive housing property, industrial personal
 9 property, commercial personal property, or property occupied by a
 10 public school academy.

11 (h) ~~(l)~~—"Principal residence", "qualified agricultural
 12 property", "qualified forest property", "supportive housing
 13 property", "industrial personal property", and "commercial personal
 14 property" mean those terms as defined in section 1211 of the
 15 revised school code, MCL 380.1211.

16 (i) ~~(m)~~—"Receiving district" means a district to which all or
 17 part of the territory of a dissolved district is attached under
 18 section 12 of the revised school code, MCL 380.12.

19 (j) ~~(n)~~—"School operating purposes" means the purposes
 20 included in the operation costs of the district as prescribed in
 21 sections 7 and 18 and purposes authorized under section 1211 of the
 22 revised school code, MCL 380.1211.

23 (k) ~~(o)~~—"School operating taxes" means local ad valorem
 24 property taxes levied under section 1211 of the revised school
 25 code, MCL 380.1211, and retained for school operating purposes.

26 (l) ~~(p)~~—"Tax increment financing acts" means parts 2, 3, 4, and
 27 6 of the recodified tax increment financing act, 2018 PA 57, MCL
 28 125.4201 to 125.4420 and 125.4602 to 125.4629, or the brownfield
 29 redevelopment financing act, 1996 PA 381, MCL 125.2651 to 125.2670.



1 (m) ~~(g)~~ "Taxable value per membership pupil" means taxable
 2 value, as certified by the county treasurer and reported to the
 3 department, for the calendar year ending in the current state
 4 fiscal year divided by the district's membership excluding special
 5 education pupils for the school year ending in the current state
 6 fiscal year.

7 Sec. 20d. In making the final determination required under
 8 former section 20a of a district's combined state and local revenue
 9 per membership pupil in 1993-94 and in making calculations under
 10 section 20 for ~~2021-2022~~, **2022-2023**, the department and the
 11 department of treasury shall comply with all of the following:

12 (a) For a district that had combined state and local revenue
 13 per membership pupil in the 1994-95 fiscal year of \$6,500.00 or
 14 more and served as a fiscal agent for a state board designated area
 15 vocational education center in the 1993-94 school year, total state
 16 school aid received by or paid on behalf of the district under this
 17 act in 1993-94 excludes payments made under former section 146 and
 18 under section 147 on behalf of the district's employees who
 19 provided direct services to the area vocational education center.
 20 Not later than June 30, 1996, the department shall make an
 21 adjustment under this subdivision to the district's combined state
 22 and local revenue per membership pupil in the 1994-95 fiscal year
 23 and the department of treasury shall make a final certification of
 24 the number of mills that may be levied by the district under
 25 section 1211 of the revised school code, MCL 380.1211, as a result
 26 of the adjustment under this subdivision.

27 (b) If a district had an adjustment made to its 1993-94 total
 28 state school aid that excluded payments made under former section
 29 146 and under section 147 on behalf of the district's employees who



1 provided direct services for intermediate district center programs
2 operated by the district under former section 51 and sections 51a
3 to 56, if nonresident pupils attending the center programs were
4 included in the district's membership for purposes of calculating
5 the combined state and local revenue per membership pupil for 1993-
6 94, and if there is a signed agreement by all constituent districts
7 of the intermediate district agreeing to an adjustment under this
8 subdivision, the department shall calculate the foundation
9 allowances for 1995-96 and 1996-97 of all districts that had pupils
10 attending the intermediate district center program operated by the
11 district that had the adjustment as if their combined state and
12 local revenue per membership pupil for 1993-94 included resident
13 pupils attending the center program and excluded nonresident pupils
14 attending the center program.

15 Sec. 20f. (1) From the state school aid fund money
16 appropriated in section 11, there is allocated an amount not to
17 exceed \$18,000,000.00 for ~~2021-2022~~**2022-2023** for payments to
18 eligible districts under this section.

19 (2) The funding under this subsection is from the allocation
20 under subsection (1). A district is eligible for funding under this
21 subsection if the district received a payment under this section as
22 it was in effect for 2013-2014. A district was eligible for funding
23 in 2013-2014 if the sum of the following was less than \$5.00:

24 (a) The increase in the district's foundation allowance or
25 per-pupil payment as calculated under section 20 from 2012-2013 to
26 2013-2014.

27 (b) The district's equity payment per membership pupil under
28 former section 22c for 2013-2014.

29 (c) The quotient of the district's allocation under section



1 147a for 2012-2013 divided by the district's membership pupils for
2 2012-2013 minus the quotient of the district's allocation under
3 section 147a for 2013-2014 divided by the district's membership
4 pupils for 2013-2014.

5 (3) The amount allocated to each eligible district under
6 subsection (2) is an amount per membership pupil equal to the
7 amount per membership pupil the district received under this
8 section in 2013-2014.

9 (4) The funding under this subsection is from the allocation
10 under subsection (1). A district is eligible for funding under this
11 subsection if the sum of the following is less than \$25.00:

12 (a) The increase in the district's foundation allowance or
13 per-pupil payment as calculated under section 20 from 2014-2015 to
14 2015-2016.

15 (b) The decrease in the district's best practices per-pupil
16 funding under former section 22f from 2014-2015 to 2015-2016.

17 (c) The decrease in the district's pupil performance per-pupil
18 funding under former section 22j from 2014-2015 to 2015-2016.

19 (d) The quotient of the district's allocation under section
20 31a for 2015-2016 divided by the district's membership pupils for
21 2015-2016 minus the quotient of the district's allocation under
22 section 31a for 2014-2015 divided by the district's membership
23 pupils for 2014-2015.

24 (5) The amount allocated to each eligible district under
25 subsection (4) is an amount per membership pupil equal to \$25.00
26 minus the sum of the following:

27 (a) The increase in the district's foundation allowance or
28 per-pupil payment as calculated under section 20 from 2014-2015 to
29 2015-2016.



1 (b) The decrease in the district's best practices per-pupil
2 funding under former section 22f from 2014-2015 to 2015-2016.

3 (c) The decrease in the district's pupil performance per-pupil
4 funding under former section 22j from 2014-2015 to 2015-2016.

5 (d) The quotient of the district's allocation under section
6 31a for 2015-2016 divided by the district's membership pupils for
7 2015-2016 minus the quotient of the district's allocation under
8 section 31a for 2014-2015 divided by the district's membership
9 pupils for 2014-2015.

10 (6) If the allocation under subsection (1) is insufficient to
11 fully fund payments under subsections (3) and (5) as otherwise
12 calculated under this section, the department shall prorate
13 payments under this section on an equal per-pupil basis.

14 Sec. 20m. (1) Foundation allowance supplemental payments for
15 the current fiscal year to **qualifying** districts ~~that in the~~
16 ~~immediately preceding fiscal year had a foundation allowance~~
17 ~~greater than the target foundation allowance~~ **with an adjustment to**
18 **their foundation allowance from fiscal year 2020-2021 to the**
19 **current fiscal year that is less than the adjustment in the target**
20 **foundation allowance from fiscal year 2020-2021 to the current**
21 **fiscal year** must be calculated under this section.

22 (2) The per-pupil allocation to each **qualifying** district under
23 this section is the difference between the dollar amount of the
24 adjustment from ~~the immediately preceding fiscal year~~ **2020-2021** to
25 the current fiscal year in the target foundation allowance minus
26 the dollar amount of the adjustment from ~~the immediately preceding~~
27 fiscal year **2020-2021** to the current fiscal year in a qualifying
28 district's foundation allowance.

29 (3) If a district's local revenue per pupil does not exceed



1 the sum of its foundation allowance under section 20 plus the per-
 2 pupil allocation under subsection (2), the total payment to the
 3 district calculated under this section is the product of the per-
 4 pupil allocation under subsection (2) multiplied by the district's
 5 membership, excluding special education pupils. If a district's
 6 local revenue per pupil exceeds ~~the-its~~ foundation allowance under
 7 section 20 but does not exceed the sum of ~~the-its~~ foundation
 8 allowance under section 20 plus the per-pupil allocation under
 9 subsection (2), the total payment to the district calculated under
 10 this section is the product of the difference between the sum of
 11 ~~the-its~~ foundation allowance under section 20 plus the per-pupil
 12 allocation under subsection (2) minus the local revenue per pupil
 13 multiplied by the district's membership, excluding special
 14 education pupils. If a district's local revenue per pupil exceeds
 15 the sum of ~~the-its~~ foundation allowance under section 20 plus the
 16 per-pupil allocation under subsection (2), there is no payment
 17 calculated under this section for the district.

18 (4) Payments to districts must not be made under this section.
 19 Rather, the calculations under this section are used to determine
 20 the amount of state payments that are made under section 22b.

21 (5) As used in this section, "qualifying district" means a
 22 district where the millage limitation in section 1211(3) of the
 23 revised school code, MCL 380.1211, is applied due to the increase
 24 in the target foundation allowance from the immediately preceding
 25 fiscal year to the current fiscal year exceeding the percentage
 26 increase in the general price level in the immediately preceding
 27 calendar year applied to the district's immediately preceding
 28 fiscal year foundation allowance.

29 Sec. 21b. (1) Subject to subsections (2) and (3), a district



1 shall use funds received under section 22a or 22b to support the
2 attendance of a district pupil who is an eligible student at an
3 eligible postsecondary institution under the postsecondary
4 enrollment options act, 1996 PA 160, MCL 388.511 to 388.524, or
5 under the career and technical preparation act, 2000 PA 258, MCL
6 388.1901 to 388.1913, by paying eligible charges on behalf of the
7 district pupil as required under those acts.

8 (2) A district is not required to pay transportation costs,
9 parking costs, or activity fees on behalf of an eligible student
10 for attendance at an eligible postsecondary institution as
11 described in subsection (1).

12 (3) A district may pay more money to an eligible postsecondary
13 institution on behalf of an eligible student than required under
14 the postsecondary enrollment options act, 1996 PA 160, MCL 388.511
15 to 388.524, or the career and technical preparation act, 2000 PA
16 258, MCL 388.1901 to 388.1913, and may use local school operating
17 revenue for that purpose. An eligible student is responsible for
18 payment of the remainder of the costs associated with his or her
19 postsecondary enrollment that exceed the amount the district is
20 required to pay under the postsecondary enrollment options act,
21 1996 PA 160, MCL 388.511 to 388.524, or the career and technical
22 preparation act, 2000 PA 258, MCL 388.1901 to 388.1913, and that
23 are not paid by the district. As used in this subsection, "local
24 school operating revenue" means that term as defined in section
25 ~~20-22b~~.

26 (4) As used in this section, "eligible student" and "eligible
27 postsecondary institution" mean those terms as defined in section 3
28 of the postsecondary enrollment options act, 1996 PA 160, MCL
29 388.511 to 388.524, or in section 3 of the career and technical



1 preparation act, 2000 PA 258, MCL 388.1903, as applicable.

2 Sec. 21f. (1) A primary district shall enroll an eligible
3 pupil in virtual courses in accordance with the provisions of this
4 section. A primary district shall not offer a virtual course to an
5 eligible pupil unless the virtual course is published in the
6 primary district's catalog of board-approved courses or in the
7 statewide catalog of virtual courses maintained by the Michigan
8 Virtual University pursuant to section 98. The primary district
9 shall also provide on its publicly accessible website a link to the
10 statewide catalog of virtual courses maintained by the Michigan
11 Virtual University. Unless the pupil is at least age 18 or is an
12 emancipated minor, a pupil must not be enrolled in a virtual course
13 without the consent of the pupil's parent or legal guardian.

14 (2) Subject to subsection (3), a primary district shall enroll
15 an eligible pupil in up to 2 virtual courses as requested by the
16 pupil during an academic term, semester, or trimester.

17 (3) A pupil may be enrolled in more than 2 virtual courses in
18 a specific academic term, semester, or trimester if ~~all~~**both** of the
19 following conditions are met:

20 (a) The primary district has determined that it is in the best
21 interest of the pupil.

22 (b) The pupil agrees with the recommendation of the primary
23 district.

24 ~~(c) The primary district, in collaboration with the pupil, has~~
25 ~~developed an education development plan, in a form and manner~~
26 ~~specified by the department, that is kept on file by the district.~~
27 ~~This subdivision does not apply to a pupil enrolled as a part-time~~
28 ~~pupil under section 166b.~~

29 (4) If the number of applicants eligible for acceptance in a



1 virtual course does not exceed the capacity of the provider to
2 provide the virtual course, the provider shall accept for
3 enrollment all of the applicants eligible for acceptance. If the
4 number of applicants exceeds the provider's capacity to provide the
5 virtual course, the provider shall use a random draw system,
6 subject to the need to abide by state and federal
7 antidiscrimination laws and court orders. A primary district that
8 is also a provider shall determine whether or not it has the
9 capacity to accept applications for enrollment from nonresident
10 applicants in virtual courses and may use that limit as the reason
11 for refusal to enroll a nonresident applicant.

12 (5) A primary district may not establish additional
13 requirements beyond those specified in this subsection that would
14 prohibit a pupil from taking a virtual course. A pupil's primary
15 district may deny the pupil enrollment in a virtual course if any
16 of the following apply, as determined by the district:

17 (a) The pupil is enrolled in any of grades K to 5.

18 (b) The pupil has previously gained the credits that would be
19 provided from the completion of the virtual course.

20 (c) The virtual course is not capable of generating academic
21 credit.

22 (d) The virtual course is inconsistent with the remaining
23 graduation requirements or career interests of the pupil.

24 (e) The pupil has not completed the prerequisite coursework
25 for the requested virtual course or has not demonstrated
26 proficiency in the prerequisite course content.

27 (f) The pupil has failed a previous virtual course in the same
28 subject during the 2 most recent academic years.

29 (g) The virtual course is of insufficient quality or rigor. A



1 primary district that denies a pupil enrollment request for this
2 reason shall enroll the pupil in a virtual course in the same or a
3 similar subject that the primary district determines is of
4 acceptable rigor and quality.

5 (h) The cost of the virtual course exceeds the amount
6 identified in subsection (10), unless the pupil or the pupil's
7 parent or legal guardian agrees to pay the cost that exceeds this
8 amount.

9 (i) The request for a virtual course enrollment did not occur
10 within the same timelines established by the primary district for
11 enrollment and schedule changes for regular courses.

12 (j) The request for a virtual course enrollment was not made
13 in the academic term, semester, trimester, or summer preceding the
14 enrollment. This subdivision does not apply to a request made by a
15 pupil who is newly enrolled in the primary district.

16 (6) If a pupil is denied enrollment in a virtual course by the
17 pupil's primary district, the primary district shall provide
18 written notification to the pupil of the denial, the reason or
19 reasons for the denial under subsection (5), and a description of
20 the appeal process. The pupil may appeal the denial by submitting a
21 letter to the superintendent of the intermediate district in which
22 the pupil's primary district is located. The letter of appeal must
23 include the reason provided by the primary district for not
24 enrolling the pupil and the reason why the pupil is claiming that
25 the enrollment should be approved. The intermediate district
26 superintendent or designee shall respond to the appeal within 5
27 days after it is received. If the intermediate district
28 superintendent or designee determines that the denial of enrollment
29 does not meet 1 or more of the reasons specified in subsection (5),



1 the primary district shall enroll the pupil in the virtual course.

2 (7) To provide a virtual course to an eligible pupil under
3 this section, a provider must do all of the following:

4 (a) Ensure that the virtual course has been published in the
5 pupil's primary district's catalog of board-approved courses or
6 published in the statewide catalog of virtual courses maintained by
7 the Michigan Virtual University.

8 (b) Assign to each pupil a teacher of record and provide the
9 primary district with the personnel identification code assigned by
10 the center for the teacher of record. If the provider is a
11 community college, the virtual course must be taught by an
12 instructor employed by or contracted through the providing
13 community college.

14 (c) Offer the virtual course on an open entry and exit method,
15 or aligned to a semester, trimester, or accelerated academic term
16 format.

17 (d) If the virtual course is offered to eligible pupils in
18 more than 1 district, the following additional requirements must
19 also be met:

20 (i) Provide the Michigan Virtual University with a course
21 syllabus that meets the definition under subsection (14)(g) in a
22 form and manner prescribed by the Michigan Virtual University for
23 inclusion in a statewide catalog of virtual courses.

24 (ii) Not later than October 1 of each fiscal year, provide the
25 Michigan Virtual University with an aggregated count of enrollments
26 for each virtual course the provider delivered to pupils under this
27 section during the immediately preceding school year, and the
28 number of enrollments in which the pupil earned 60% or more of the
29 total course points for each virtual course.



1 (8) To provide a virtual course under this section, a
2 community college shall ensure that each virtual course it provides
3 under this section generates postsecondary credit.

4 (9) For any virtual course a pupil enrolls in under this
5 section, the pupil's primary district must assign to the pupil a
6 mentor and shall supply the provider with the mentor's contact
7 information.

8 (10) For a pupil enrolled in 1 or more virtual courses, the
9 primary district shall use foundation allowance or per-pupil funds
10 calculated under section 20 to pay for the expenses associated with
11 the virtual course or courses. A primary district is not required
12 to pay toward the cost of a virtual course an amount that exceeds
13 6.67% of the ~~minimum~~-**target** foundation allowance for the current
14 fiscal year as calculated under section 20.

15 (11) A virtual learning pupil has the same rights and access
16 to technology in his or her primary district's school facilities as
17 all other pupils enrolled in the pupil's primary district. The
18 department shall establish standards for hardware, software, and
19 internet access for pupils who are enrolled in more than 2 virtual
20 courses under this section in an academic term, semester, or
21 trimester taken at a location other than a school facility.

22 (12) If a pupil successfully completes a virtual course, as
23 determined by the pupil's primary district, the pupil's primary
24 district shall grant appropriate academic credit for completion of
25 the course and shall count that credit toward completion of
26 graduation and subject area requirements. A pupil's school record
27 and transcript must identify the virtual course title as it appears
28 in the virtual course syllabus.

29 (13) The enrollment of a pupil in 1 or more virtual courses



1 must not result in a pupil being counted as more than 1.0 full-time
2 equivalent pupils under this article. The minimum requirements to
3 count the pupil in membership are those established by the pupil
4 accounting manual as it was in effect for the 2015-2016 school year
5 or as subsequently amended by the department if the department
6 notifies the legislature about the proposed amendment at least 60
7 days before the amendment becomes effective.

8 (14) As used in this section:

9 (a) "Instructor" means an individual who is employed by or
10 contracted through a community college.

11 (b) "Mentor" means a professional employee of the primary
12 district who monitors the pupil's progress, ensures the pupil has
13 access to needed technology, is available for assistance, and
14 ensures access to the teacher of record. A mentor may also serve as
15 the teacher of record if the primary district is the provider for
16 the virtual course and the mentor meets the requirements under
17 subdivision (e).

18 (c) "Primary district" means the district that enrolls the
19 pupil and reports the pupil for pupil membership purposes.

20 (d) "Provider" means the district, intermediate district, ~~or~~
21 community college, **or -other third-party vendor** that the primary
22 district pays to provide the virtual course or the Michigan Virtual
23 University if it is providing the virtual course. ~~Beginning on the~~
24 ~~first day of the 2020-2021 school year through August 31, 2021,~~
25 ~~"provider" also includes any other institution or individual that~~
26 ~~the primary district pays to provide the virtual course.~~

27 (e) "Teacher of record" means a teacher who meets all of the
28 following:

29 (i) Holds a valid Michigan teaching certificate or a teaching



1 permit recognized by the department.

2 (ii) If applicable, is endorsed in the subject area and grade
3 of the virtual course.

4 (iii) Is responsible for providing instruction, determining
5 instructional methods for each pupil, diagnosing learning needs,
6 assessing pupil learning, prescribing intervention strategies and
7 modifying lessons, reporting outcomes, and evaluating the effects
8 of instruction and support strategies.

9 (iv) Has a personnel identification code provided by the
10 center.

11 (v) If the provider is a community college, is an instructor
12 employed by or contracted through the providing community college.

13 (f) "Virtual course" means a course of study that is capable
14 of generating a credit or a grade and that is provided in an
15 interactive learning environment where the majority of the
16 curriculum is delivered using the internet and in which pupils may
17 be separated from their instructor or teacher of record by time or
18 location, or both.

19 (g) "Virtual course syllabus" means a document that includes
20 all of the following:

21 (i) An alignment document detailing how the course meets
22 applicable state standards or, if the state does not have state
23 standards, nationally recognized standards.

24 (ii) The virtual course content outline.

25 (iii) The virtual course required assessments.

26 (iv) The virtual course prerequisites.

27 (v) Expectations for actual instructor or teacher of record
28 contact time with the virtual learning pupil and other
29 communications between a pupil and the instructor or teacher of



1 record.

2 (vi) Academic support available to the virtual learning pupil.

3 (vii) The virtual course learning outcomes and objectives.

4 (viii) The name of the institution or organization providing the
5 virtual content.

6 (ix) The name of the institution or organization providing the
7 instructor or teacher of record.

8 (x) The course titles assigned by the provider and the course
9 titles and course codes from the National Center for Education
10 Statistics (NCES) school codes for the exchange of data (SCED).

11 (xi) The number of eligible pupils that will be accepted by the
12 provider in the virtual course. A primary district that is also the
13 provider may limit the enrollment to those pupils enrolled in the
14 primary district.

15 (xii) The results of the virtual course quality review using
16 the guidelines and model review process published by the Michigan
17 Virtual University.

18 (h) "Virtual learning pupil" means a pupil enrolled in 1 or
19 more virtual courses.

20 Sec. 21h. (1) From the state school aid fund money
21 appropriated in section 11, there is allocated \$6,137,400.00 for
22 ~~2021-2022~~**2022-2023** for assisting districts assigned by the
23 superintendent to participate in a partnership and districts that
24 have established a community engagement advisory committee in
25 partnership with the department of treasury, are required to submit
26 a deficit elimination plan or an enhanced deficit elimination plan
27 under section 1220 of the revised school code, MCL 380.1220, and
28 are located in a city with a population between 9,000 and 11,000,
29 as determined by the department, that is in a county with a



1 population between 150,000 and 160,000, as determined by the
2 department, to improve student achievement and district financial
3 stability. The superintendent shall collaborate with the state
4 treasurer to identify any conditions that may be contributing to
5 low academic performance within a district being considered for
6 assignment to a partnership. The purpose of the partnership is to
7 identify district needs, develop intervention plans, and partner
8 with public, private, and nonprofit organizations to coordinate
9 resources and improve student achievement. Assignment of a district
10 to a partnership is made by the superintendent in consultation with
11 the state treasurer.

12 (2) A district described in subsection (1) is eligible for
13 funding under this section if the district includes at least 1
14 school that has been identified as low performing under the
15 approved federal accountability system or the state accountability
16 system. A district described in this subsection must do all of the
17 following to be eligible for funding under this section:

18 (a) For a partnership district under this section, within 90
19 days of assignment to the partnership described in this section,
20 and for a district described in subsection (1) that is not a
21 partnership district under this section, by October 15 of each
22 year, complete a comprehensive needs assessment or evaluation in
23 collaboration with an intermediate district, community members,
24 education organizations, and postsecondary institutions, as
25 applicable, that is approved by the superintendent. The
26 comprehensive needs assessment or evaluation must include at least
27 all of the following:

28 (i) A review of the district's implementation and utilization
29 of a multi-tiered system of supports to ensure that it is used to



1 appropriately inform instruction.

2 (ii) A review of the district and school building leadership
3 and educator capacity to substantially improve student outcomes.

4 (iii) A review of classroom, instructional, and operational
5 practices and curriculum to ensure alignment with research-based
6 instructional practices and state curriculum standards.

7 (b) Develop an academic and financial operating or
8 intervention plan that has been approved by the superintendent and
9 that addresses the needs identified in the comprehensive needs
10 assessment or evaluation completed under subdivision (a). The
11 intervention plan must include at least all of the following:

12 (i) Specific actions that will be taken by the district and
13 each of its partners to improve student achievement.

14 (ii) Specific measurable benchmarks that will be met within 18
15 months to improve student achievement and identification of
16 expected student achievement outcomes to be attained within 3 years
17 after assignment to the partnership.

18 (c) Craft academic goals that put pupils on track to meet or
19 exceed grade level proficiency.

20 (3) Upon approval of the academic and financial operating or
21 intervention plan developed under subsection (2), the department,
22 in collaboration with the department of treasury, shall assign a
23 team of individuals with expertise in comprehensive school and
24 district reform to partner with the district, the intermediate
25 district, community organizations, education organizations, and
26 postsecondary institutions identified in the academic and financial
27 operating or intervention plan to review the district's use of
28 existing financial resources to ensure that those resources are
29 being used as efficiently and effectively as possible to improve



1 student academic achievement and to ensure district financial
 2 stability. The superintendent of public instruction may waive
 3 burdensome administrative rules for a partnership district for the
 4 duration of the partnership agreement and for a district described
 5 in subsection (1) that is not a partnership district under this
 6 section and that receives funding under this section in the current
 7 fiscal year.

8 (4) Funds allocated under this section, excluding funds
 9 allocated under subsection (5), may be used to pay for district
 10 expenditures approved by the superintendent to improve student
 11 achievement. Funds may be used for professional development for
 12 teachers or district or school leadership, increased instructional
 13 time, teacher mentors, or other expenditures that directly impact
 14 student achievement and cannot be paid from existing district
 15 financial resources. An eligible district must not receive funds
 16 under this section for more than 3 years. Notwithstanding section
 17 17b, the department shall make payments to districts under this
 18 section on a schedule determined by the department.

19 (5) From the funds allocated under subsection (1), there is
 20 allocated for ~~2021-2022~~**2022-2023** an amount not to exceed
 21 \$137,400.00 for the purchase of a data analytics tool to be used by
 22 districts described in subsection (1). The superintendent of public
 23 instruction shall require districts described in subsection (1) to
 24 purchase a data analytics tool funded under this subsection as part
 25 of the agreements described in this section.

26 (6) The department, in consultation with the department of
 27 treasury, shall annually report to the legislature on the
 28 activities funded under this section and how those activities
 29 impacted student achievement in districts that received funds under



1 this section. To the extent possible, participating districts
 2 receiving funding under this section shall participate in the
 3 report.

4 Sec. 22a. (1) From the state school aid fund money
 5 appropriated in section 11, there is allocated an amount not to
 6 exceed ~~\$4,836,000,000.00~~ **\$4,492,000,000.00** for ~~2020-2021~~ **2021-2022**
 7 and there is allocated an amount not to exceed ~~\$4,742,000,000.00~~
 8 **\$4,376,000,000.00** for ~~2021-2022~~ **2022-2023** for payments to districts
 9 and qualifying public school academies to guarantee each district
 10 and qualifying public school academy an amount equal to its 1994-95
 11 total state and local per-pupil revenue for school operating
 12 purposes under section 11 of article IX of the state constitution
 13 of 1963. Pursuant to section 11 of article IX of the state
 14 constitution of 1963, this guarantee does not apply to a district
 15 in a year in which the district levies a millage rate for school
 16 district operating purposes less than it levied in 1994. However,
 17 subsection (2) applies to calculating the payments under this
 18 section. Funds allocated under this section that are not expended
 19 in the fiscal year for which they were allocated, as determined by
 20 the department, may be used to supplement the allocations under
 21 sections 22b and 51c to fully fund those allocations for the same
 22 fiscal year. For each fund transfer as described in the immediately
 23 preceding sentence that occurs, the state budget director shall
 24 send notification of the transfer to the house and senate
 25 appropriations subcommittees on state school aid and the house and
 26 senate fiscal agencies by not later than 14 calendar days after the
 27 transfer occurs.

28 (2) To ensure that a district receives an amount equal to the
 29 district's 1994-95 total state and local per-pupil revenue for



1 school operating purposes, there is allocated to each district a
2 state portion of the district's 1994-95 foundation allowance in an
3 amount calculated as follows:

4 (a) Except as otherwise provided in this subsection, the state
5 portion of a district's 1994-95 foundation allowance is an amount
6 equal to the district's 1994-95 foundation allowance or \$6,500.00,
7 whichever is less, minus the difference between the sum of the
8 product of the taxable value per membership pupil of all property
9 in the district that is nonexempt property times the district's
10 certified mills and, for a district with certified mills exceeding
11 12, the product of the taxable value per membership pupil of
12 property in the district that is commercial personal property times
13 the certified mills minus 12 mills and the quotient of the ad
14 valorem property tax revenue of the district captured under tax
15 increment financing acts divided by the district's membership. For
16 a district that has a millage reduction required under section 31
17 of article IX of the state constitution of 1963, the department
18 shall calculate the state portion of the district's foundation
19 allowance as if that reduction did not occur. For a receiving
20 district, if school operating taxes are to be levied on behalf of a
21 dissolved district that has been attached in whole or in part to
22 the receiving district to satisfy debt obligations of the dissolved
23 district under section 12 of the revised school code, MCL 380.12,
24 taxable value per membership pupil of all property in the receiving
25 district that is nonexempt property and taxable value per
26 membership pupil of property in the receiving district that is
27 commercial personal property do not include property within the
28 geographic area of the dissolved district; ad valorem property tax
29 revenue of the receiving district captured under tax increment



1 financing acts does not include ad valorem property tax revenue
2 captured within the geographic boundaries of the dissolved district
3 under tax increment financing acts; and certified mills do not
4 include the certified mills of the dissolved district. For a
5 community district, the department shall reduce the allocation as
6 otherwise calculated under this section by an amount equal to the
7 amount of local school operating tax revenue that would otherwise
8 be due to the community district if not for the operation of
9 section 386 of the revised school code, MCL 380.386, and the amount
10 of this reduction is offset by the increase in funding under
11 section 22b(2).

12 (b) For a district that had a 1994-95 foundation allowance
13 greater than \$6,500.00, the state payment under this subsection is
14 the sum of the amount calculated under subdivision (a) plus the
15 amount calculated under this subdivision. The amount calculated
16 under this subdivision must be equal to the difference between the
17 district's 1994-95 foundation allowance minus \$6,500.00 and the
18 current year hold harmless school operating taxes per pupil. If the
19 result of the calculation under subdivision (a) is negative, the
20 negative amount is an offset against any state payment calculated
21 under this subdivision. If the result of a calculation under this
22 subdivision is negative, there is not a state payment or a
23 deduction under this subdivision. The taxable values per membership
24 pupil used in the calculations under this subdivision are as
25 adjusted by ad valorem property tax revenue captured under tax
26 increment financing acts divided by the district's membership. For
27 a receiving district, if school operating taxes are to be levied on
28 behalf of a dissolved district that has been attached in whole or
29 in part to the receiving district to satisfy debt obligations of



1 the dissolved district under section 12 of the revised school code,
2 MCL 380.12, ad valorem property tax revenue captured under tax
3 increment financing acts do not include ad valorem property tax
4 revenue captured within the geographic boundaries of the dissolved
5 district under tax increment financing acts.

6 (3) For pupils in membership in a qualifying public school
7 academy, there is allocated under this section to the authorizing
8 body that is the fiscal agent for the qualifying public school
9 academy for forwarding to the qualifying public school academy an
10 amount equal to the 1994-95 per-pupil payment to the qualifying
11 public school academy under section 20.

12 (4) A district or qualifying public school academy may use
13 funds allocated under this section in conjunction with any federal
14 funds for which the district or qualifying public school academy
15 otherwise would be eligible.

16 (5) Except as otherwise provided in this subsection, for a
17 district that is formed or reconfigured after June 1, 2000 by
18 consolidation of 2 or more districts or by annexation, the
19 resulting district's 1994-95 foundation allowance under this
20 section beginning after the effective date of the consolidation or
21 annexation is the average of the 1994-95 foundation allowances of
22 each of the original or affected districts, calculated as provided
23 in this section, weighted as to the percentage of pupils in total
24 membership in the resulting district in the fiscal year in which
25 the consolidation takes place who reside in the geographic area of
26 each of the original districts. If an affected district's 1994-95
27 foundation allowance is less than the 1994-95 basic foundation
28 allowance, the amount of that district's 1994-95 foundation
29 allowance is considered for the purpose of calculations under this



1 subsection to be equal to the amount of the 1994-95 basic
2 foundation allowance. This subsection does not apply to a receiving
3 district unless there is a subsequent consolidation or annexation
4 that affects the district.

5 (6) Payments under this section are subject to section 25g.

6 (7) As used in this section:

7 (a) "1994-95 foundation allowance" means a district's 1994-95
8 foundation allowance calculated and certified by the department of
9 treasury or the superintendent under former section 20a as enacted
10 in 1993 PA 336 and as amended by 1994 PA 283.

11 (b) "Certified mills" means the lesser of 18 mills or the
12 number of mills of school operating taxes levied by the district in
13 1993-94.

14 (c) "Current fiscal year" means the fiscal year for which a
15 particular calculation is made.

16 (d) "Current year hold harmless school operating taxes per
17 pupil" means the per-pupil revenue generated by multiplying a
18 district's 1994-95 hold harmless millage by the district's current
19 year taxable value per membership pupil. For a receiving district,
20 if school operating taxes are to be levied on behalf of a dissolved
21 district that has been attached in whole or in part to the
22 receiving district to satisfy debt obligations of the dissolved
23 district under section 12 of the revised school code, MCL 380.12,
24 taxable value per membership pupil does not include the taxable
25 value of property within the geographic area of the dissolved
26 district.

27 (e) "Dissolved district" means a district that loses its
28 organization, has its territory attached to 1 or more other
29 districts, and is dissolved as provided under section 12 of the



1 revised school code, MCL 380.12.

2 (f) "Hold harmless millage" means, for a district with a 1994-
3 95 foundation allowance greater than \$6,500.00, the number of mills
4 by which the exemption from the levy of school operating taxes on a
5 principal residence, qualified agricultural property, qualified
6 forest property, supportive housing property, industrial personal
7 property, commercial personal property, and property occupied by a
8 public school academy could be reduced as provided in section 1211
9 of the revised school code, MCL 380.1211, and the number of mills
10 of school operating taxes that could be levied on all property as
11 provided in section 1211(2) of the revised school code, MCL
12 380.1211, as certified by the department of treasury for the 1994
13 tax year. For a receiving district, if school operating taxes are
14 to be levied on behalf of a dissolved district that has been
15 attached in whole or in part to the receiving district to satisfy
16 debt obligations of the dissolved district under section 12 of the
17 revised school code, MCL 380.12, school operating taxes do not
18 include school operating taxes levied within the geographic area of
19 the dissolved district.

20 (g) "Membership" means the definition of that term under
21 section 6 as in effect for the particular fiscal year for which a
22 particular calculation is made.

23 (h) "Nonexempt property" means property that is not a
24 principal residence, qualified agricultural property, qualified
25 forest property, supportive housing property, industrial personal
26 property, commercial personal property, or property occupied by a
27 public school academy.

28 (i) "Principal residence", "qualified agricultural property",
29 "qualified forest property", "supportive housing property",



1 "industrial personal property", and "commercial personal property"
2 mean those terms as defined in section 1211 of the revised school
3 code, MCL 380.1211.

4 (j) "Qualifying public school academy" means a public school
5 academy that was in operation in the 1994-95 school year and is in
6 operation in the current fiscal year.

7 (k) "Receiving district" means a district to which all or part
8 of the territory of a dissolved district is attached under section
9 12 of the revised school code, MCL 380.12.

10 (l) "School operating taxes" means local ad valorem property
11 taxes levied under section 1211 of the revised school code, MCL
12 380.1211, and retained for school operating purposes as defined in
13 section 20.

14 (m) "Tax increment financing acts" means parts 2, 3, 4, and 6
15 of the recodified tax increment financing act, 2018 PA 57, MCL
16 125.4201 to 125.4420 and 125.4602 to 125.4629, or the brownfield
17 redevelopment financing act, 1996 PA 381, MCL 125.2651 to 125.2670.

18 (n) "Taxable value per membership pupil" means each of the
19 following divided by the district's membership:

20 (i) For the number of mills by which the exemption from the
21 levy of school operating taxes on a principal residence, qualified
22 agricultural property, qualified forest property, supportive
23 housing property, industrial personal property, commercial personal
24 property, and property occupied by a public school academy may be
25 reduced as provided in section 1211 of the revised school code, MCL
26 380.1211, the taxable value of principal residence, qualified
27 agricultural property, qualified forest property, supportive
28 housing property, industrial personal property, commercial personal
29 property, and property occupied by a public school academy for the



1 calendar year ending in the current fiscal year. For a receiving
 2 district, if school operating taxes are to be levied on behalf of a
 3 dissolved district that has been attached in whole or in part to
 4 the receiving district to satisfy debt obligations of the dissolved
 5 district under section 12 of the revised school code, MCL 380.12,
 6 mills do not include mills within the geographic area of the
 7 dissolved district.

8 (ii) For the number of mills of school operating taxes that may
 9 be levied on all property as provided in section 1211(2) of the
 10 revised school code, MCL 380.1211, the taxable value of all
 11 property for the calendar year ending in the current fiscal year.
 12 For a receiving district, if school operating taxes are to be
 13 levied on behalf of a dissolved district that has been attached in
 14 whole or in part to the receiving district to satisfy debt
 15 obligations of the dissolved district under section 12 of the
 16 revised school code, MCL 380.12, school operating taxes do not
 17 include school operating taxes levied within the geographic area of
 18 the dissolved district.

19 Sec. 22b. (1) For discretionary nonmandated payments to
 20 districts under this section, there is allocated for ~~2020-2021~~
 21 **2021-2022** an amount not to exceed ~~\$4,478,200,000.00~~
 22 **\$5,094,000,000.00** from the state school aid fund and general fund
 23 appropriations in section 11 and an amount not to exceed
 24 ~~\$79,800,000.00~~ **\$72,000,000.00** from the community district education
 25 trust fund appropriation in section 11, and there is allocated for
 26 ~~2021-2022-2022-2023~~ an amount not to exceed ~~\$5,132,000,000.00~~
 27 **\$5,686,000,000.00** from the state school aid fund and general fund
 28 appropriations in section 11 and an amount not to exceed
 29 \$72,000,000.00 from the community district education trust fund



1 appropriation in section 11. Of the funds allocated under this
 2 section for 2021-2022, ~~\$13,600,000.00~~ **\$14,500,000.00** represents the
 3 amount of the general fund revenue deposited into the state school
 4 aid fund to reimburse the state school aid fund for community
 5 district education trust fund costs in excess of \$72,000,000.00. **Of**
 6 **the funds allocated under this section for 2022-2023,**
 7 **\$19,500,000.00 represents the amount of the general fund revenue**
 8 **deposited into the state school aid fund to reimburse the state**
 9 **school aid fund for community district education trust fund costs**
 10 **in excess of \$72,000,000.00. If the amount allocated under this**
 11 **subsection from the community district education trust fund**
 12 **appropriation under section 11 is insufficient to pay for an**
 13 **increase under this section, any amount exceeding that allocation**
 14 **may be paid from other allocations under this subsection.** Except
 15 for money allocated under this section from the community district
 16 education trust fund appropriation in section 11, funds allocated
 17 under this section that are not expended in the fiscal year for
 18 which they were allocated, as determined by the department, may be
 19 used to supplement the allocations under sections 22a and 51c to
 20 fully fund those allocations for the same fiscal year. For each
 21 fund transfer as described in the immediately preceding sentence
 22 that occurs, the state budget director shall send notification of
 23 the transfer to the house and senate appropriations subcommittees
 24 on state school aid and the house and senate fiscal agencies by not
 25 later than 14 calendar days after the transfer occurs.

26 (2) Subject to subsection (3) and section 296, the allocation
 27 to a district under this section is an amount equal to the sum of
 28 the amounts calculated under sections 20, 20m, 51a(2), 51a(3), and
 29 51a(11), minus the sum of the allocations to the district under



1 sections 22a and 51c. For a community district, the allocation as
2 otherwise calculated under this section is increased by an amount
3 equal to the amount of local school operating tax revenue that
4 would otherwise be due to the community district if not for the
5 operation of section 386 of the revised school code, MCL 380.386,
6 and this increase must be paid from the community district
7 education trust fund allocation in subsection (1) in order to
8 offset the absence of local school operating revenue in a community
9 district in the funding of the state portion of the foundation
10 allowance under section 20(4).

11 (3) In order to receive an allocation under subsection (1),
12 each district must do all of the following:

13 (a) Comply with section 1280b of the revised school code, MCL
14 380.1280b.

15 (b) Comply with sections 1278a and 1278b of the revised school
16 code, MCL 380.1278a and 380.1278b.

17 (c) Furnish data and other information required by state and
18 federal law to the center and the department in the form and manner
19 specified by the center or the department, as applicable.

20 (d) Comply with section 1230g of the revised school code, MCL
21 380.1230g.

22 (e) Comply with section 21f.

23 (f) For a district that has entered into a partnership
24 agreement with the department, comply with section 22p.

25 (4) Districts are encouraged to use funds allocated under this
26 section for the purchase and support of payroll, human resources,
27 and other business function software that is compatible with that
28 of the intermediate district in which the district is located and
29 with other districts located within that intermediate district.



1 (5) From the allocation in subsection (1), the department
2 shall pay up to \$1,000,000.00 in litigation costs incurred by this
3 state related to commercial or industrial property tax appeals,
4 including, but not limited to, appeals of classification, that
5 impact revenues dedicated to the state school aid fund.

6 (6) From the allocation in subsection (1), the department
7 shall pay up to \$1,000,000.00 in litigation costs incurred by this
8 state associated with lawsuits filed by 1 or more districts or
9 intermediate districts against this state. If the allocation under
10 this section is insufficient to fully fund all payments required
11 under this section, the payments under this subsection must be made
12 in full before any proration of remaining payments under this
13 section.

14 (7) It is the intent of the legislature that all
15 constitutional obligations of this state have been fully funded
16 under sections 22a, 31d, 51a, 51c, **51e**, and 152a. If a claim is
17 made by an entity receiving funds under this article that
18 challenges the legislative determination of the adequacy of this
19 funding or alleges that there exists an unfunded constitutional
20 requirement, the state budget director may escrow or allocate from
21 the discretionary funds for nonmandated payments under this section
22 the amount as may be necessary to satisfy the claim before making
23 any payments to districts under subsection (2). If funds are
24 escrowed, the escrowed funds are a work project appropriation and
25 the funds are carried forward into the following fiscal year. The
26 purpose of the work project is to provide for any payments that may
27 be awarded to districts as a result of litigation. The work project
28 is completed upon resolution of the litigation.

29 (8) If the local claims review board or a court of competent



1 jurisdiction makes a final determination that this state is in
2 violation of section 29 of article IX of the state constitution of
3 1963 regarding state payments to districts, the state budget
4 director shall use work project funds under subsection (7) or
5 allocate from the discretionary funds for nonmandated payments
6 under this section the amount as may be necessary to satisfy the
7 amount owed to districts before making any payments to districts
8 under subsection (2).

9 (9) If a claim is made in court that challenges the
10 legislative determination of the adequacy of funding for this
11 state's constitutional obligations or alleges that there exists an
12 unfunded constitutional requirement, any interested party may seek
13 an expedited review of the claim by the local claims review board.
14 If the claim exceeds \$10,000,000.00, this state may remove the
15 action to the court of appeals, and the court of appeals has and
16 shall exercise jurisdiction over the claim.

17 (10) If payments resulting from a final determination by the
18 local claims review board or a court of competent jurisdiction that
19 there has been a violation of section 29 of article IX of the state
20 constitution of 1963 exceed the amount allocated for discretionary
21 nonmandated payments under this section, the legislature shall
22 provide for adequate funding for this state's constitutional
23 obligations at its next legislative session.

24 (11) If a lawsuit challenging payments made to districts
25 related to costs reimbursed by federal title XIX Medicaid funds is
26 filed against this state, then, for the purpose of addressing
27 potential liability under such a lawsuit, the state budget director
28 may place funds allocated under this section in escrow or allocate
29 money from the funds otherwise allocated under this section, up to



1 a maximum of 50% of the amount allocated in subsection (1). If
 2 funds are placed in escrow under this subsection, those funds are a
 3 work project appropriation and the funds are carried forward into
 4 the following fiscal year. The purpose of the work project is to
 5 provide for any payments that may be awarded to districts as a
 6 result of the litigation. The work project is completed upon
 7 resolution of the litigation. In addition, this state reserves the
 8 right to terminate future federal title XIX Medicaid reimbursement
 9 payments to districts if the amount or allocation of reimbursed
 10 funds is challenged in the lawsuit. As used in this subsection,
 11 "title XIX" means title XIX of the social security act, 42 USC 1396
 12 to 1396w-5.

13 **(12) As used in this section:**

14 **(a) "Dissolved district" means that term as defined in section**
 15 **20.**

16 **(b) "Local school operating revenue" means school operating**
 17 **taxes levied under section 1211 of the revised school code, MCL**
 18 **380.1211. For a receiving district, if school operating taxes are**
 19 **to be levied on behalf of a dissolved district that has been**
 20 **attached in whole or in part to the receiving district to satisfy**
 21 **debt obligations of the dissolved district under section 12 of the**
 22 **revised school code, MCL 380.12, local school operating revenue**
 23 **does not include school operating taxes levied within the**
 24 **geographic area of the dissolved district.**

25 **(c) "Receiving district" and "school operating taxes" mean**
 26 **those terms as defined in section 20.**

27 Sec. 22c. From the state school aid fund money appropriated in
 28 section 11, there is allocated for ~~2021-2022~~**2022-2023** an amount
 29 not to exceed \$3,000,000.00 for payments to eligible districts as



1 provided under this section. The payment for an eligible district
 2 under this section must be in an amount per membership pupil equal
 3 to \$171.00. As used in this section:

4 (a) "Eligible district" means a district **that received**
 5 **payments under this section in the immediately preceding fiscal**
 6 **year and** for which the local school operating revenue per
 7 membership pupil **in the current school fiscal year** exceeds the
 8 district's foundation allowance as calculated under section 20 **for**
 9 **the current fiscal year.**

10 (b) "Local school operating revenue" means that term as
 11 defined in section 22b.

12 (c) ~~(b)~~—"Local school operating revenue per membership pupil"
 13 means ~~that term as defined in section 20.~~ **a district's local school**
 14 **operating revenue divided by the district's membership excluding**
 15 **special education pupils.**

16 Sec. 22d. (1) From the state school aid fund money
 17 appropriated under section 11, an amount not to exceed
 18 ~~\$8,420,000.00~~ **\$8,858,000.00** is allocated for ~~2021-2022~~ **2022-2023**
 19 for supplemental payments to rural districts under this section.

20 (2) From the allocation under subsection (1), there is
 21 allocated for ~~2021-2022~~ **2022-2023** an amount not to exceed
 22 ~~\$1,557,300.00~~ **\$1,638,300.00** for payments under this subsection to
 23 **eligible** districts. **A district** that ~~meet~~ **meets** all of the following
 24 **is an eligible district under this subsection:**

25 (a) Operates grades K to 12.

26 (b) Has fewer than 250 pupils in membership.

27 (c) Each school building operated by the district meets at
 28 least 1 of the following:

29 (i) Is located in the Upper Peninsula at least 30 miles from



1 any other public school building.

2 (ii) Is located on an island that is not accessible by bridge.

3 (3) The amount of the additional funding to each eligible
 4 district under subsection (2) is determined under a spending plan
 5 developed as provided in this subsection and approved by the
 6 superintendent of public instruction. The spending plan must be
 7 developed cooperatively by the intermediate superintendents of each
 8 intermediate district in which an eligible district is located. The
 9 intermediate superintendents shall review the financial situation
 10 of each eligible district, determine the minimum essential
 11 financial needs of each eligible district, and develop and agree on
 12 a spending plan that distributes the available funding under
 13 subsection (2) to the eligible districts based on those financial
 14 needs. The intermediate superintendents shall submit the spending
 15 plan to the superintendent of public instruction for approval. Upon
 16 approval by the superintendent of public instruction, the amounts
 17 specified for each eligible district under the spending plan are
 18 allocated under subsection (2) and must be paid to the eligible
 19 districts in the same manner as payments under section 22b.

20 (4) Subject to subsection (7), from the allocation in
 21 subsection (1), there is allocated for ~~2021-2022~~**2022-2023** an
 22 amount not to exceed ~~\$6,042,700.00~~**\$6,357,000.00** for payments under
 23 this subsection to districts that have fewer than 10.0 pupils per
 24 square mile as determined by the department.

25 (5) The funds allocated under subsection (4) are allocated as
 26 follows:

27 (a) An amount equal to ~~\$5,200,000.00~~**\$5,470,400.00** is
 28 allocated to districts with fewer than 8.0 pupils per square mile,
 29 as determined by the department, on an equal per-pupil basis.



1 (b) The balance of the funding under subsection (4) is
2 allocated as follows:

3 (i) For districts with at least 8.0 but fewer than 9.0 pupils
4 per square mile, as determined by the department, the allocation is
5 an amount per pupil equal to 75% of the per-pupil amount allocated
6 to districts under subdivision (a).

7 (ii) For districts with at least 9.0 but fewer than 10.0 pupils
8 per square mile, as determined by the department, the allocation is
9 an amount per pupil equal to 50% of the per-pupil amount allocated
10 to districts under subdivision (a).

11 (c) If the total funding allocated under subdivision (b) is
12 not sufficient to fully fund payments as calculated under that
13 subdivision, the department shall prorate payments to districts
14 under subdivision (b) on an equal per-pupil basis.

15 (6) From the allocation in subsection (1), there is allocated
16 an amount not to exceed ~~\$820,000.00~~ **\$862,700.00** for payments under
17 this subsection to districts that have greater than 250 square
18 miles and that do not receive funding under subsection (2) or (4).
19 The funds allocated under this subsection must be allocated on an
20 equal per-pupil basis.

21 (7) A district receiving funds allocated under subsection (2)
22 is not eligible for funding allocated under subsection (4).

23 Sec. 22m. (1) From the state school aid fund money
24 appropriated in section 11, there is allocated for ~~2021-2022-2022-~~
25 **2023** an amount not to exceed \$2,200,000.00 for supporting the
26 integration of local data systems into the Michigan data hub
27 network based on common standards and applications that are in
28 compliance with section 19(6).

29 (2) An entity that is the fiscal agent for no more than 5



1 consortia of intermediate districts that previously received
2 funding from the technology readiness infrastructure grant under
3 former section 22i for the purpose of establishing regional data
4 hubs that are part of the Michigan data hub network is eligible for
5 funding under this section.

6 (3) The center shall work with an advisory committee composed
7 of representatives from intermediate districts within each of the
8 data hub regions to coordinate the activities of the Michigan data
9 hub network.

10 (4) The center, in collaboration with the Michigan data hub
11 network, shall determine the amount of funds distributed under this
12 section to each participating regional data hub within the network,
13 based upon a competitive grant process. The center shall ensure
14 that the entities receiving funding under this section represent
15 geographically diverse areas in this state.

16 (5) Notwithstanding section 17b, the department shall make
17 payments under this section on a schedule determined by the center.

18 (6) To receive funding under this section, a regional data hub
19 must have a governance model that ensures local control of data,
20 data security, and student privacy issues. The integration of data
21 within each of the regional data hubs must provide for the
22 actionable use of data by districts and intermediate districts
23 through common reports and dashboards and for efficiently providing
24 information to meet state and federal reporting purposes.

25 (7) Participation in a data hub region in the Michigan data
26 hub network under this section is voluntary and is not required.

27 (8) Entities receiving funding under this section shall use
28 the funds for all of the following:

29 (a) Creating an infrastructure that effectively manages the



1 movement of data between data systems used by intermediate
2 districts, districts, and other educational organizations in
3 Michigan based on common data standards to improve student
4 achievement.

5 (b) Utilizing the infrastructure to put in place commonly
6 needed integrations, reducing cost and effort to do that work while
7 increasing data accuracy and usability.

8 (c) Promoting the use of a more common set of applications by
9 promoting systems that integrate with the Michigan data hub
10 network.

11 (d) Promoting 100% district adoption of the Michigan data hub
12 network. ~~by September 30, 2022.~~

13 (e) Ensuring local control of data, data security, and student
14 data privacy.

15 (f) Utilizing the infrastructure to promote the actionable use
16 of data through common reports and dashboards that are consistent
17 statewide.

18 (g) Creating a governance model to facilitate sustainable
19 operations of the infrastructure in the future, including
20 administration, legal agreements, documentation, staffing, hosting,
21 and funding.

22 (h) Evaluating future data initiatives at all levels to
23 determine whether the initiatives can be enhanced by using the
24 standardized environment in the Michigan data hub network.

25 (9) Not later than January 1 of each fiscal year, the center
26 shall prepare a summary report of information provided by each
27 entity that received funds under this section that includes
28 measurable outcomes based on the objectives described under this
29 section and a summary of compiled data from each entity to provide



1 a means to evaluate the effectiveness of the project. The center
 2 shall submit the report to the house and senate appropriations
 3 subcommittees on school aid and to the house and senate fiscal
 4 agencies.

5 Sec. 22p. (1) Subject to subsection (2), in order to receive
 6 funding under section 22b, a district or public school academy that
 7 is assigned by the superintendent of public instruction as a
 8 partnership district must have a signed 3-year partnership
 9 agreement with the department that includes all of the following:

10 (a) Measurable academic outcomes that the district or public
 11 school academy will achieve for each school operated by the
 12 district or public school academy that is subject to the
 13 partnership agreement after 18 months and after 36 months from the
 14 date the agreement was originally signed. Measurable academic
 15 outcomes under this subdivision must include all of the following:

16 (i) Outcomes that put pupils on track to meet or exceed grade
 17 level proficiency and that are based on district or public school
 18 academy needs identified as required under section 21h.

19 (ii) Either of the following, as applicable:

20 (A) At least 1 proficiency or growth outcome based on state
 21 assessments described in section 104b or 104c.

22 (B) At least 1 proficiency or growth outcome based on a
 23 benchmark assessment described in section ~~104a-104h~~ **or 104i, as**
 24 **applicable.**

25 (b) Accountability measures to be imposed if the district or
 26 public school academy does not achieve the measurable academic
 27 outcomes described in subdivision (a) for each school operated by
 28 the district or public school academy that is subject to the
 29 partnership agreement. For a district assigned as a partnership



1 district as described in this subsection, accountability measures
2 under this subdivision must include the reconstitution of the
3 school. For a public school academy assigned as a partnership
4 district as described in this subsection, accountability measures
5 under this subdivision may include the reconstitution of the
6 school.

7 (c) For a public school academy assigned as a partnership
8 district as described in this subsection, a requirement that, if
9 reconstitution is imposed on a school that is operated by the
10 public school academy and that is subject to the partnership
11 agreement, the school must be reconstituted as described in section
12 507, 528, or 561, as applicable, of the revised school code, MCL
13 380.507, 380.528, and 380.561.

14 (d) For a district assigned as a partnership district as
15 described in this subsection, a provision that, if reconstitution
16 is imposed on a school that is operated by the district and that is
17 subject to the partnership agreement, reconstitution may require
18 closure of the school building, but, if the school building remains
19 open, reconstitution must include, but is not limited to, all of
20 the following:

21 (i) The district shall make significant changes to the
22 instructional and noninstructional programming of the school based
23 on the needs identified through a comprehensive review of data in
24 compliance with section 21h.

25 (ii) The district shall review whether the current principal of
26 the school should remain as principal or be replaced.

27 (iii) The reconstitution plan for the school must require the
28 adoption of goals similar to the goals included in the partnership
29 agreement, with a limit of 3 years to achieve the goals. If the



1 goals are not achieved within 3 years, the superintendent of public
2 instruction shall impose a second reconstitution plan.

3 (2) If a district or public school academy is assigned as a
4 partnership district as described in subsection (1) during the
5 current fiscal year, it shall ensure that it has a signed
6 partnership agreement as described in subsection (1) in place by
7 not later than 90 days after the date that it is assigned as a
8 partnership district. If a district or public school academy
9 described in this subsection does not comply with this subsection,
10 the department shall withhold funding under section 22b for that
11 district or public school academy until the district or public
12 school academy has a signed partnership agreement as described in
13 subsection (1) in place.

14 **Sec. 23f. (1) From the state school aid fund money**
15 **appropriated in section 11, there is allocated for 2022-2023 only**
16 **an amount not to exceed \$5,000,000.00 for the learning pod pilot**
17 **program as prescribed in this section.**

18 (2) Except as otherwise provided in this subsection, to
19 receive funding under this section, subject to subsection (3), an
20 intermediate district must apply for the funding in a form and
21 manner prescribed by the department. In its application described
22 in this subsection, an intermediate district must include the
23 number of eligible children the intermediate district intends to
24 serve through programs described in this section. The department
25 shall allow an intermediate district to apply for funding under
26 this section on a rolling basis, as funding is needed by the
27 intermediate district. The department shall ensure that each
28 intermediate district is given an opportunity to apply for funding
29 under this section before it awards all of the funding under this



1 section.

2 (3) To receive funding under this section, an intermediate
3 district must do all of the following:

4 (a) It shall solicit feedback from the parents and legal
5 guardians of eligible children concerning the types of programs
6 that should be offered through learning pods as described in this
7 section and it shall pledge to use this feedback to develop and
8 implement learning pods during the summer of 2023.

9 (b) It shall aggregate a list of programs offered by the
10 intermediate district or of districts located within the geographic
11 boundaries of the intermediate district through learning pods
12 during the summer of 2023 and the number of hours and the subjects
13 available to eligible children enrolled in the intermediate
14 district or districts located within the geographic boundaries of
15 the intermediate district.

16 (c) It shall make the list described in subdivision (b)
17 available to all of the parents and legal guardians of the eligible
18 children enrolled in the intermediate district or districts located
19 within the geographic boundaries of the intermediate district by
20 not later than June 1, 2023.

21 (d) It shall provide the parents and legal guardians described
22 in subdivision (c) a mechanism to choose a learning pod program
23 from the list described in subdivision (b) and mechanism for
24 enrolling their eligible child in a program on the list. A parent
25 or legal guardian cannot enroll their eligible child in more than 2
26 programs as described in this subdivision.

27 (4) An intermediate district that receives funding under this
28 section shall use the funding only for the coverage of costs
29 associated with running learning pod programs described in this



1 section, including, but not limited to, the provision of bonus
2 payments to teachers and staff members who work in the learning pod
3 programs.

4 (5) The department shall pay each intermediate district that
5 has applied for funding under this section an equal amount for each
6 eligible child enrolled in a learning pod program as described in
7 subsection (3) (d).

8 (6) Each intermediate district that receives money under this
9 section shall submit a report to the department concerning the
10 number of eligible children served, the number of hours eligible
11 children were provided programming through learning pods described
12 in this section, and a brief description of how that time was
13 utilized. The department shall compile the reports described in
14 this subsection and submit 1 report based off of the compiled
15 reports to the house fiscal agency, the senate fiscal agency, the
16 state budget office, the house and senate subcommittees responsible
17 for K to 12 school aid, and the house and senate subcommittees
18 responsible for appropriations for the department.

19 (7) After learning pod programs, as described in this section,
20 have concluded, each intermediate district that received funding
21 under this section for the implementation of the programs shall
22 provide a forum that allows the parents and legal guardians of
23 eligible children who participated in the programs to provide
24 feedback concerning the programs. This forum must include, at a
25 minimum, the provision of surveys that solicit feedback, including
26 the solicitation of feedback concerning how the programs could be
27 improved. Intermediate districts shall provide results from surveys
28 described in this subsection to the department, in a form and
29 manner prescribed by the department and on a timeline determined by



1 the department. The department shall compile the surveys it
2 receives under this subsection and submit 1 report concerning the
3 survey results to the house fiscal agency, the senate fiscal
4 agency, the state budget office, the house and senate subcommittees
5 responsible for K to 12 school aid, and the house and senate
6 subcommittees responsible for appropriations for the department.

7 (8) Notwithstanding section 17b, the department shall make
8 payments under this section on a schedule determined by the
9 department.

10 (9) As used in this section:

11 (a) "Eligible child" or "eligible children" means a child or
12 children to whom any of the following apply:

13 (i) The child is or children are economically disadvantaged, as
14 reported to the center in the form and manner prescribed by the
15 center, not later than the fifth Wednesday after the pupil
16 membership count day of the immediately preceding fiscal year.

17 (ii) For a child or children for whom the results of the state
18 summative assessment have been received, the child or the children
19 did not achieve proficiency on the English language arts,
20 mathematics, science, or social studies content area assessment.

21 (iii) The child or children are at risk of not meeting the core
22 academic curricular objectives in English language arts or
23 mathematics, as demonstrated on local assessments.

24 (b) "Learning pod" means a group of eligible children
25 participating together in a summer program designed to provide
26 learning enrichment opportunities, academic supports that help
27 students catch up with their peers, and classroom experiences
28 designed to prevent or reduce summer learning loss.

29 (c) "Summer" means a period beginning June 1 and ending



1 **September 2 of the same year.**

2 Sec. 24. (1) From the state school aid fund money appropriated
3 in section 11, there is allocated for ~~2020-2021~~ an amount not to
4 exceed ~~\$7,650,000.00~~ and there is allocated for ~~2021-2022~~ **2022-2023**
5 an amount not to exceed \$7,650,000.00 for payments to the educating
6 district or intermediate district for educating pupils assigned by
7 a court or the department of health and human services to reside in
8 or to attend a juvenile detention facility or child caring
9 institution licensed by the department of health and human services
10 and approved by the department to provide an on-grounds education
11 program. The amount of the payment under this section to a district
12 or intermediate district is calculated as prescribed under
13 subsection (2).

14 (2) The department shall allocate the total amount allocated
15 under this section by paying to the educating district or
16 intermediate district an amount equal to the lesser of the
17 district's or intermediate district's added cost or the
18 department's approved per-pupil allocation for the district or
19 intermediate district. For the purposes of this subsection:

20 (a) "Added cost" means 100% of the added cost each fiscal year
21 for educating all pupils assigned by a court or the department of
22 health and human services to reside in or to attend a juvenile
23 detention facility or child caring institution licensed by the
24 department of health and human services or the department of
25 licensing and regulatory affairs and approved by the department to
26 provide an on-grounds education program. Added cost is computed by
27 deducting all other revenue received under this article for pupils
28 described in this section from total costs, as approved by the
29 department, in whole or in part, for educating those pupils in the



1 on-grounds education program or in a program approved by the
2 department that is located on property adjacent to a juvenile
3 detention facility or child caring institution. Costs reimbursed by
4 federal funds are not included.

5 (b) "Department's approved per-pupil allocation" for a
6 district or intermediate district is determined by dividing the
7 total amount allocated under this section for a fiscal year by the
8 full-time equated membership total for all pupils approved by the
9 department to be funded under this section for that fiscal year for
10 the district or intermediate district.

11 (3) A district or intermediate district educating pupils
12 described in this section at a residential child caring institution
13 may operate, and receive funding under this section for, a
14 department-approved on-grounds educational program for those pupils
15 that is longer than 181 days, but not longer than 233 days, if the
16 child caring institution was licensed as a child caring institution
17 and offered in 1991-92 an on-grounds educational program that was
18 longer than 181 days but not longer than 233 days and that was
19 operated by a district or intermediate district.

20 (4) Special education pupils funded under section 53a are not
21 funded under this section.

22 Sec. 24a. From the state school aid fund money appropriated in
23 section 11, there is allocated an amount not to exceed
24 \$1,355,700.00 for ~~2021-2022~~**2022-2023** for payments to intermediate
25 districts for pupils who are placed in juvenile justice service
26 facilities operated by the department of health and human services.
27 The amount of the payment to each intermediate district is an
28 amount equal to the state share of those costs that are clearly and
29 directly attributable to the educational programs for pupils placed



1 in facilities described in this section that are located within the
 2 intermediate district's boundaries. The intermediate districts
 3 receiving payments under this section shall cooperate with the
 4 department of health and human services to ensure that all funding
 5 allocated under this section is utilized by the intermediate
 6 district and department of health and human services for
 7 educational programs for pupils described in this section. Pupils
 8 described in this section are not eligible to be funded under
 9 section 24. However, a program responsibility or other fiscal
 10 responsibility associated with these pupils must not be transferred
 11 from the department of health and human services to a district or
 12 intermediate district unless the district or intermediate district
 13 consents to the transfer.

14 Sec. 25f. (1) From the state school aid fund money
 15 appropriated in section 11, there is allocated an amount not to
 16 exceed \$1,600,000.00 for ~~2021-2022~~**2022-2023** for payments to strict
 17 discipline academies ~~established under sections 1311b to 1311m of~~
 18 ~~the revised school code, MCL 380.1311b to 380.1311m, and qualified~~
 19 **districts**, as provided under this section.

20 (2) In order to receive funding under this section, a strict
 21 discipline academy **or qualified district** must first comply with
 22 section 25e and use the pupil transfer process under that section
 23 for changes in enrollment as prescribed under that section.

24 (3) The total amount allocated to a strict discipline academy
 25 **or qualified district** under this section must first be distributed
 26 as the lesser of the strict discipline academy's **or qualified**
 27 **district's** added cost or the department's approved per-pupil
 28 allocation for the strict discipline academy **or qualified district**.
 29 ~~Any~~ **Subject to subsection (7), any** funds remaining after the first



1 distribution must be distributed by prorating on an equal per-pupil
 2 membership basis, not to exceed a strict discipline academy's **or**
 3 **qualified district's** added cost. However, the sum of the amounts
 4 received by a strict discipline academy **or qualified district** under
 5 this section and under section 24 must not exceed the product of
 6 the strict discipline academy's **or qualified district's** per-pupil
 7 allocation calculated under section 20 multiplied by the strict
 8 discipline academy's **or qualified district's** full-time equated
 9 membership. The department shall allocate funds to strict
 10 discipline academies **and qualified districts** under this section on
 11 a monthly basis. ~~For the purposes of this subsection:~~

12 ~~(a) "Added cost" means 100% of the added cost each fiscal year~~
 13 ~~for educating all pupils enrolled and in regular daily attendance~~
 14 ~~at a strict discipline academy. Added cost must be computed by~~
 15 ~~deducting all other revenue received under this article for pupils~~
 16 ~~described in this subsection from total costs, as approved by the~~
 17 ~~department, in whole or in part, for educating those pupils in a~~
 18 ~~strict discipline academy. The department shall include all costs~~
 19 ~~including, but not limited to, educational costs, insurance,~~
 20 ~~management fees, technology costs, legal fees, auditing fees,~~
 21 ~~interest, pupil accounting costs, and any other administrative~~
 22 ~~costs necessary to operate the program or to comply with statutory~~
 23 ~~requirements. Costs reimbursed by federal funds are not included.~~

24 ~~(b) "Department's approved per-pupil allocation" for a strict~~
 25 ~~discipline academy is determined by dividing the total amount~~
 26 ~~allocated under this subsection for a fiscal year by the full-time~~
 27 ~~equated membership total for all pupils approved by the department~~
 28 ~~to be funded under this subsection for that fiscal year for the~~
 29 ~~strict discipline academy.~~



1 (4) Special education pupils funded under section 53a are not
2 funded under this section.

3 (5) If the funds allocated under this section are insufficient
4 to fully fund the adjustments under subsection (3), the department
5 shall prorate payments under this section on an equal per-pupil
6 basis.

7 (6) The department shall make payments to ~~districts~~**strict**
8 **discipline academies and qualified districts** under this section
9 according to the payment schedule under section 17b.

10 (7) **For purposes of this section, the pupil membership for the**
11 **current fiscal year for a qualified district is the actual number**
12 **of pupils that are in the custody of a county juvenile agency as**
13 **described in subsection (8) (c).**

14 (8) As used in this section:

15 (a) "Added cost" means 100% of the added cost each fiscal year
16 for educating all pupils enrolled and in regular daily attendance
17 at a strict discipline academy or qualified district. Added cost
18 must be computed by deducting all other revenue received under this
19 article for pupils described in this subdivision from total costs,
20 as approved by the department, in whole or in part, for educating
21 those pupils in a strict discipline academy or qualified district.
22 The department shall include all costs, including, but not limited
23 to, educational costs, insurance, management fees, technology
24 costs, legal fees, auditing fees, interest, pupil accounting costs,
25 and any other administrative costs necessary to operate the program
26 or to comply with statutory requirements. Costs reimbursed by
27 federal funds are not included.

28 (b) "Department's approved per-pupil allocation" means, for a
29 strict discipline academy or qualified district, an amount equal to



1 the quotient of the total amount allocated under this section for a
2 fiscal year and the full-time equated membership total for all
3 pupils approved by the department to be funded under this section
4 for that fiscal year for the strict discipline academy or qualified
5 district.

6 (c) "Qualified district" means a public school academy that is
7 not a strict discipline academy that enrolls individuals who are in
8 the custody of a county juvenile agency to which both of the
9 following are applicable:

10 (i) The agency had custody of individuals who were enrolled in
11 a strict discipline academy in the 2020-2021 school year.

12 (ii) The strict discipline academy that the individuals
13 described in subparagraph (i) were enrolled in subsequently closed.

14 (d) "Strict discipline academy" means a public school academy
15 established under sections 1311b to 1311m of the revised school
16 code, MCL 380.1311b to 380.1311m.

17 Sec. 25g. (1) From the state school aid fund money
18 appropriated in section 11, there is allocated an amount not to
19 exceed \$750,000.00 for ~~2021-2022~~**2022-2023** for the purposes of this
20 section. Except as otherwise provided in this section, if the
21 operation of the special membership counting provisions under
22 section 6(4) (dd) and the other membership counting provisions under
23 section 6(4) result in a pupil being counted as more than 1.0 FTE
24 in a fiscal year, then the payment made for the pupil under
25 sections 22a and 22b must not be based on more than 1.0 FTE for
26 that pupil, and that portion of the FTE that exceeds 1.0 is paid
27 under this section in an amount equal to that portion multiplied by
28 the educating district's foundation allowance or per-pupil payment
29 calculated under section 20.



1 (2) Special education pupils funded under section 53a are not
2 funded under this section.

3 (3) If the funds allocated under this section are insufficient
4 to fully fund the adjustments under subsection (1), the department
5 shall prorate payments under this section on an equal per-pupil
6 basis.

7 (4) The department shall make payments to districts under this
8 section according to the payment schedule under section 17b.

9 Sec. 26a. From the state school aid fund money appropriated in
10 section 11, there is allocated an amount not to exceed
11 ~~\$15,300,000.00~~ **\$14,000,000.00** for 2021-2022 to reimburse districts
12 and intermediate districts under section 12 of the Michigan
13 renaissance zone act, 1996 PA 376, MCL 125.2692, for taxes levied
14 in 2021, **and there is allocated an amount not to exceed**
15 **\$14,000,000.00 for 2022-2023 to reimburse districts and**
16 **intermediate districts under section 12 of the Michigan renaissance**
17 **zone act, 1996 PA 376, MCL 125.2692, for taxes levied in 2022.** The
18 department shall pay the allocations not later than 60 days after
19 the department of treasury certifies to the department and to the
20 state budget director that the department of treasury has received
21 all necessary information to properly determine the amounts due to
22 each eligible recipient.

23 Sec. 26b. (1) From the state school aid fund money
24 appropriated in section 11, there is allocated an amount not to
25 exceed ~~\$4,710,000.00~~ **\$4,989,000.00** for ~~2021-2022~~ **2022-2023** for
26 payments to districts, intermediate districts, and community
27 college districts for the portion of the payment in lieu of taxes
28 obligation that is attributable to districts, intermediate
29 districts, and community college districts under section 2154 of



1 the natural resources and environmental protection act, 1994 PA
2 451, MCL 324.2154.

3 (2) If the amount appropriated under this section is not
4 sufficient to fully pay obligations under this section, payments
5 are prorated on an equal basis among all eligible districts,
6 intermediate districts, and community college districts.

7 Sec. 26c. (1) From the state school aid fund money
8 appropriated under section 11, there is allocated an amount not to
9 exceed ~~\$11,300,000.00~~ **\$14,800,000.00** for ~~2020-2021~~ **2021-2022** and
10 there is allocated an amount not to exceed ~~\$13,800,000.00~~
11 **\$14,800,000.00** for ~~2021-2022~~ **2022-2023** to the promise zone fund
12 created in subsection (3). The funds allocated under this section
13 reflect the amount of revenue from the collection of the state
14 education tax captured under section 17 of the Michigan promise
15 zone authority act, 2008 PA 549, MCL 390.1677.

16 (2) Funds allocated to the promise zone fund under this
17 section must be used solely for payments to eligible districts and
18 intermediate districts, in accordance with section 17 of the
19 Michigan promise zone authority act, 2008 PA 549, MCL 390.1677,
20 that have a promise zone development plan approved by the
21 department of treasury under section 7 of the Michigan promise zone
22 authority act, 2008 PA 549, MCL 390.1667. Eligible districts and
23 intermediate districts shall use payments made under this section
24 for reimbursement for qualified educational expenses as that term
25 is defined in section 3 of the Michigan promise zone authority act,
26 2008 PA 549, MCL 390.1663.

27 (3) The promise zone fund is created as a separate account
28 within the state school aid fund to be used solely for the purposes
29 of the Michigan promise zone authority act, 2008 PA 549, MCL



1 390.1661 to 390.1679. All of the following apply to the promise
2 zone fund:

3 (a) The state treasurer shall direct the investment of the
4 promise zone fund. The state treasurer shall credit to the promise
5 zone fund interest and earnings from fund investments.

6 (b) Money in the promise zone fund at the close of a fiscal
7 year remains in the promise zone fund and does not lapse to the
8 general fund.

9 (4) Subject to subsection (2), the state treasurer may make
10 payments from the promise zone fund to eligible districts and
11 intermediate districts under the Michigan promise zone authority
12 act, 2008 PA 549, MCL 390.1661 to 390.1679, to be used for the
13 purposes of a promise zone authority created under that act.

14 (5) Notwithstanding section 17b, the department shall make
15 payments under this section on a schedule determined by the
16 department.

17 Sec. 26d. (1) From the state school aid fund money
18 appropriated under section 11, there is allocated an amount not to
19 exceed ~~\$7,500,000.00~~ **\$12,000,000.00** for 2021-2022 **and an amount not**
20 **to exceed \$14,400,000.00 for 2022-2023** for reimbursements to
21 intermediate districts as required under section 15b of the
22 brownfield redevelopment financing act, 1996 PA 381, MCL 125.2665b.

23 (2) The amounts reimbursed under subsection (1) must be used
24 by the intermediate district only for the purposes for which the
25 property taxes were originally levied.

26 (3) The Michigan strategic fund and the Michigan economic
27 development corporation shall work with the department of treasury
28 in identifying the amount of tax revenues that are to be reimbursed
29 under subsection (1).



1 (4) Notwithstanding section 17b, the department shall make
2 payments under this section on a schedule determined by the
3 department.

4 Sec. 27a. (1) From the state school aid fund money
5 appropriated in section 11, there is allocated for 2022-2023 an
6 amount not to exceed \$20,000,000.00 and from the general fund money
7 appropriated in section 11, there is allocated for 2022-2023 an
8 amount not to exceed \$5,000,000.00 for the MI future educator
9 fellowship program. The funds allocated under this section must be
10 used to offset tuition costs for individuals who are working toward
11 earning their initial teacher certification.

12 (2) To establish initial eligibility for an award from funding
13 under this section, an individual must meet all of the following
14 conditions by the date of enrollment described in subdivision (b):

15 (a) Have graduated from high school with a diploma or
16 certificate of completion or achieved a high school equivalency
17 certificate.

18 (b) Be admitted to an eligible educator preparation program
19 and begin the first semester of that program on or after the start
20 of the fall 2022 academic semester; be working toward a teacher
21 certification; and be enrolled in enough coursework to earn at
22 least 24 credits in an academic year or the equivalent of full-time
23 participation for individuals enrolled in an alternative
24 certification program, as defined by the department.

25 (c) Not have previously earned a teacher certification.

26 (d) Timely complete a grant application in a form and manner
27 prescribed by the department of treasury.

28 (e) Timely file the Free Application for Federal Student Aid
29 for the enrollment period described in subdivision (b).



1 (f) Timely apply for all available gift aid for the enrollment
2 period described in subdivision (b).

3 (g) Agree to repay any funds received from funding under this
4 section if the individual does not maintain enrollment in their
5 educator preparation program, the individual does not successfully
6 complete their educator program, or the individual does not
7 complete the work requirement described in subsection (7).

8 (h) Have a high school or college grade point average of at
9 least 3.0.

10 (i) Be a resident of this state, as determined for purposes of
11 the Free Application for Federal Student Aid.

12 (3) To establish continuing eligibility for an award under
13 this section at an eligible educator preparation program, an
14 individual must meet all of the following conditions:

15 (a) Maintain continuous enrollment in an eligible educator
16 preparation program and earn at least 24 credits in an academic
17 year or the equivalent of full-time participation for individuals
18 enrolled in an alternative certification program, as defined by the
19 department, excluding any period of time missed due to a medical or
20 other emergency, as determined by the department of treasury.

21 (b) Maintain satisfactory academic progress, including a grade
22 point average of at least 3.0, in courses provided by the eligible
23 educator preparation program and meet requirements established by
24 the eligible educator preparation program.

25 (c) Participate in relevant academic and career advising
26 programs offered by the eligible educator preparation program.

27 (d) Timely file the Free Application for Federal Student Aid
28 for each academic year in which the individual receives an award
29 from funding under this section.



1 (e) Timely apply for all available gift aid for each academic
2 year in which the individual applies for funding under this
3 section.

4 (f) Maintain residency in this state, as determined for
5 purposes of the Free Application for Federal Student Aid.

6 (4) An award under this section must not exceed \$10,000.00 per
7 academic year or the cost of tuition at the in-district resident
8 rate plus other required fees, as determined by the department of
9 treasury, at the eligible educator preparation program attended,
10 whichever is less.

11 (5) Awards under this section must be distributed to eligible
12 educator preparation programs on behalf of an eligible recipient on
13 a timeline determined by the department of treasury.

14 (6) Pending available funds, applicants may renew their award
15 for up to 3 years, or until program completion, whichever comes
16 first.

17 (7) To be an eligible recipient of fellowship funding under
18 this section, an individual must pledge to work as a certified
19 teacher in a public school, nonpublic school, or a qualifying
20 public preschool program in this state and must meet 1 of the
21 following work requirements:

22 (a) For a recipient of funding under this section who received
23 an award for 1 academic year, 3 years of work as a certified
24 teacher in a public school, nonpublic school, or a qualifying
25 public preschool program in this state.

26 (b) For a recipient of funding under this section who received
27 an award for 2 academic years, 4 years of work as a certified
28 teacher in a public school, nonpublic school, or a qualifying
29 public preschool program in this state.



1 (c) For a recipient of funding under this section who received
2 an award for 3 academic years, 5 years of work as a certified
3 teacher in a public school, nonpublic school, or a qualifying
4 public preschool program in this state.

5 (d) For a recipient working in a critical needs district, 3
6 years of work as a certified teacher. As used in this subdivision,
7 "critical needs district" means a district with a median household
8 income in the lowest quartile in each prosperity region, as
9 determined by the department.

10 (8) If an award recipient does not maintain enrollment in
11 their educator preparation program as required under subsection
12 (3) (a), does not successfully complete their educator preparation
13 program, or does not meet the work requirement described in
14 subsection (7), any amount received from funds under this section
15 converts to a 0% interest loan that must be repaid to this state
16 within 10 years. The amount of repayment must be reduced
17 proportionate to the number of years worked in schools or
18 qualifying public preschool programs in this state as a
19 certificated teacher out of 5 years. The department of treasury
20 shall develop guidance to enforce this subsection.

21 (9) An individual may not concurrently receive funding through
22 programs funded under this section and grow your own programs
23 funded under section 27b.

24 (10) If the amount allocated in subsection (1) is not
25 sufficient to fully fund awards under this section, there is
26 appropriated from the educator fellowship public provider fund or
27 the educator fellowship private provider fund, as applicable, the
28 amount necessary to fully fund these programs. The state budget
29 director shall provide notification to the house and senate



1 appropriations subcommittees on K to 12 school aid and the house
2 and senate fiscal agencies for any additional appropriation
3 described under this subsection.

4 (11) Notwithstanding section 17b, the department of treasury
5 shall make payments under this section on a schedule determined by
6 the department of treasury.

7 (12) As used in this section, "eligible educator preparation
8 program" means an institution of higher education that meets all of
9 the following:

10 (a) Is a public or nonpublic institution of higher education
11 in this state.

12 (b) Has an established school of education with an educator
13 preparation program approved by the department.

14 (c) Enrolls 1 or more future educator fellowship recipients.

15 (d) Has not increased tuition and fee rates above the
16 limitations described in section 265.

17 Sec. 27b. (1) From the state school aid fund money
18 appropriated in section 11, there is allocated for 2022-2023 only
19 an amount not to exceed \$20,000,000.00 and from the federal funding
20 appropriated under section 11, there is allocated for 2022-2023
21 only an amount not to exceed \$155,000,000.00 from the federal
22 funding awarded to this state from the coronavirus state fiscal
23 recovery fund under the American rescue plan act of 2021, title IX,
24 subtitle M of Public Law 117-2, to districts and intermediate
25 districts for a grow your own program as described in subsection
26 (2).

27 (2) Districts and intermediate districts receiving funding
28 under this section shall use the funding to implement a grow your
29 own program. A grow your own program described in this subsection



1 must be implemented to improve the teacher talent pipeline and
2 provide a no-cost pathway for support staff members to become
3 certified teachers. Allowable expenses for grow your own programs
4 include, but are not limited to:

5 (a) Tuition and fees for attendance at a state-approved
6 education preparation provider for an accelerated degree, for a
7 traditional bachelor's degree for current staff who are not
8 teachers, or for an advanced degree.

9 (b) Books.

10 (c) Testing fees.

11 (d) Travel to and from coursework.

12 (e) Substitute employee salary and wages for the duration of
13 the educator preparation program attended by the recipient staff of
14 the district or intermediate district.

15 (f) Costs for curriculum, materials, professional development,
16 and hands-on-learning experiences to implement a program within the
17 district or intermediate district to encourage students in any of
18 grades 6 through 12 to consider a career in education. Not more
19 than 10% of funds received by a district or intermediate district
20 under this section may be used for this purpose.

21 (3) The department shall establish a grant process to
22 distribute funds under this section. A district or intermediate
23 school district must apply for funds in a form and manner
24 prescribed by the department. As part of the application described
25 in this subsection, a district or intermediate district must submit
26 the following information and assurances:

27 (a) Demonstrated need for funding in the district or
28 intermediate district or the broader community, including projected
29 workforce needs, and a proposed spending plan on how the funds will



1 be utilized that includes expected tuition, fees, and books for the
2 program.

3 (b) Number of support staff projected to participate in a grow
4 your own program described in this section.

5 (c) For funds for the purposes described in subsection (2)(f),
6 a description of the program being implemented and the number of
7 students the program is intended to reach.

8 (d) Assurances that the pathway will be no cost for
9 participants and that participants will be compensated as an
10 employee for the duration of their training, including a paid
11 residency or student teaching.

12 (e) Identification of eligible recipients and a pledge to hire
13 an eligible recipient as a full-time teacher upon their receipt of
14 an initial teaching certificate and provide for student teaching
15 opportunities.

16 (f) A pledge that, before providing funding under this section
17 to an eligible recipient, the district or intermediate district
18 will require that the eligible recipient pledge to serve as a full-
19 time teacher at the district or intermediate district for at least
20 the same number of years as the recipient participated in a grow
21 your own program. If the district or intermediate district is
22 unable to hire an eligible recipient as required under subdivision
23 (e), the eligible recipient may serve the years the recipient
24 pledged to serve under this subdivision at another district,
25 intermediate district, or nonpublic school.

26 (4) An individual may not concurrently receive funding for
27 programs under this section and programs funded under sections 27a
28 and 27c.

29 (5) The federal funding allocated under this section is



1 intended to respond to the COVID-19 public health emergency and its
2 negative impacts.

3 (6) Notwithstanding section 17b, the department shall make
4 payments under this section on a schedule determined by the
5 department.

6 (7) The funds allocated under this section for 2022-2023 are a
7 work project appropriation, and any unexpended funds for 2022-2023
8 are carried forward into 2023-2024. The purpose of the work project
9 is to continue support for grow your own programs in districts and
10 intermediate districts. The estimated completion date of the work
11 project is December 31, 2026.

12 Sec. 27c. (1) From the state school aid fund money
13 appropriated in section 11, there is allocated \$50,000,000.00 for
14 2022-2023 for the MI future educator student teacher stipend
15 program. Except as otherwise provided in this section, the funds
16 allocated under this section must be paid to eligible educator
17 preparation programs for payments to eligible student teachers
18 working in a district.

19 (2) An eligible student teacher under this subsection must
20 meet all the following:

21 (a) The individual must be admitted to an eligible educator
22 preparation program, be working toward a teacher certification, be
23 participating in required student teaching coursework, and be
24 maintaining satisfactory academic progress. As used in this
25 subdivision, "required student teaching coursework" means credit
26 hours, or the program equivalent, required by an eligible educator
27 preparation program for successful completion of the program. This
28 coursework must include regular placement in a district where the
29 student gains real-world, first-hand experience working in a



1 classroom, teaching students, engaging in the day-to-day activities
2 of a certified teacher, and working daily under the guidance of a
3 certified teacher.

4 (b) The individual must timely complete an application in a
5 form and manner prescribed by the department of treasury. The
6 application must include the district in which the individual is
7 working as a student teacher and must include a certification by
8 the district and the individual's eligible educator preparation
9 program that the student is working as a student teacher. If the
10 individual's eligible educator preparation program is not provided
11 by a public institution of higher education, the district in which
12 the individual is working must also provide an assurance that they
13 will forward any amount received under this section from the
14 department of treasury for purposes of the program described in
15 this section to the individual's eligible educator preparation
16 program.

17 (c) The individual must not have received a payment from funds
18 under this subsection previously, unless the individual is enrolled
19 in an eligible educator preparation program that requires multiple
20 semesters of student teaching.

21 (d) If an individual is paid by their district, they are not
22 eligible for payment under this section.

23 (3) The department of treasury shall pay each eligible
24 educator preparation program an amount not to exceed \$9,600.00 per
25 academic semester for each eligible student teacher working in a
26 district. If the individual's eligible educator preparation program
27 is not provided by a public institution of higher education, the
28 department of treasury shall pay an amount not to exceed \$9,600.00
29 per academic semester to the district in which the individual is



1 working as a student teacher, and that district must forward the
2 amount received to the individual's eligible educator preparation
3 program. If funding allocated under this section is insufficient to
4 fully fund all eligible student teachers, the department of
5 treasury shall first award funding for eligible student teachers
6 who are also Pell grant recipients and then shall distribute
7 funding in the order in which applications were received. It is
8 intended that payments under this subsection are made at the
9 beginning of the semester in 1 lump sum for eligible student
10 teachers.

11 (4) Eligible educator preparation programs shall pay funds
12 received under this section, in entirety, to the eligible student
13 teacher. Eligible student teachers may use these funds for any of
14 the following:

15 (a) Tuition costs.

16 (b) Living expenses, including, but not limited to, housing
17 costs, health care costs, and transportation costs.

18 (c) Childcare costs for a dependent of the student teacher.

19 (d) Any other costs associated with student teaching, as
20 determined by the department of treasury.

21 (5) Notwithstanding section 17b, the department of treasury
22 shall make payments under this section on a schedule determined by
23 the department of treasury.

24 (6) As used in this section, "eligible educator preparation
25 program" means an institution of higher education that meets all of
26 the following:

27 (a) Is a public or private institution of higher education in
28 this state.

29 (b) Has an established school of education with an educator



1 preparation program approved by the department.

2 (c) Has not increased tuition and fee rates above the
3 limitations described in section 265.

4 Sec. 27d. (1) The educator fellowship public provider fund is
5 created as a separate account within the state school aid fund for
6 the purpose of improving the educator workforce through recruitment
7 efforts for students attending public educator preparation
8 programs.

9 (2) The state treasurer may receive money or other assets from
10 any source for deposit into the educator fellowship public provider
11 fund. The state treasurer shall direct the investment of the
12 educator fellowship public provider fund. The state treasurer shall
13 credit to the educator fellowship public provider fund interest and
14 earnings from educator fellowship public provider fund investments.

15 (3) Money in the educator fellowship public provider fund at
16 the close of the fiscal year remains in the educator fellowship
17 public provider fund and does not lapse to the state school aid
18 fund.

19 (4) The department of treasury is the administrator of the
20 educator fellowship public provider fund for auditing purposes.

21 (5) The department of treasury shall expend money from the
22 educator fellowship public provider fund, upon appropriation, for
23 the purposes described in section 27a(10) for students admitted to
24 public educator preparation programs.

25 (6) For the fiscal year ending September 30, 2022 only,
26 \$235,000,000.00 from the state school aid fund is deposited into
27 the educator fellowship public programs fund.

28 Sec. 27e. (1) The educator fellowship private provider fund is
29 created within the department of treasury for the purpose of



1 improving the educator workforce through recruitment efforts for
2 students attending private educator preparation programs.

3 (2) The state treasurer may receive money or other assets from
4 any source for deposit into the educator fellowship private
5 provider fund. The state treasurer shall direct the investment of
6 the educator fellowship private provider fund. The state treasurer
7 shall credit to the educator fellowship private provider fund
8 interest and earnings from educator fellowship private provider
9 fund investments.

10 (3) Money in the educator fellowship private provider fund at
11 the close of the fiscal year remains in the educator fellowship
12 private provider fund and does not lapse to the general fund or
13 state school aid fund.

14 (4) The department of treasury is the administrator of the
15 educator fellowship private provider fund for auditing purposes.

16 (5) The department of treasury shall expend money from the
17 educator fellowship private provider fund, upon appropriation, for
18 the purposes described in section 27a(10) for students admitted to
19 private educator preparation programs.

20 (6) For the fiscal year ending September 30, 2022 only,
21 \$45,000,000.00 from the general fund is deposited into the educator
22 fellowship private programs fund.

23 Sec. 27f. (1) From the general fund money appropriated in
24 section 11, there is allocated an amount not to exceed \$500,000.00
25 for 2021-2022 only to an association that represents a consortium
26 of urban school districts in this state working in partnership with
27 a research consultant for the purposes under this section.

28 (2) Funds under this section must be used only to support an
29 analysis and an accompanying report of this state's education



1 workforce. The analysis described in this subsection must provide
2 all of the following:

3 (a) The identification of effective and financially
4 sustainable strategies districts have developed to address staffing
5 shortages.

6 (b) An evaluation of how educator workforce shortages compare
7 among the various districts across this state in efforts to improve
8 the diversity of the workforce and to understand how workforce
9 shortages relate to questions of equity in education.

10 (c) Recommendations for both short-term and long-term
11 solutions to address educator shortages.

12 (d) An examination of educator workforce policies in other
13 states to identify approaches that have been useful in addressing
14 educator shortages and diversity.

15 (e) An analysis of district-level personnel data from urban
16 and rural districts that have faced the largest declines in staff
17 and face the greatest burdens in addressing educator shortages.

18 (f) The inclusion of targeted feedback from school-level
19 educators, as well as district-level administrators.

20 (3) The analysis described in subsection (2) must include
21 representation from various stakeholders, including, but not
22 limited to, teachers, school administrators, and human resources
23 directors.

24 (4) Notwithstanding section 17b, the department shall make
25 payments under this section on a schedule determined by the
26 department.

27 (5) The funds allocated under this section for 2021-2022 are a
28 work project appropriation, and any unexpended funds for 2021-2022
29 are carried forward into 2022-2023. The purpose of the work project



1 is to continue support for the analysis described in subsection
2 (2). The estimated completion date of the work project is September
3 30, 2023.

4 Sec. 28. (1) To recognize differentiated instructional costs
5 for different types of pupils in ~~2021-2022, 2022-2023~~, the
6 following sections provide a weighted foundation allocation or an
7 additional payment of some type in the following amounts, as
8 allocated under those sections:

9 (a) Section 22d, isolated and rural districts, ~~\$8,420,000.00.~~
10 **\$8,858,000.00.**

11 (b) Section 31a, at risk, ~~standard programming,~~
12 ~~\$512,500,000.00.~~**\$747,500,000.00.**

13 ~~(c) Section 31a, at risk, additional payment, \$12,000,000.00.~~

14 **(c)** ~~(d)~~ Section 41, bilingual education for English language
15 learners, ~~\$25,200,000.00.~~**\$26,511,000.00.**

16 **(d)** ~~(e)~~ Section 51c, special education, mandated percentages,
17 ~~\$733,400,000.00.~~**\$709,900,000.00.**

18 ~~(f) Section 51f, special education, additional percentages,~~
19 ~~\$90,207,000.00.~~

20 **(e)** ~~(g)~~ Section 61a, career and technical education, standard
21 reimbursement, ~~\$37,611,300.00.~~**\$47,611,300.00.**

22 **(f)** ~~(h)~~ Section 61d, career and technical education
23 incentives, \$5,000,000.00.

24 (2) The funding described in subsection (1) is not a separate
25 allocation of any funding but is instead a listing of funding
26 allocated in the sections listed in subsection (1).

27 **Sec. 30c. (1) From the state school aid fund money**
28 **appropriated in section 11, there is allocated for 2022-2023 only**
29 **an amount not to exceed \$15,000,000.00 to districts for**



1 implementation of the troops-to-teachers initiative as described in
2 this section.

3 (2) Except as otherwise provided in this subsection, to
4 receive funding under this section, a district must apply for the
5 funding in a form and manner prescribed by the department. In its
6 application described in this subsection, a district must include
7 all of the following:

8 (a) A pledge that it will pay each qualified troops-to-
9 teachers member described in subsection (3)(b) the salary required
10 under subsection (3)(b).

11 (b) A pledge that it will pay each qualified troops-to-
12 teachers member it hires as described in subsection (3)(e) the
13 salary required under subsection (3)(e).

14 (c) A spending plan for its use of funding received under this
15 section that must include plans to phase down the usage of funding
16 under this section for the implementation of the troops-to-teachers
17 initiative described in this section in a manner ensuring that the
18 district will fully fund the initiative without funding under this
19 section by September 30, 2027.

20 (d) A pledge that the district will continue to pay qualified
21 troops-to-teachers members described in subsection (3)(b) and (e) a
22 salary, as described in subsection (3)(b) or (e), as applicable,
23 after September 30, 2027.

24 (3) A district that receives funding under this section shall
25 use the funding for only the following reasons:

26 (a) The implementation of a mentorship training program that
27 must include, at a minimum, phase 1 and 2 mentorship training
28 provided to qualified troops-to-teachers members. The phases of
29 mentorship training described in this subdivision must meet the



1 following criteria:

2 (i) All of the following apply to phase 1 mentorship training
3 described in this subdivision:

4 (A) It must be for a duration of 1 semester.

5 (B) It must include a process through which a qualified
6 troops-to-teachers member serves as a student teacher at a school
7 operated by the district while shadowing a mentor teacher during
8 the duration of the training. To the extent possible, a qualified
9 troops-to-teachers member who has interest in teaching in a certain
10 subject or grade level must be paired under this sub-subparagraph
11 with a mentor teacher who teaches in the applicable subject or
12 grade level.

13 (C) After the qualified troops-to-teachers member has
14 completed 1 semester of student teaching as described in sub-
15 subparagraph (B), the mentor teacher he or she was paired with as
16 described in sub-subparagraph (B) shall either approve or
17 disapprove his or her completion of phase 1 mentorship training and
18 recommend or not recommend his or her deployment into teaching in
19 classrooms and certification. A qualified troops-to-teachers member
20 is not considered to have completed phase 1 mentorship training
21 under this subparagraph unless his or her mentor teacher has
22 approved the completion as described in this sub-subparagraph.

23 (ii) All of the following apply to phase 2 mentorship training
24 described in this subdivision:

25 (A) It must be open to only qualified troops-to-teachers
26 members who have completed 1 semester of student teaching as
27 described in subparagraph (i) (B), but who were disapproved for
28 completion of phase 1 mentorship training under subparagraph (i) (C).

29 (B) It must be for a duration of 1 semester.



1 (C) It must include a process through which a qualified
2 troops-to-teachers member serves as a student teacher at a school
3 operated by the district while shadowing a mentor teacher during
4 the duration of the training. To the extent possible, a qualified
5 troops-to-teachers member who has interest in teaching in a certain
6 subject or grade level must be paired under this sub-subparagraph
7 with a mentor teacher who teaches in the applicable subject or
8 grade level.

9 (D) After the qualified troops-to-teachers member has
10 completed 1 semester of student teaching as described in sub-
11 subparagraph (C), the mentor teacher he or she was paired with as
12 described in sub-subparagraph (C) shall either approve or
13 disapprove his or her completion of phase 2 mentorship training and
14 recommend or not recommend his or her deployment into teaching in
15 classrooms and certification. A qualified troops-to-teachers member
16 is not considered to have completed phase 2 mentorship training
17 under this subparagraph unless his or her mentor teacher has
18 approved the completion as described in this sub-subparagraph.

19 (b) The payment of a salary for each qualified troops-to-
20 teachers member for his or her completion of 1 semester of student
21 teaching as part of part 1 or 2 mentorship training described in
22 this subsection, whether or not he or she is approved for
23 completion of phase 1 or 2 mentorship training as described in this
24 subsection, in an amount that equals the starting teacher salary in
25 the district. This subdivision does not limit, if in compliance
26 with other laws, the district from providing additional
27 compensation to a qualified troops-to-teachers member described in
28 this subdivision.

29 (c) The payment of costs and fees associated with completion



1 of each subject area examination for each subject area in which a
2 qualified troops-to-teachers member applies to be certified for a
3 qualified troops-to-teachers member who has completed phase 1 or 2
4 mentorship training as described in this subsection.

5 (d) The hiring of support staff to implement the troops-to-
6 teachers initiative described in this section.

7 (e) The hiring, as teachers, of qualified troops-to-teachers
8 members who completed the phase 1 or 2 mentorship training as
9 described in this subsection and obtained teacher certification and
10 the payment to those qualified troops-to-teachers members of a
11 salary that equals, at a minimum, either of the following, as
12 applicable:

13 (i) For the qualified troops-to-teachers member's first year of
14 employment as a teacher, either of the following, as applicable:

15 (A) If the highest yearly salary the qualified troops-to-
16 teachers member received in the military is higher than the
17 starting teacher salary in the district, the sum of a starting
18 teacher salary in the district and 50% of the difference between
19 the highest yearly salary the qualified troops-to-teachers member
20 received in the military and the starting teacher salary in the
21 district. However, the amount described in this sub-subparagraph
22 must not exceed the highest teacher salary in the district. For a
23 qualified troops-to-teachers member described in this sub-
24 subparagraph, only 50% of the difference between the highest yearly
25 salary the qualified troops-to-teachers member received in the
26 military and the starting teacher salary described in this sub-
27 subparagraph may be paid for from money received under this section
28 and the other portion of the salary described in this sub-
29 subparagraph must be paid by the district from funds other than



1 funds received under this section.

2 (B) If the highest yearly salary the qualified troops-to-
3 teachers member received in the military is lower than the starting
4 teacher salary in the district, the starting teacher salary in the
5 district. The entirety of a salary described in this sub-
6 subparagraph must be paid by the district from funds other than
7 funds received under this section.

8 (ii) For the qualified troops-to-teachers member's employment
9 as a teacher following the member's first year of employment, the
10 criteria and requirements under subparagraphs (i) and (ii) apply, but
11 the salary must account for any teacher salary increases in the
12 district and the district must incorporate its plan to phase down
13 the usage of funding under this section as submitted in its
14 application under subsection (2), ensuring that 100% of a member's
15 salary is paid from funding other than funding received under this
16 section by September 30, 2027.

17 (f) Any other fees or costs associated with the implementation
18 of the troops-to-teachers initiative described in this section, as
19 determined by the department.

20 (4) The department must provide an annual report to the house
21 and senate appropriations subcommittees on school aid, the house
22 and senate fiscal agencies, and the state budget director on the
23 troops-to-teachers initiative under this section, including the
24 number of qualified troops-to-teachers members who were hired as
25 certificated teachers in each district that received funding under
26 this section.

27 (5) Funds allocated under this section for 2022-2023 are a
28 work project appropriation, and any unexpended funds for 2022-2023
29 are carried forward into 2023-2024. The purpose of the work project



1 is to continue the troops-to-teachers initiative as described in
 2 this section. The estimated completion date of the work project is
 3 September 30, 2027.

4 (6) As used in this section:

5 (a) "Mentor teacher" means a certificated teacher who has
 6 served as a certificated teacher for 5 or more school years.

7 (b) "Qualified troops-to-teachers member" means an individual
 8 to whom both of the following apply:

9 (i) The individual is a veteran. As used in this subparagraph,
 10 "veteran" means that term as defined in section 1 of 1965 PA 160,
 11 MCL 35.61.

12 (ii) The individual has been awarded a bachelor's degree from a
 13 public or private university.

14 Sec. 31a. (1) From the state school aid fund money
 15 appropriated in section 11, there is allocated for 2021-2022 an
 16 amount not to exceed \$537,650,000.00, and from the general fund
 17 money appropriated in section 11 there is allocated for 2021-2022
 18 an amount not to exceed \$1,500,000.00, **and, from the state school**
 19 **aid fund money appropriated in section 11, there is allocated for**
 20 **2022-2023 an amount not to exceed \$785,650,000.00, and from the**
 21 **general fund money appropriated in section 11, there is allocated**
 22 **for 2022-2023 an amount not to exceed \$1,500,000.00** for payments to
 23 eligible districts and eligible public school academies for the
 24 purposes of ensuring that pupils are proficient in English language
 25 arts by the end of grade 3, that pupils are proficient in
 26 mathematics by the end of grade 8, that pupils are attending school
 27 regularly, that high school graduates are career and college ready,
 28 and for the purposes under subsections (7) and (8).

29 (2) For **2021-2022 only, for** a district that has combined state



1 and local revenue per membership pupil under ~~section~~**sections** 20
2 **and 20m** that is greater than the target foundation allowance under
3 section 20 for the current fiscal year and that, for the
4 immediately preceding fiscal year, had combined state and local
5 revenue per membership pupil under section 20 **and 20m** that was
6 greater than the target foundation allowance under section 20 that
7 was in effect for that fiscal year, the allocation under subsection
8 (4) is an amount equal to 35% of the allocation for which it would
9 otherwise be eligible under subsection (4) before any proration
10 under subsection (15). It is the intent of the legislature that, if
11 revenues are sufficient and if districts with combined state and
12 local revenue per membership pupil under ~~section~~**sections** 20 **and**
13 **20m** that is below the target foundation allowance are receiving
14 nonprorated payments under subsection (4), the percentage in the
15 immediately preceding sentence must be increased annually until it
16 reaches 100%. If a district has combined state and local revenue
17 per membership pupil under ~~section~~**sections** 20 **and 20m** that is
18 greater than the target foundation allowance under section 20 for
19 the current fiscal year, but for the 2018-2019 fiscal year had
20 combined state and local revenue per membership pupil under section
21 20 that was less than the basic foundation allowance under section
22 20 that was in effect for the 2018-2019 fiscal year, the district
23 shall receive an amount per pupil equal to 11.5% of the ~~statewide~~
24 ~~weighted average~~**target** foundation allowance, as applied under
25 subsection (4), and before any proration under subsection (15).
26 **This subsection does not apply beginning in 2022-2023.**

27 (3) For a district or public school academy to be eligible to
28 receive funding under this section, other than funding under
29 subsection (7) or (8), the district or public school academy, for



1 grades K to 12, must comply with the requirements under section
2 1280f of the revised school code, MCL 380.1280f, and shall use
3 resources to address early literacy and numeracy, and for at least
4 grades K to 12 or, if the district or public school academy does
5 not operate all of grades K to 12, for all of the grades it
6 operates, must implement a multi-tiered system of supports that is
7 an evidence based framework that uses data driven problem solving
8 to integrate academic and behavioral instruction and that uses
9 intervention delivered to all pupils in varying intensities based
10 on pupil needs. The multi-tiered system of supports described in
11 this subsection must provide at least all of the following
12 essential components:

13 (a) Team-based leadership.

14 (b) A tiered delivery system.

15 (c) Selection and implementation of instruction,
16 interventions, and supports.

17 (d) A comprehensive screening and assessment system.

18 (e) Continuous data-based decision making.

19 (4) From the state school aid fund money allocated under
20 subsection (1), there is allocated for 2021-2022 an amount not to
21 exceed \$512,500,000.00 **and, for 2022-2023, an amount not to exceed**
22 **\$747,500,000.00** to continue a weighted foundation per pupil payment
23 for districts and public school academies enrolling economically
24 disadvantaged pupils. The department shall pay under this
25 subsection to each eligible district or eligible public school
26 academy an amount per pupil equal to 11.5% of the ~~statewide~~
27 ~~weighted average-target~~ foundation allowance for the following, as
28 applicable:

29 (a) Except as otherwise provided under subdivision (b), (c),



1 or (d) the greater of the following:

2 (i) The number of membership pupils in the district or public
3 school academy who are determined to be economically disadvantaged,
4 as reported to the center in the form and manner prescribed by the
5 center not later than the fifth Wednesday after the pupil
6 membership count day of the immediately preceding fiscal year.

7 (ii) If the district or public school academy is in the
8 community eligibility program, the number of pupils determined to
9 be eligible based on the product of the identified student
10 percentage multiplied by the total number of pupils in the district
11 or public school academy, as reported to the center in the form and
12 manner prescribed by the center not later than the fifth Wednesday
13 after the pupil membership count day of the immediately preceding
14 fiscal year. These calculations must be made at the building level.
15 This subparagraph only applies to an eligible district or eligible
16 public school academy for the fiscal year immediately following the
17 first fiscal year in which it is in the community eligibility
18 program. As used in this subparagraph, "identified student
19 percentage" means the quotient of the number of pupils in an
20 eligible district or eligible public school academy who are
21 determined to be economically disadvantaged, as reported to the
22 center in a form and manner prescribed by the center, not later
23 than the fifth Wednesday after the pupil membership count day in
24 the fiscal year preceding the first fiscal year in which the
25 eligible district or eligible public school academy is in the
26 community eligibility program, divided by the total number of
27 pupils counted in an eligible district or eligible public school
28 academy on the pupil membership count day in the fiscal year
29 preceding the first fiscal year in which the eligible district or



1 eligible public school academy is in the community eligibility
2 program.

3 (b) If the district or public school academy began operations
4 as a district or public school academy after the pupil membership
5 count day of the immediately preceding school year, the number of
6 membership pupils in the district or public school academy who are
7 determined to be economically disadvantaged, as reported to the
8 center in the form and manner prescribed by the center not later
9 than the fifth Wednesday after the pupil membership count day of
10 the current fiscal year.

11 (c) If the district or public school academy began operations
12 as a district or public school academy after the pupil membership
13 count day of the current fiscal year, the number of membership
14 pupils in the district or public school academy who are determined
15 to be economically disadvantaged, as reported to the center in the
16 form and manner prescribed by the center not later than the fifth
17 Wednesday after the supplemental count day of the current fiscal
18 year.

19 (d) If, for a particular fiscal year, the number of membership
20 pupils in a district or public school academy who are determined
21 under subdivision (a) to be economically disadvantaged or to be
22 eligible based on the identified student percentage varies by more
23 than 20 percentage points from the number of those pupils in the
24 district or public school academy as calculated under subdivision
25 (a) for the immediately preceding fiscal year caused by an
26 egregious reporting error by the district or public school academy,
27 the department may choose to have the calculations under
28 subdivision (a) instead be made using the number of membership
29 pupils in the district or public school academy who are determined



1 to be economically disadvantaged, as reported to the center in the
2 form and manner prescribed by the center not later than the fifth
3 Wednesday after the supplemental count day of the immediately
4 preceding fiscal year.

5 (5) Except as otherwise provided in this section, a district
6 or public school academy receiving funding under this section shall
7 use that money only to provide instructional programs and direct
8 noninstructional services, including, but not limited to, medical,
9 mental health, or counseling services, for at-risk pupils; for
10 school health clinics; and for the purposes of subsection (6), (7),
11 or (8). In addition, a district that is a school district of the
12 first class or a district or public school academy in which at
13 least 50% of the pupils in membership were determined to be
14 economically disadvantaged in the immediately preceding state
15 fiscal year, as determined and reported as described in subsection
16 (4), may use the funds it receives under this section for school
17 security or school parent liaison personnel. The uses of the funds
18 described in the immediately preceding sentence must align to the
19 needs assessment and the multi-tiered system of supports model and,
20 for funds spent on parent liaison personnel, must connect parents
21 to the school community. A district or public school academy shall
22 not use any of the money received under this section for
23 administrative costs. The instruction or direct noninstructional
24 services provided under this section may be conducted before or
25 after regular school hours or by adding extra school days to the
26 school year.

27 (6) A district or public school academy that receives funds
28 under this section and that operates a school breakfast program
29 under section 1272a of the revised school code, MCL 380.1272a,



1 shall use from the funds received under this section an amount, not
2 to exceed \$10.00 per pupil for whom the district or public school
3 academy receives funds under this section, necessary to pay for
4 costs associated with the operation of the school breakfast
5 program.

6 (7) From the state school aid fund money allocated under
7 subsection (1), there is allocated for 2021-2022 an amount not to
8 exceed \$8,000,000.00 **and there is allocated for 2022-2023 an amount**
9 **not to exceed \$33,000,000.00** to support primary health care
10 services provided to children and adolescents up to age 21. These
11 funds must be expended in a form and manner determined jointly by
12 the department and the department of health and human services. ~~If~~
13 ~~any funds allocated under this subsection are not used for the~~
14 ~~purposes of this subsection for the fiscal year in which they are~~
15 ~~allocated, those unused funds must be used that fiscal year to~~
16 ~~avoid or minimize any proration that would otherwise be required~~
17 ~~under subsection (15) for that fiscal year.~~**When making funding**
18 **decisions for new adolescent health centers under this subsection,**
19 **the department and department of health and human services shall**
20 **prioritize support for primary health care services in unserved**
21 **counties as of the effective date of the amendatory act that added**
22 **this sentence. An amount not to exceed 4% of the funds allocated**
23 **for 2022-2023 under this subsection must be made available for**
24 **technical support and coordination services from a nonprofit**
25 **organization exclusively dedicated to serving adolescent health**
26 **centers in this state and that has a membership that includes**
27 **federally qualified health centers, local public health**
28 **departments, hospital systems, and public school districts. As a**
29 **requirement of being awarded the funds under this subsection as**



1 **prescribed under this subsection, a nonprofit organization**
2 **described in this subsection shall make readily available technical**
3 **support and coordination services to all child and adolescent**
4 **health centers in this state.**

5 (8) From the state school aid fund money allocated under
6 subsection (1), there is allocated for 2021-2022 an amount not to
7 exceed \$5,150,000.00 **and there is allocated for 2022-2023 an amount**
8 **not to exceed \$5,150,000.00** for the state portion of the hearing
9 and vision screenings as described in part 93 of the public health
10 code, 1978 PA 368, MCL 333.9301 to 333.9329, and, from the general
11 fund money allocated under subsection (1), there is allocated for
12 2021-2022 an amount not to exceed \$1,500,000.00 **and there is**
13 **allocated for 2022-2023 an amount not to exceed \$1,500,000.00** for
14 the state portion of the dental screenings as described in part 93
15 of the public health code, 1978 PA 368, MCL 333.9301 to 333.9329. A
16 local public health department shall pay at least 50% of the total
17 cost of the screenings. The frequency of the vision screenings must
18 be as required under R 325.13091 to R 325.13096 of the Michigan
19 Administrative Code and the frequency of the hearing screenings
20 must be as required under R 325.3271 to R 325.3276 of the Michigan
21 Administrative Code. Funds must be awarded in a form and manner
22 approved jointly by the department and the department of health and
23 human services. Notwithstanding section 17b, the department shall
24 make payments to eligible entities under this subsection on a
25 schedule determined by the department.

26 (9) Each district or public school academy receiving funds
27 under this section shall submit to the department by July 15 of
28 each fiscal year a report, in the form and manner prescribed by the
29 department, that includes a brief description of each program



1 conducted or services performed by the district or public school
2 academy using funds under this section, the amount of funds under
3 this section allocated to each of those programs or services, the
4 total number of at risk pupils served by each of those programs or
5 services, and the data necessary for the department and the
6 department of health and human services to verify matching funds
7 for the temporary assistance for needy families program. In
8 prescribing the form and manner of the report, the department shall
9 ensure that districts are allowed to expend funds received under
10 this section on any activities that are permissible under this
11 section. If a district or public school academy does not comply
12 with this subsection, the department shall withhold an amount equal
13 to the August payment due under this section until the district or
14 public school academy complies with this subsection. If the
15 district or public school academy does not comply with this
16 subsection by the end of the fiscal year, the withheld funds are
17 forfeited to the school aid fund.

18 (10) In order to receive funds under this section, a district
19 or public school academy must allow access for the department or
20 the department's designee to audit all records related to the
21 program for which it receives those funds. The district or public
22 school academy shall reimburse the state for all disallowances
23 found in the audit.

24 (11) Subject to subsections (6), (7), and (8), for schools in
25 which more than 40% of pupils are identified as at-risk, a district
26 or public school academy may use the funds it receives under this
27 section to implement tier 1, evidence-based practices in schoolwide
28 reforms that are guided by the district's comprehensive needs
29 assessment and are included in the district improvement plan.



1 Schoolwide reforms must include parent and community supports,
 2 activities, and services, that may include the pathways to
 3 potential program created by the department of health and human
 4 services or the communities in schools program. As used in this
 5 subsection, "tier 1, evidence-based practices" means research based
 6 instruction and classroom interventions that are available to all
 7 learners and effectively meet the needs of most pupils.

8 (12) A district or public school academy that receives funds
 9 under this section may use those funds to provide research based
 10 professional development and to implement a coaching model that
 11 supports the multi-tiered system of supports framework.
 12 Professional development may be provided to district and school
 13 leadership and teachers and must be aligned to professional
 14 learning standards; integrated into district, school building, and
 15 classroom practices; and solely related to the following:

16 (a) Implementing the multi-tiered system of supports required
 17 in subsection (3) with fidelity and utilizing the data from that
 18 system to inform curriculum and instruction.

19 (b) Implementing section 1280f of the revised school code, MCL
 20 380.1280f, as required under subsection (3), with fidelity.

21 (13) ~~A~~ **For 2021-2022, a district or public school academy that**
 22 **receives funds under subsection (4) or (17) may use funds received**
 23 **under subsection (4) or (17) for support staff providing services**
 24 **to at-risk pupils. For 2022-2023, a** district or public school
 25 academy that receives funds under subsection (4) ~~or (17)~~ may use
 26 funds received under subsection (4) ~~or (17)~~ for support staff
 27 providing services to at-risk pupils.

28 (14) A district or public school academy that receives funds
 29 under this section may use up to 10% of the funds received under



1 this section to provide evidence-based instruction for pre-
2 kindergarten instructional and noninstructional services to
3 children who meet at least 1 of the criteria in subsection
4 (20) (a) (i) to (x).

5 (15) If necessary, ~~and before any proration required under~~
6 ~~section 296,~~ the department shall prorate payments under this
7 section, except payments under subsection (7), (8), or, **for 2021-**
8 **2022,** (17), by reducing the amount of the allocation as otherwise
9 calculated under this section by an equal percentage per district.

10 (16) If a district is dissolved pursuant to section 12 of the
11 revised school code, MCL 380.12, the intermediate district to which
12 the dissolved district was constituent shall determine the
13 estimated number of pupils that are economically disadvantaged and
14 that are enrolled in each of the other districts within the
15 intermediate district and provide that estimate to the department
16 for the purposes of distributing funds under this section within 60
17 days after the district is declared dissolved.

18 (17) From the state school aid fund money allocated under
19 subsection (1), there is allocated for 2021-2022 an amount not to
20 exceed \$12,000,000.00 for payments to districts and public school
21 academies that otherwise received an allocation under this
22 subsection for 2020-2021 and whose allocation under this section
23 for 2020-2021, excluding any payments under subsection (7) or (8),
24 would have been more than the district's or public school academy's
25 allocation under this section for 2021-2022 as calculated under
26 subsection (4) only and as adjusted under subsection (15). The
27 allocation for each district or public school academy under this
28 subsection is an amount equal to its allocation under this section
29 for 2020-2021 minus its allocation as otherwise calculated under



1 subsection (4) for 2021-2022 as adjusted by subsection (15), using
 2 in those calculations the 2017-2018 number of pupils determined to
 3 be economically disadvantaged. However, if the allocation as
 4 otherwise calculated under this subsection would have been less
 5 than \$0.00, the allocation under this subsection is \$0.00. If
 6 necessary, and before any proration required under section 296, the
 7 department shall prorate payments under this subsection by reducing
 8 the amount of the allocation as otherwise calculated under this
 9 subsection by an equal percentage per district or public school
 10 academy. Any unexpended funds under this subsection are to be
 11 distributed through payments made under subsection (4) as provided
 12 under subsection (4), but those funds must not be factored into
 13 calculating payments under this subsection. **This subsection does**
 14 **not apply beginning in 2022-2023.**

15 (18) A district or public school academy that receives funds
 16 under this section may use funds received under this section to
 17 provide an anti-bullying or crisis intervention program.

18 (19) The department shall collaborate with the department of
 19 health and human services to prioritize assigning Pathways to
 20 Potential success coaches to elementary schools that have a high
 21 percentage of pupils in grades K to 3 who are not proficient in
 22 English language arts, based upon state assessments for pupils in
 23 those grades.

24 (20) As used in this section:

25 (a) "At-risk pupil" means a pupil in grades pre-K to 12 for
 26 whom the district has documentation that the pupil meets any of the
 27 following criteria:

28 (i) The pupil is economically disadvantaged.

29 (ii) The pupil is an English language learner.



1 (iii) The pupil is chronically absent as defined by and reported
2 to the center.

3 (iv) The pupil is a victim of child abuse or neglect.

4 (v) The pupil is a pregnant teenager or teenage parent.

5 (vi) The pupil has a family history of school failure,
6 incarceration, or substance abuse.

7 (vii) The pupil is an immigrant who has immigrated within the
8 immediately preceding 3 years.

9 (viii) The pupil did not complete high school in 4 years and is
10 still continuing in school as identified in the Michigan cohort
11 graduation and dropout report.

12 (ix) For pupils for whom the results of the state summative
13 assessment have been received, is a pupil who did not achieve
14 proficiency on the English language arts, mathematics, science, or
15 social studies content area assessment.

16 (x) Is a pupil who is at risk of not meeting the district's or
17 public school academy's core academic curricular objectives in
18 English language arts or mathematics, as demonstrated on local
19 assessments.

20 (b) **"Combined state and local revenue" means the aggregate of**
21 **the district's state school aid received by or paid on behalf of**
22 **the district under section 20 and the district's local school**
23 **operating revenue.**

24 (c) **"Combined state and local revenue per membership pupil"**
25 **means the district's combined state and local revenue divided by**
26 **the district's membership excluding special education pupils.**

27 (d) ~~(b)~~ **"Economically disadvantaged"** means a pupil who has
28 been determined eligible for free or reduced-price meals as
29 determined under the Richard B. Russell national school lunch act,



1 42 USC 1751 to 1769j; who is in a household receiving supplemental
 2 nutrition assistance program or temporary assistance for needy
 3 families assistance; or who is homeless, migrant, or in foster
 4 care, as reported to the center.

5 (e) ~~(e)~~ "English language learner" means limited English
 6 proficient pupils who speak a language other than English as their
 7 primary language and have difficulty speaking, reading, writing, or
 8 understanding English as reported to the center.

9 ~~(d) "Statewide weighted average foundation allowance" means~~
 10 ~~the number that is calculated by adding together the result of each~~
 11 ~~district's or public school academy's foundation allowance, not to~~
 12 ~~exceed the target foundation allowance for the current fiscal year,~~
 13 ~~or per-pupil payment calculated under section 20 multiplied by the~~
 14 ~~number of pupils in membership in that district or public school~~
 15 ~~academy, and then dividing that total by the statewide number of~~
 16 ~~pupils in membership.~~

17 (f) "Local school operating revenue" means that term as
 18 defined in section 22b.

19 Sec. 31d. (1) From the ~~appropriations~~ **state school aid fund**
 20 **money appropriated** in section 11, there is allocated an amount not
 21 to exceed ~~\$23,838,400.00~~ **\$24,553,400.00** for ~~2020-2021~~ **2021-2022** and
 22 there is allocated an amount not to exceed ~~\$23,838,400.00~~
 23 **\$24,553,400.00** for ~~2021-2022~~ **2022-2023** for the purpose of making
 24 payments to districts and other eligible entities under this
 25 section.

26 (2) The amounts allocated from state sources under this
 27 section are used to pay the amount necessary to reimburse districts
 28 for 6.0127% of the necessary costs of the state mandated portion of
 29 lunch programs provided by those districts. The department shall



1 calculate the amount due to each district under this section using
 2 the methods of calculation adopted by the Michigan supreme court in
 3 the consolidated cases known as *Durant v State of Michigan*, 456
 4 Mich 175 (1997).

5 (3) The payments made under this section include all state
 6 payments made to districts so that each district receives at least
 7 6.0127% of the necessary costs of operating the state mandated
 8 portion of the lunch program in a fiscal year.

9 (4) The payments made under this section to districts and
 10 other eligible entities that are not required under section 1272a
 11 of the revised school code, MCL 380.1272a, to provide a lunch
 12 program must be in an amount not to exceed \$10.00 per eligible
 13 pupil plus 5 cents for each free lunch and 2 cents for each reduced
 14 price lunch provided, as determined by the department.

15 (5) From the federal funds appropriated in section 11, there
 16 is allocated for ~~2020-2021~~ **2021-2022** all available federal funding,
 17 estimated at ~~\$800,000,000.00,~~ **\$900,000,000.00**, and there is
 18 allocated for ~~2021-2022~~ **2022-2023** all available federal funding,
 19 estimated at ~~\$545,000,000.00~~ **\$900,000,000.00**, for child nutrition
 20 programs and, for ~~2020-2021,~~ all available federal funding,
 21 estimated at ~~\$15,712,000.00~~ for food distribution programs,
 22 ~~\$50,000,000.00~~ for the child nutrition program pandemic electronic
 23 benefit transfer cost reimbursement program, ~~\$50,000,000.00~~ for
 24 child nutrition program emergency operational cost reimbursement
 25 programs, and ~~\$259,600.00~~ for commodity supplemental fund programs,
 26 and, for ~~2021-2022,~~ all available federal funding, estimated at
 27 ~~\$11,000,000.00,~~ **\$30,700,000.00**, and, for **2022-2023, all available**
 28 **federal funding, estimated at \$15,000,000.00**, for food distribution
 29 programs.



1 (6) Notwithstanding section 17b, the department shall make
2 payments to eligible entities other than districts under this
3 section on a schedule determined by the department.

4 (7) In purchasing food for a lunch program funded under this
5 section, a district or other eligible entity shall give preference
6 to food that is grown or produced by Michigan businesses if it is
7 competitively priced and of comparable quality.

8 Sec. 31f. (1) From the state school aid fund money
9 appropriated in section 11, there is allocated an amount not to
10 exceed \$11,900,000.00 for 2020-2021 and there is allocated an
11 amount not to exceed \$11,900,000.00 for 2021-2022-**2022-2023** for the
12 purpose of making payments to districts to reimburse for the cost
13 of providing breakfast.

14 (2) The funds allocated under this section for school
15 breakfast programs are made available to all eligible applicant
16 districts that meet all of the following criteria:

17 (a) The district participates in the federal school breakfast
18 program and meets all standards as prescribed by 7 CFR parts 210,
19 220, 225, 226, and 245.

20 (b) Each breakfast eligible for payment meets the federal
21 standards described in subdivision (a).

22 (3) The payment for a district under this section is at a per
23 meal rate equal to the lesser of the district's actual cost or 100%
24 of the statewide average cost of a meal served, as determined and
25 approved by the department, less federal reimbursement, participant
26 payments, and other state reimbursement. The department shall
27 determine the statewide average cost using costs as reported in a
28 manner approved by the department for the preceding school year.

29 (4) Notwithstanding section 17b, the department may make



1 payments under this section pursuant to an agreement with the
2 department.

3 (5) In purchasing food for a school breakfast program funded
4 under this section, a district shall give preference to food that
5 is grown or produced by Michigan businesses if it is competitively
6 priced and of comparable quality.

7 Sec. 31j. (1) From the general fund money appropriated in
8 section 11, there is allocated an amount not to exceed \$500,000.00,
9 and from the state school aid fund money appropriated in section
10 11, there is allocated an amount not to exceed ~~\$4,500,000.00~~
11 **\$4,000,000.00** for 2021-2022, **and from the general fund money**
12 **appropriated in section 11, there is allocated an amount not to**
13 **exceed \$500,000.00 and from the state school aid fund money**
14 **appropriated in section 11, there is allocated an amount not to**
15 **exceed \$8,800,000.00 for 2022-2023** for a program to support
16 districts and other non-school sponsors in the purchase of locally
17 grown fruits and vegetables as described in this section. **It is the**
18 **intent of the legislature that, for 2023-2024, the allocation from**
19 **the state school aid fund money appropriated in section 11 for**
20 **purposes described in this section will be \$4,000,000.00.**

21 (2) Funding under this section retained by the department for
22 administration must not exceed 5%. Funding under this section
23 retained by project partners for data collection, outreach, and
24 training must not exceed 1% for each partner.

25 (3) The department shall develop and implement a competitive
26 grant program for districts and other non-school sponsors to assist
27 in paying for the costs incurred by the district or other non-
28 school sponsor to purchase or increase purchases of whole or
29 minimally processed fruits, vegetables, and legumes grown in this



1 state. The maximum amount that may be drawn down on a grant to a
 2 district or other non-school sponsor is based on the number of
 3 meals served by the district during the previous school year under
 4 the Richard B. Russell national school lunch act, 42 USC 1751 to
 5 1769j, or meals served by the other non-school sponsor in the
 6 previous school year. The department shall collaborate with the
 7 Michigan department of agriculture and rural development to provide
 8 training to newly participating schools and other non-school
 9 sponsors and electronic information on Michigan agriculture.

10 (4) The goals of the program under this section include
 11 improving daily nutrition and eating habits for children through
 12 the school and child care settings while investing in Michigan's
 13 agricultural and related food business economy.

14 (5) A district or other non-school sponsor that receives a
 15 grant under this section shall use those funds for the costs
 16 incurred by the district or the sponsor to purchase whole or
 17 minimally processed fruits, vegetables, and legumes that meet ~~all~~
 18 **both** of the following:

19 (a) ~~Were~~ **For each fiscal year, were** purchased for use in
 20 ~~school meals served and supportive activities as part of the United~~
 21 **States Department of Agriculture child nutrition programs provided**
 22 between September 1 ~~, 2021~~ through August 30 ~~, 2022~~. **of that fiscal**
 23 **year.**

24 (b) Are grown in this state and, if minimally processed, are
 25 also processed in this state.

26 ~~(c) Are used for meals that are served as part of the United~~
 27 ~~States Department of Agriculture's child nutrition programs.~~

28 (6) For Michigan-grown fruits, vegetables, and legumes that
 29 satisfy the requirements of subsection (5), the department shall



1 make matching reimbursements in an amount not to exceed 10 cents
 2 for every school meal that is served as part of the United States
 3 Department of Agriculture's child nutrition programs. ~~and that uses~~
 4 ~~Michigan-grown fruits, vegetables, and legumes.~~

5 ~~(7) A district or other non-school sponsor that receives a~~
 6 ~~grant for reimbursement under this section shall use the grant to~~
 7 ~~purchase whole or minimally processed fruits, vegetables, and~~
 8 ~~legumes that are grown in this state and, if minimally processed,~~
 9 ~~are also processed in this state.~~

10 (7) ~~(8)~~—In awarding grants under this section, the department
 11 shall work in consultation with Michigan-based farm to school
 12 resource organizations, to develop scoring criteria that assess an
 13 applicant's ability to procure Michigan-grown products, prepare and
 14 menu Michigan-grown products, promote and market Michigan-grown
 15 products, and submit letters of intent from districts or other non-
 16 school sponsors on plans for educational activities that promote
 17 the goals of the program.

18 (8) ~~(9)~~—The department shall give preference to districts or
 19 other non-school sponsors that propose educational activities that
 20 meet 1 or more of the following: promote healthy food activities;
 21 have clear educational objectives; involve parents or the
 22 community; connect to a school's or child care center's farm-to-
 23 school or farm-to-early-child-care procurement activities; and
 24 market and promote the program, leading to increased pupil
 25 knowledge and consumption of Michigan-grown products. The
 26 department shall give stronger weighting and consideration to
 27 applications with robust marketing and promotional activities.

28 (9) ~~(10)~~—In awarding grants, the department shall also
 29 consider all of the following:



1 (a) The percentage of children who qualify for free or reduced
 2 price school meals under the Richard B. Russell national school
 3 lunch act, 42 USC 1751 to 1769j.

4 (b) The variety of school or child care center sizes and
 5 geographic locations within the identified prosperity regions.

6 (c) ~~The existing or future collaboration opportunities between~~
 7 ~~more than 1 district or child care center.~~**Existing or planned**
 8 **collaboration between child care sponsors, between districts, or**
 9 **with agricultural businesses and essential local food**
 10 **infrastructure, such as farms, farm cooperatives, processors,**
 11 **distributors, and local food hubs.**

12 (10) ~~(11)~~As a condition of receiving a grant under this
 13 section, a district or other non-school sponsor shall provide or
 14 direct its vendors to provide to the department copies of monthly
 15 receipts that show the quantity of different Michigan-grown fruits,
 16 vegetables, and legumes purchased, the amount of money spent on
 17 each of these products, the name and Michigan location of the farm
 18 that grew the products, and the methods or plans to market and
 19 promote the program. The district or other non-school sponsor also
 20 shall provide to the department monthly United States Department of
 21 Agriculture child nutrition reimbursable meal numbers ~~and~~
 22 ~~participation rates~~ and must retain monthly menus noting when and
 23 how Michigan-grown products were used in meals. The district or
 24 other non-school sponsor and school or non-school sponsor food
 25 service director or directors also shall agree to respond to brief
 26 online surveys and to provide a report that shows the percentage
 27 relationship of Michigan spending compared to total food spending.
 28 Not later than 60 days after the end of the ~~school-year~~**period** in
 29 which funds under this section were received, **and in which federal**



1 **child nutrition programs require submission of claims**, each
2 district or each non-school sponsor shall submit a report to the
3 department on outcomes and related measurements for economic
4 development and children's nutrition and readiness to learn. The
5 report must include at least both of the following:

6 (a) The extent to which farmers and related businesses,
7 including distributors and processors, saw an increase in market
8 opportunities and income generation through sales of Michigan or
9 local products to districts and other non-school sponsors. All of
10 the following apply for purposes of this subdivision:

11 (i) The data used to determine the amount of this increase are
12 the total dollar amount of Michigan or local fruits, vegetables,
13 and legumes purchased by schools and other non-school sponsors,
14 along with the number of different types of products purchased;
15 school and non-school sponsor food purchasing trends identified
16 along with products that are of new and growing interest among food
17 service directors; the number of businesses impacted; and the
18 percentage of total food budget spent on Michigan-grown fruits,
19 vegetables, and legumes.

20 (ii) The district or other non-school sponsor shall use
21 purchasing data collected for the program and surveys of school and
22 non-school sponsor food service directors on the impact and success
23 of the program as the source for the data described in subparagraph
24 (i).

25 (b) The ability to which pupils can access a variety of
26 healthy Michigan-grown foods through schools and other non-school
27 sponsor centers and increase their consumption of those foods. All
28 of the following apply for purposes of this subdivision:

29 (i) The data used to determine whether this subdivision is met



1 are the number of pupils exposed to Michigan-grown fruits,
 2 vegetables, and legumes at schools and non-school sponsor centers;
 3 the variety of products served; new items taste-tested or placed on
 4 menus; and the increase in pupil willingness to try new local
 5 healthy foods.

6 (ii) The district or other non-school sponsor shall use
 7 purchasing data collected for the project, meal count and
 8 enrollment numbers, school menu calendars, and surveys of school
 9 and non-school sponsor food service directors as the source for the
 10 data described in subparagraph (i).

11 (11) ~~(12)~~The department shall compile the reports provided by
 12 districts and other non-school sponsors under subsection ~~(11)~~**(10)**
 13 into 1 legislative report. The department shall provide this report
 14 not later than ~~November~~**April 1 , 2022**~~of each fiscal year~~
 15 **following the fiscal year for which funding is allocated under this**
 16 **section** to the house and senate subcommittees responsible for
 17 school aid, the house and senate fiscal agencies, and the state
 18 budget director.

19 (12) ~~(13)~~Notwithstanding section 17b, the department shall
 20 make payments under this section on a schedule determined by the
 21 department.

22 Sec. 31n. (1) From the state school aid fund money
 23 appropriated in section 11, there is allocated for ~~2021-2022~~**2022-**
 24 **2023** for the purposes of this section an amount not to exceed
 25 ~~\$52,600,000.00~~**\$77,600,000.00** and from the general fund money
 26 appropriated in section 11, there is allocated for ~~2021-2022~~**2022-**
 27 **2023** for the purposes of this section an amount not to exceed
 28 \$1,300,000.00. The department and the department of health and
 29 human services shall continue a program to distribute this funding



1 to add licensed behavioral health providers for general education
2 pupils, and shall continue to seek federal Medicaid match funding
3 for all eligible mental health and support services.

4 (2) The department and the department of health and human
5 services shall maintain an advisory council for programs funded
6 under this section. The advisory council shall define goals for
7 implementation of programs funded under this section, and shall
8 provide feedback on that implementation. At a minimum, the advisory
9 council shall consist of representatives of state associations
10 representing school health, school mental health, school
11 counseling, education, health care, and other organizations,
12 representatives from the department and the department of health
13 and human services, and a representative from the school safety
14 task force created under Executive Order No. 2018-5. The department
15 and department of health and human services, working with the
16 advisory council, shall determine an approach to increase capacity
17 for mental health and support services in schools for general
18 education pupils, and shall determine where that increase in
19 capacity qualifies for federal Medicaid match funding.

20 (3) The advisory council shall develop a fiduciary agent
21 checklist for intermediate districts to facilitate development of a
22 plan to submit to the department and to the department of health
23 and human services. The department and department of health and
24 human services shall determine the requirements and format for
25 intermediate districts to submit a plan for possible funding under
26 subsection (6). The department shall make applications for funding
27 for this program available to districts and intermediate districts
28 not later than December 1 ~~, 2021 for the 2021-2022 fiscal year of~~
29 **each fiscal year for which funds are allocated under this section**



1 and shall award the funding not later than February 1 ~~, 2022~~ for
2 the ~~2021-2022 fiscal year~~ of each fiscal year for which funds are
3 allocated under this section.

4 (4) The department of health and human services shall seek to
5 amend the state Medicaid plan or obtain appropriate Medicaid
6 waivers as necessary for the purpose of generating additional
7 Medicaid match funding for school mental health and support
8 services for general education pupils. The intent is that a
9 successful state plan amendment or other Medicaid match mechanisms
10 will result in additional federal Medicaid match funding for both
11 the new funding allocated under this section and for any expenses
12 already incurred by districts and intermediate districts for mental
13 health and support services for general education pupils.

14 (5) From the state school aid fund money allocated under
15 subsection (1), there is allocated for ~~2021-2022~~ **2022-2023** an
16 amount not to exceed \$14,300,000.00 to be distributed to the
17 network of child and adolescent health centers to place a licensed
18 master's level behavioral health provider in schools that do not
19 currently have services available to general education students.
20 Child and adolescent health centers that are part of the network
21 described in this subsection shall provide a commitment to maintain
22 services and implement all available federal Medicaid match
23 methodologies. The department of health and human services shall
24 use all existing or additional federal Medicaid match opportunities
25 to maximize funding allocated under this subsection. The department
26 shall provide funds under this subsection to child and adolescent
27 health centers that are part of the network described in this
28 subsection in the same proportion that funding under section 31a(7)
29 is provided to child and adolescent health centers that are part of



1 the network described in this subsection and that are located and
 2 operating in those districts. A payment from funding allocated
 3 under this subsection must not be paid to an entity that is not
 4 part of the network described in this subsection.

5 (6) From the state school aid fund money allocated under
 6 subsection (1), there is allocated for ~~2021-2022-2022-2023~~ an
 7 amount not to exceed ~~\$37,800,000.00~~ **\$62,800,000.00** to be
 8 distributed to intermediate districts for the provision of mental
 9 health and support services to general education students. If a
 10 district or intermediate district is not able to procure the
 11 services of a licensed master's level behavioral health provider,
 12 the district or intermediate district shall notify the department
 13 and the department of health and human services and, if the
 14 department and department of health and human services verify that
 15 the district or intermediate district attempted to procure services
 16 from a master's level behavioral health provider and was not able
 17 to do so, then the district or intermediate district may instead
 18 procure services from a provider with less than a master's degree
 19 in behavioral health. To be able to use the exemption in the
 20 immediately preceding sentence, the district or intermediate
 21 district must submit evidence satisfactory to the department and
 22 department of health and human services demonstrating that the
 23 district or intermediate district took measures to procure the
 24 services of a licensed master's level behavioral health provider
 25 but was unable to do so, and the department and department of
 26 health and human services must be able to verify this evidence.
 27 From the first ~~\$32,200,000.00~~ **\$53,496,800.00** of the funds allocated
 28 under this subsection, the department shall distribute ~~\$575,000.00~~
 29 **\$955,300.00** for ~~2021-2022-2022-2023~~ to each intermediate district



1 that submits a plan approved by the department and the department
2 of health and human services. The department shall distribute the
3 remaining ~~\$5,600,000.00~~ **\$9,303,200.00** of the funds allocated under
4 this subsection for ~~2021-2022~~ **2022-2023** to intermediate districts
5 on an equal per-pupil basis based on the combined total number of
6 pupils in membership in the intermediate district and its
7 constituent districts, including public school academies that are
8 considered to be constituent districts under section 705(7) of the
9 revised school code, MCL 380.705. The department and department of
10 health and human services shall work cooperatively in providing
11 oversight and assistance to intermediate districts during the plan
12 submission process and shall monitor the program upon
13 implementation. An intermediate district shall use funds awarded
14 under this subsection to provide funding to its constituent
15 districts, including public school academies that are considered to
16 be constituent districts under section 705(7) of the revised school
17 code, MCL 380.705, for the provision of mental health and support
18 services to general education students. In addition to the criteria
19 identified under subsection (7), an intermediate district shall
20 consider geography, cost, or other challenges when awarding funding
21 to its constituent districts. Districts receiving funding under
22 this subsection are encouraged to provide suicide prevention and
23 awareness education and counseling. If funding awarded to an
24 intermediate district remains after funds are provided by the
25 intermediate district to its constituent districts, the
26 intermediate district may hire or contract for experts to provide
27 mental health and support services to general education students
28 residing within the boundaries of the intermediate district,
29 including, but not limited to, expanding, hiring, or contracting



1 for staff and experts to provide those services directly or to
 2 increase access to those services through coordination with outside
 3 mental health agencies; **the intermediate district may also contract**
 4 **with 1 or more other intermediate districts for coordination and**
 5 **the facilitation of activities related to providing mental health**
 6 **and support services to general education students residing within**
 7 **the boundaries of the intermediate district;** and the intermediate
 8 district is encouraged to provide suicide prevention and awareness
 9 education and counseling. ~~If funding awarded to an intermediate~~
 10 ~~district under this section for 2018-2019 or 2019-2020 remains~~
 11 ~~unspent as of April 1, 2022, the department, in conjunction with~~
 12 ~~the intermediate district, may reallocate the funds to another~~
 13 ~~intermediate district or other intermediate districts capable of~~
 14 ~~expending the funds before September 30, 2022 in accordance with~~
 15 ~~this section as if those funds were originally allocated to the~~
 16 ~~intermediate district or intermediate districts to which the funds~~
 17 ~~are being reallocated.~~

18 (7) A district requesting funds under this section from the
 19 intermediate district in which it is located shall submit an
 20 application for funding for the provision of mental health and
 21 support services to general education pupils. A district receiving
 22 funding from the application process described in this subsection
 23 shall provide services to nonpublic students upon request. An
 24 intermediate district shall not discriminate against an application
 25 submitted by a public school academy simply on the basis of the
 26 applicant being a public school academy. The department shall
 27 approve grant applications based on the following criteria:

28 (a) The district's commitment to maintain mental health and
 29 support services delivered by licensed providers into future fiscal



1 years.

2 (b) The district's commitment to work with its intermediate
3 district to use funding it receives under this section that is
4 spent by the district for general education pupils toward
5 participation in federal Medicaid match methodologies. A district
6 must provide a local match of at least 20% of the funding allocated
7 to the district under section 31n.

8 (c) The district's commitment to adhere to any local funding
9 requirements determined by the department and the department of
10 health and human services.

11 (d) The extent of the district's existing partnerships with
12 community health care providers or the ability of the district to
13 establish such partnerships.

14 (e) The district's documentation of need, including gaps in
15 current mental health and support services for the general
16 education population.

17 (f) The district's submission of a formal plan of action
18 identifying the number of schools and students to be served.

19 (g) Whether the district will participate in ongoing
20 trainings.

21 (h) Whether the district will submit an annual report to the
22 state.

23 (i) Whether the district demonstrates a willingness to work
24 with the state to establish program and service delivery
25 benchmarks.

26 (j) Whether the district has developed a school safety plan or
27 is in the process of developing a school safety plan.

28 (k) Any other requirements determined by the department or the
29 department of health and human services.



1 (8) Funding under this section, including any federal Medicaid
2 funds that are generated, must not be used to supplant existing
3 services.

4 (9) Both of the following are allocated to the department of
5 health and human services from the general fund money allocated
6 under subsection (1):

7 (a) For ~~2021-2022~~, **2022-2023**, an amount not to exceed
8 \$1,000,000.00 for the purpose of upgrading technology and systems
9 infrastructure and other administrative requirements to support the
10 programs funded under this section.

11 (b) For ~~2021-2022~~, **2022-2023**, an amount not to exceed
12 \$300,000.00 for the purpose of administering the programs under
13 this section and working on generating additional Medicaid funds as
14 a result of programs funded under this section.

15 (10) From the state school aid fund money allocated under
16 subsection (1), there is allocated for ~~2021-2022~~ **2022-2023** an
17 amount not to exceed \$500,000.00 to intermediate districts on an
18 equal per intermediate district basis for the purpose of
19 administering programs funded under this section.

20 (11) The department and the department of health and human
21 services shall work with the advisory council to develop proposed
22 measurements of outcomes and performance. Those measurements must
23 include, at a minimum, the number of pupils served, the number of
24 schools served, and where those pupils and schools were located.
25 The department and the department of health and human services
26 shall compile data necessary to measure outcomes and performance,
27 and districts and intermediate districts receiving funding under
28 this section shall provide data requested by the department and
29 department of health and human services for the measurement of



1 outcomes and performance. The department and department of health
 2 and human services shall provide an annual report not later than
 3 December 1 of each year to the house and senate appropriations
 4 subcommittees on school aid and health and human services, to the
 5 house and senate fiscal agencies, and to the state budget director.
 6 At a minimum, the report must include measurements of outcomes and
 7 performance, proposals to increase efficacy and usefulness,
 8 proposals to increase performance, and proposals to expand
 9 coverage.

10 (12) A district or intermediate district that receives funding
 11 directly or indirectly under this section may carry over any
 12 unexpended funds received under this section for up to 2 fiscal
 13 years beyond the fiscal year in which the funds were received.

14 Sec. 31o. (1) From the state school aid fund money
 15 appropriated in section 11, there is allocated for 2021-2022 an
 16 amount not to exceed \$240,000,000.00 for payments to eligible
 17 districts **and intermediate districts** for the purpose of increasing
 18 the number of school psychologists, school social workers, school
 19 counselors, and school nurses serving students in this state.

20 (2) Except as otherwise provided in this subsection, to
 21 receive funding under this section, a district **or intermediate**
 22 **district** must apply for the funding in a form and manner prescribed
 23 by the department. In its application for funding under this
 24 section, a district **or intermediate district** must pledge and
 25 provide assurances to the department that it will fully annually
 26 fund all staff that are supported with funding under this section
 27 in an ongoing manner after the ~~third year it receives funding under~~
 28 ~~this section.~~ **district or intermediate district receives its final**
 29 **payment under this section.**



1 (3) The department shall award funding to districts **and**
2 **intermediate districts** with the greatest need for additional school
3 psychologists, school social workers, school counselors, or school
4 nurses. To determine the districts **and intermediate districts** with
5 the greatest needs under this subsection, the department shall
6 consider the physical and mental health services available at the
7 district **or intermediate district** and how close an applicant
8 district **or intermediate district** is to meeting the following
9 recommended staff-to-student ratios:

10 (a) 1 school psychologist for every 500 full-time equated
11 pupils counted in the district **or directly served by the**
12 **intermediate district.**

13 (b) 1 school social worker for every 250 full-time equated
14 pupils counted in the district **or directly served by the**
15 **intermediate district.**

16 (c) 1 school counselor for every 250 full-time equated pupils
17 counted in the district **or directly served by the intermediate**
18 **district.**

19 (d) 1 school nurse for every 750 full-time equated pupils
20 counted in the district **or directly served by the intermediate**
21 **district.**

22 (4) To be eligible for funding under this section, a district
23 **or intermediate district** must hire additional school psychologists,
24 school social workers, school counselors, or school nurses by March
25 1, ~~2022~~**2024** and must maintain support for the new staff in an
26 ongoing manner. As determined by the department, staff hired and
27 supported by funding under this section must meet all applicable
28 state and federal laws, rules, and license requirements to be
29 considered a school psychologist, school social worker, school



1 counselor, or school nurse.

2 (5) Subject to ~~subsection~~**subsections** (6) **and (7)**, payments to
3 eligible districts **and intermediate districts** must be made as
4 follows:

5 ~~(a) In the first year funds are distributed from this section,~~
6 **For staff hired before March 1, 2022**, the department shall provide
7 payments to eligible districts **and intermediate districts** equal to
8 100% of the ~~annual~~**annualized** cost of newly hired school
9 psychologists, school social workers, school counselors, or school
10 nurses. The amount paid to the eligible district **and intermediate**
11 **district** must be the lesser of the actual **annualized** cost of the
12 employee, as determined by the department, or the median wage for
13 an equivalent employee working in a school setting, as determined
14 by the department, using wage data from the **United States** Bureau of
15 Labor Statistics that is specific to this state.

16 ~~(b) In the second year funds are distributed under this~~
17 ~~section,~~**For retained staff hired with funds under subdivision (a)**
18 **or hired between March 1, 2022 and March 1, 2023**, the department
19 shall pay eligible districts **and intermediate districts** 66% of the
20 ~~amount paid to the eligible district under subdivision~~

21 ~~(a)~~**annualized cost of newly hired school psychologists, school**
22 **social workers, school counselors, or school nurses. The amount**
23 **paid to the eligible district or intermediate district must be the**
24 **lesser of 66% of the actual annualized cost of the employee, as**
25 **determined by the department, or 66% of the median wage for an**
26 **equivalent employee working in a school setting, as determined by**
27 **the department, using wage data from the United States Bureau of**
28 **Labor Statistics that are specific to this state.**

29 ~~(c) In the third year funds are distributed under this~~



1 ~~section,~~ For retained staff hired or retained with funds under
 2 subdivision (a) or (b) or hired between March 1, 2023 and March 1,
 3 2024, the department shall pay eligible districts or intermediate
 4 districts 33% of the amount paid to the eligible district under
 5 ~~subdivision (a).~~ annualized cost of newly hired school
 6 psychologists, school social workers, school counselors, or school
 7 nurses. The amount paid to the eligible district or intermediate
 8 district must be the lesser of 33% of the actual annualized cost of
 9 the employee, as determined by the department, or 33% of the median
 10 wage for an equivalent employee working in a school setting, as
 11 determined by the department, using wage data from the United
 12 States Bureau of Labor Statistics that are specific to this state.

13 (6) If a district or intermediate district does not retain
 14 staff hired with funds under subsection (5) (a), the district is not
 15 eligible to receive funding for that staff member under subsection
 16 (5) (b) or (c).

17 (7) ~~(6)~~ If, after awarding funding under subsection (3) and
 18 calculating payment amounts under subsection (5), the department
 19 determines that the amount allocated in subsection (1) is
 20 insufficient to fully fund payments under this section, the
 21 department shall prorate payments to eligible districts and
 22 intermediate districts on an equal percentage basis.

23 (8) ~~(7)~~ The funds allocated under this section for 2021-2022
 24 are a work project appropriation, and any unexpended funds for
 25 2021-2022 are carried forward into 2022-2023. The purpose of the
 26 work project is to increase the number of school psychologists,
 27 school social workers, school counselors, and school nurses in
 28 school buildings. The estimated completion date of the work project
 29 is September 30, 2024.



1 (9) ~~(8)~~ Notwithstanding section 17b, the department shall make
2 payments under this section on a schedule determined by the
3 department.

4 Sec. 31p. (1) From the ~~state school aid fund money~~ **federal**
5 **funding** appropriated under section 11, there is allocated for ~~2020-~~
6 ~~2021-2022-2023~~ **only** an amount not to exceed ~~\$5,400,000.00~~
7 **\$50,000,000.00 from the federal funding awarded to this state from**
8 **the coronavirus state fiscal recovery fund under the American**
9 **rescue plan act of 2021, title IX, subtitle M of Public Law 117-2,**
10 for grants to intermediate districts to implement a TRAILS program
11 as described in subsection (2).

12 (2) Intermediate districts receiving funding under this
13 section must use the funding to implement a TRAILS program within
14 the boundaries of the intermediate district. The TRAILS program
15 described in this subsection must improve youth access to evidence-
16 based mental health services by training school mental health
17 professionals in effective practices, such as cognitive behavioral
18 therapy and mindfulness.

19 (3) The department shall establish a grant process to
20 distribute funds under this section.

21 (4) The department shall award, in an equal amount, grants
22 under this section to each intermediate district that has an
23 approved grant application for funding under this section.
24 **Intermediate districts must use funds received under this section**
25 **for a direct partnership with the TRAILS program described in**
26 **subsection (2).**

27 (5) Notwithstanding section 17b, the department shall make
28 payments under this section on a schedule determined by the
29 department.



1 (6) The funds allocated under this section for ~~2020-2021-2022-~~
 2 **2023** are a work project appropriation, and any unexpended funds for
 3 ~~2020-2021-2022-2023~~ are carried forward into ~~2021-2022-~~**2023-2024**.
 4 The purpose of the work project is to continue support for the
 5 TRAILS program. The estimated completion date of the work project
 6 is ~~September 30, 2024.~~**December 31, 2026.**

7 (7) The federal funding allocated under this section is
 8 intended to respond to the COVID-19 public health emergency and its
 9 negative impacts.

10 Sec. 31q. (1) From the general fund money appropriated in
 11 section 11, there is allocated \$2,000,000.00 for 2022-2023 only to
 12 reimburse eligible districts and eligible intermediate districts as
 13 provided in this section.

14 (2) To receive money under this section, a district or
 15 intermediate district must apply for the funding in a form and
 16 manner prescribed by the department. In its application described
 17 in this subsection, a district or intermediate district must
 18 include its total accrued costs for the implementation of a program
 19 described in subsection (4).

20 (3) From the money allocated under subsection (1), the
 21 department shall pay each eligible district and eligible
 22 intermediate district that submits an application, as described in
 23 subsection (2), in an amount equaling the accrued costs submitted
 24 as described in subsection (2) by the eligible district or eligible
 25 intermediate district.

26 (4) A district or intermediate district that implements a
 27 program that is designed to provide school staff with a tool for
 28 ensuring that students in grades 6 to 12 and early postsecondary
 29 students have access to, at a minimum, all of the following is an



1 eligible district or eligible intermediate district under this
2 section:

3 (a) The opportunity to build the skills of social and
4 emotional learning and positive psychology.

5 (b) The opportunity to increase academic performance and
6 outcomes.

7 (c) The opportunity to navigate unique and personal journeys
8 with simple frameworks that help create external and internal
9 assets needed to make positive life choices.

10 (d) The provision of support for mental well-being and tools
11 for suicide prevention.

12 (e) Tools to measure longitudinal impact of efforts with
13 actionable data on relationships, social and emotional learning,
14 and internal assets.

15 (5) Notwithstanding section 17b, the department shall make
16 payments under this section on a schedule determined by the
17 department.

18 Sec. 31y. (1) From the state school aid fund money
19 appropriated in section 11, there is allocated for 2021-2022 an
20 amount not to exceed \$60,000,000.00 to make payments to districts
21 that operate year-round, balanced calendars. ~~during the 2021-2022~~
22 ~~school year.~~ Payments to districts made under this section must be
23 in an amount equal to 3% applied to the district's foundation
24 allowance as calculated under section 20 **during the fiscal year in**
25 **which payments are being made**, for each pupil enrolled and educated
26 in a year-round balanced calendar by the district. If the funds
27 allocated under this section are insufficient to fully fund the
28 calculations under this section, funding must be prorated on an
29 equal per-pupil basis.



1 (2) The funds allocated under this section for 2021-2022 are a
2 work project appropriation, and any unexpended funds for 2021-2022
3 are carried forward into 2022-2023. The purpose of the work project
4 is to provide operational payments for districts utilizing a
5 balanced calendar. The estimated completion date of the work
6 project is September 30, 2024.

7 **(3) This section is repealed effective October 1, 2022.**

8 Sec. 31z. (1) From the federal funds allocated under section
9 11n, there is allocated \$75,000,000.00 for 2021-2022 from the
10 federal funding awarded to this state from the coronavirus state
11 fiscal recovery fund under the American rescue plan act of 2021,
12 title IX, subtitle M of Public Law 117-2, to provide capital
13 infrastructure grants to districts.

14 (2) From the funds allocated under subsection (1),
15 \$75,000,000.00 must be allocated for matching grants to districts
16 for HVAC and other one-time infrastructure or equipment costs
17 necessary to operate a year-round, balanced calendar. A district
18 that receives a grant under this subsection shall commit to
19 operating a year-round, balanced calendar, ~~in the 2022-2023 school~~
20 ~~year,~~ and if it is unable to do so, the department must deduct the
21 amount of the grant paid under this subsection from the district's
22 state aid payments that are otherwise due to the district under
23 this article. ~~during the 2022-2023 school year.~~ The department
24 shall establish a sliding scale for grant payments under this
25 section such that districts that received higher total ESSER
26 payments under section 11r, evaluated on a per-pupil and total
27 dollar basis, receive smaller matching grants than those with lower
28 total ESSER payments, evaluated on a per-pupil and total dollar
29 basis.



1 (3) The funds allocated under this section for 2021-2022 are a
 2 work project appropriation, and any unexpended funds for 2021-2022
 3 are carried forward into 2022-2023. The purpose of the work project
 4 is to provide supports for districts utilizing a balanced calendar.
 5 The estimated completion date of the work project is September 30,
 6 2024.

7 (4) This section is repealed effective October 1, 2022.

8 Sec. 31aa. (1) From the state school aid fund money
 9 appropriated in section 11, there is allocated \$150,000,000.00 for
 10 2022-2023 only to provide payments to districts for activities to
 11 improve student mental health. The allowable expenditures of funds
 12 under this section include, but are not limited to, the following:

13 (a) Hiring or contracting for support staff for student mental
 14 health needs, including, but not limited to, school psychologists,
 15 social workers, counselors, and school nurses.

16 (b) Purchasing and implementing mental health screening tools.

17 (c) Providing school-based mental health personnel access to
 18 consultation with behavioral health clinicians to respond to
 19 complex student mental health needs.

20 (d) Any other mental health service or product necessary to
 21 improve or maintain the mental health of students and staff.

22 (2) From the allocation under subsection (1), the department
 23 shall make payments to districts in an equal amount per pupil based
 24 on the total number of pupils in membership in each district.

25 (3) If funding remains after the distribution of funds as
 26 described in subsection (2), the department may provide additional
 27 per-pupil allocations to allocate remaining dollars, using for
 28 those calculations the same requirements described in subsection
 29 (2).



1 (4) Except as otherwise provided in this section, to receive
2 funding under this section, districts must apply for funding under
3 this section in a form and manner prescribed by the department. In
4 its application described in this subsection, a district or
5 intermediate district, as applicable, shall document how it or, if
6 an intermediate district is applying, its constituent district,
7 will use community input to guide the expenditure of the funds it
8 or the constituent district will receive under this section and it
9 shall pledge to host, or shall pledge on behalf of its constituent
10 district that the constituent district will host, at least 1
11 community conversation about student mental health and school
12 safety. With consent of its constituent districts, an intermediate
13 district may apply for funding under this section on behalf of its
14 constituent districts. As used in this section, "constituent
15 district" means that term as defined in section 3 of the revised
16 school code, MCL 380.3.

17 (5) Districts receiving funds under this section must
18 coordinate with intermediate school districts to avoid duplication
19 of services and to streamline delivery of mental health services to
20 students.

21 (6) Notwithstanding section 17b, the department shall make
22 payments under this section on a schedule determined by the
23 department.

24 Sec. 31bb. (1) From the state school aid fund money
25 appropriated in section 11, there is allocated for 2022-2023 only
26 an amount not to exceed \$700,000.00 for the Eastern Upper Peninsula
27 Intermediate District Learning Center to support the regional
28 special education facility.

29 (2) Notwithstanding section 17b, the department shall make



1 payments under this section on a schedule determined by the
2 department.

3 Sec. 31cc. (1) Subject to subsection (2), from the general
4 fund money appropriated under section 11, \$1,105,000.00 is
5 allocated for 2022-2023 only to the department to, by not later
6 than January 1, 2023, create and begin administration of the purple
7 star program as described in this section.

8 (2) The purple star program described in subsection (1) must
9 include, at a minimum, both of the following:

10 (a) An application process for a district or intermediate
11 district to apply to receive purple-star-program-school
12 designation.

13 (b) A process for the designation of districts and
14 intermediate districts that, at a minimum, meet the criteria under
15 subsection (3), as purple-star-program schools.

16 (3) A district or intermediate district that meets at least
17 all of the following qualifies for purple-star-program-school
18 designation under subsection (2):

19 (a) It designates a staff member of the district or
20 intermediate district as a military liaison. The military liaison
21 described in this subdivision must be charged with, at a minimum,
22 all of the following:

23 (i) Identifying military-connected pupils enrolled in the
24 district or intermediate district.

25 (ii) Serving as the point of contact between other individuals
26 at the district or intermediate district and military-connected
27 pupils and their families.

28 (iii) Determining appropriate services available to military-
29 connected pupils.



1 (iv) Assisting in coordinating programs relevant to military-
2 connected pupils.

3 (v) Ensuring that military-connected pupils have access to
4 appropriate counseling, mentoring, volunteering opportunities, and
5 support services.

6 (b) On its website homepage, it maintains an easily accessible
7 web page that includes resources for military-connected pupils and
8 their families that includes at least all of the following
9 information:

10 (i) Information concerning relocation to, enrollment at,
11 registration at, and the transferring of records to the district or
12 intermediate district.

13 (ii) Information regarding academic planning, course sequences,
14 and advanced classes available at the district or intermediate
15 district.

16 (iii) Information regarding counseling and other support
17 services available for military-connected pupils enrolled at the
18 district or intermediate district.

19 (iv) Information concerning the military liaison designated
20 under subdivision (a) and the liaison's duties under that
21 subdivision.

22 (c) Maintains a transition program led by pupils, where
23 appropriate, that assists military-connected pupils in
24 transitioning to the district or intermediate district.

25 (d) Offers professional development for staff members of the
26 district or intermediate district on issues related to military-
27 connected pupils. The professional development offered under this
28 subdivision may be provided by a professional educator association
29 in this state.



1 (e) Offers at least 1 of the following initiatives:

2 (i) A resolution showing support for military-connected pupils
3 and their families.

4 (ii) A recognition of a military-connected pupil or the family
5 of a military-connected pupil each month with relevant events
6 connected to this recognition hosted by the district or
7 intermediate district.

8 (iii) A partnership with a branch of the armed forces that
9 provides opportunities for members of the armed forces to volunteer
10 at the district or intermediate district, speak at an assembly, or
11 host a field trip sponsored by the district or intermediate
12 district.

13 (iv) Pupil-driven clubs and groups that show community-family
14 engagement for military-connected pupils and their families.

15 (4) Notwithstanding section 17b, the department shall make
16 payments under this section on a schedule determined by the
17 department.

18 (5) As used in this section:

19 (a) "Armed forces" means the United States Army, Air Force,
20 Navy, Marine Corps, Space Force, or Coast Guard or other military
21 force designated by Congress as a part of the Armed Forces of the
22 United States, including the reserve components. The reserve
23 components include, but are not limited to, the National Guard.

24 (b) "Military-connected pupil" means a pupil enrolled in a
25 district or intermediate district who meets either of the
26 following:

27 (i) Is the family member of a current or former member of the
28 armed forces.

29 (ii) Was the family member of an individual who was a member of



1 the armed forces and who was killed in the line of duty.

2 Sec. 31dd. (1) From the state school aid fund money
3 appropriated in section 11, there is allocated for 2022-2023 only
4 an amount not to exceed \$427,500.00 for the Roadmaps Program,
5 offered by the University of Michigan and Saginaw Valley State
6 University, to be used to enable the University of Michigan's
7 Center for Digital Curricula and Saginaw Valley State University's
8 College of Education teams to provide title 1, rural and urban, K
9 to 5 public schools with a digital platform for seamless teaching
10 and learning; free, deeply-digital curricula that includes 4 core
11 subjects for grades K to 5; and, at a cost, professional
12 development services.

13 (2) Notwithstanding section 17b, the department shall make
14 payments under this section on a schedule determined by the
15 department.

16 (3) As used in this section, "public school" means that term
17 as defined in section 5 of the revised school code, MCL 380.5.

18 Sec. 31ee. (1) From the general fund money appropriated in
19 section 11, there is allocated an amount not to exceed \$500,000.00
20 for 2022-2023 only to a 501(c)(3) nonprofit organization to partner
21 with a community district to construct an urban equestrian center.
22 The center described in this subsection must do both of the
23 following:

24 (a) Allow the organization described in this subsection to
25 scale an equine-assisted social-emotional learning program for
26 under-resourced youth and support stronger neighborhoods through
27 the construction of the new community asset.

28 (b) Include stables, indoor and outdoor riding arenas for
29 year-round horseback riding programs, educational space to support



1 youth development models, and paddocks for the horses that will
2 live on site.

3 (2) Notwithstanding section 17b, the department shall make
4 payments under this section on a schedule determined by the
5 department.

6 Sec. 32d. (1) From the state school aid fund money
7 appropriated in section 11, there is allocated to eligible
8 intermediate districts and consortia of intermediate districts for
9 great start readiness programs an amount not to exceed
10 ~~\$297,120,000.00~~ **\$369,120,000.00** for ~~2021-2022~~. In addition, from
11 ~~the federal funds allocated in section 11n, there is allocated to~~
12 ~~eligible intermediate districts and consortia of intermediate~~
13 ~~districts for great start readiness programs an amount not to~~
14 ~~exceed \$121,000,000.00 for 2021-2022 from the coronavirus state~~
15 ~~fiscal recovery funds under the American rescue plan act of 2021,~~
16 ~~title IX, subtitle M of Public Law 117-2.~~ **2022-2023. In addition,**
17 **from the federal funding appropriated in section 11, there is**
18 **allocated for 2022-2023 an amount not to exceed \$83,000,000.00 from**
19 **the federal funding awarded to this state from the coronavirus**
20 **state fiscal recovery fund under the American rescue plan act of**
21 **2021, title IX, subtitle M of Public Law 117-2, to eligible**
22 **intermediate districts and consortia of intermediate districts for**
23 **great start readiness programs.** An intermediate district or
24 consortium shall use funds allocated under this section for great
25 start readiness programs to provide part-day, school-day, or
26 GSRP/Head Start blended comprehensive free compensatory classroom
27 programs designed to improve the readiness and subsequent
28 achievement of educationally disadvantaged children who meet the
29 participant eligibility and prioritization guidelines as defined by



1 the department. For a child to be eligible to participate in a
 2 program under this section, the child must be at least 4, but less
 3 than 5, years of age as of September 1 of the school year in which
 4 the program is offered and must meet those eligibility and
 5 prioritization guidelines. A child who is not 4 years of age as of
 6 September 1, but who will be 4 years of age not later than December
 7 1, is eligible to participate if the child's parent or legal
 8 guardian seeks a waiver from the September 1 eligibility date by
 9 submitting a request for enrollment in a program to the responsible
 10 intermediate district, if the program has capacity on or after
 11 September 1 of the school year, and if the child meets eligibility
 12 and prioritization guidelines.

13 (2) From the state school aid fund money allocated under
 14 subsection (1), an amount not to exceed ~~\$295,120,000.00~~
 15 **\$367,120,000.00** and from the federal funds allocated under
 16 subsection (1), an amount not to exceed ~~\$121,000,000.00~~
 17 **\$83,000,000.00** is allocated to intermediate districts or consortia
 18 of intermediate districts based on the formula in section 39. An
 19 intermediate district or consortium of intermediate districts
 20 receiving funding under this section shall act as the fiduciary for
 21 the great start readiness programs. An intermediate district or
 22 consortium of intermediate districts receiving funding under this
 23 section may collaborate with local governments to identify children
 24 eligible for programs funded under this section and may contract
 25 with local governments to provide services. In order to be eligible
 26 to receive funds allocated under this subsection from an
 27 intermediate district or consortium of intermediate districts, a
 28 district, a consortium of districts, a local government, or a
 29 public or private for-profit or nonprofit legal entity or agency



1 must comply with this section and section 39. The funds allocated
2 under this subsection for ~~2021-2022-2022-2023~~ are a work project
3 appropriation, and any unexpended funds for ~~2021-2022-2022-2023~~ are
4 carried forward into ~~2022-2023.~~ **2023-2024**. The purpose of the work
5 project is to continue to improve access to preschool programming
6 for economically disadvantaged children. The estimated completion
7 date of the work project described in the immediately preceding
8 sentence is September 30, ~~2023.~~ **2024**.

9 (3) In addition to the allocation under subsection (1), from
10 the general fund money appropriated under section 11, there is
11 allocated an amount not to exceed \$350,000.00 for ~~2021-2022-2022-~~
12 **2023** for a competitive grant to continue a longitudinal evaluation
13 of children who have participated in great start readiness
14 programs.

15 (4) To be eligible for funding under this section, a program
16 must prepare children for success in school through comprehensive
17 part-day, school-day, or GSRP/Head Start blended programs that
18 contain all of the following program components, as determined by
19 the department:

20 (a) Participation in a collaborative recruitment and
21 enrollment process to assure that each child is enrolled in the
22 program most appropriate to his or her needs and to maximize the
23 use of federal, state, and local funds.

24 (b) An age-appropriate educational curriculum that is in
25 compliance with the early childhood standards of quality for
26 prekindergarten children adopted by the state board, including, at
27 least, the Connect4Learning curriculum.

28 (c) Nutritional services for all program participants
29 supported by federal, state, and local resources as applicable.



1 (d) Physical and dental health and developmental screening
2 services for all program participants.

3 (e) Referral services for families of program participants to
4 community social service agencies, including mental health
5 services, as appropriate.

6 (f) Active and continuous involvement of the parents or
7 guardians of the program participants.

8 (g) A plan to conduct and report annual great start readiness
9 program evaluations and continuous improvement plans using criteria
10 approved by the department.

11 (h) Participation in a school readiness advisory committee
12 convened as a workgroup of the great start collaborative that
13 provides for the involvement of classroom teachers, parents or
14 guardians of program participants, and community, volunteer, and
15 social service agencies and organizations, as appropriate. The
16 advisory committee annually shall review and make recommendations
17 regarding the program components listed in this subsection. The
18 advisory committee also shall make recommendations to the great
19 start collaborative regarding other community services designed to
20 improve all children's school readiness.

21 (i) The ongoing articulation of the kindergarten and first
22 grade programs offered by the program provider.

23 (j) Participation in this state's great start to quality
24 process with a rating of at least 3 stars.

25 (5) An application for funding under this section must provide
26 for the following, in a form and manner determined by the
27 department:

28 (a) Ensure compliance with all program components described in
29 subsection (4).



1 (b) Except as otherwise provided in this subdivision, ensure
2 that at least 85% of the children participating in an eligible
3 great start readiness program for whom the intermediate district is
4 receiving funds under this section are children who live with
5 families with a household income that is equal to or less than 250%
6 of the federal poverty guidelines. If the intermediate district
7 determines that all eligible children are being served and that
8 there are no children on the waiting list who live with families
9 with a household income that is equal to or less than 250% of the
10 federal poverty guidelines, the intermediate district may then
11 enroll children who live with families with a household income that
12 is equal to or less than 300% of the federal poverty guidelines.
13 The enrollment process must consider income and risk factors, such
14 that children determined with higher need are enrolled before
15 children with lesser need. For purposes of this subdivision, all
16 age-eligible children served in foster care or who are experiencing
17 homelessness or who have individualized education programs
18 recommending placement in an inclusive preschool setting are
19 considered to live with families with household income equal to or
20 less than 250% of the federal poverty guidelines regardless of
21 actual family income and are prioritized for enrollment within the
22 lowest quintile.

23 (c) Ensure that the applicant only uses qualified personnel
24 for this program, as follows:

25 (i) Teachers possessing proper training. A lead teacher must
26 have a valid Michigan teaching certificate with an early childhood
27 or lower elementary endorsement or a bachelor's or higher degree in
28 child development or early childhood education with specialization
29 in preschool teaching. However, if an applicant demonstrates to the



1 department that it is unable to fully comply with this subparagraph
2 after making reasonable efforts to comply, teachers or
3 paraprofessionals with at least 5 years of experience as a
4 paraprofessional in a great start readiness program classroom who
5 have significant but incomplete training in early childhood
6 education or child development may be used if the applicant
7 provides to the department, and the department approves, a plan for
8 each teacher to come into compliance with the standards in this
9 subparagraph. A teacher's compliance plan must be completed within
10 3 years of the date of employment. Progress toward completion of
11 the compliance plan consists of at least 2 courses per calendar
12 year.

13 (ii) Paraprofessionals possessing proper training in early
14 childhood education, including an associate degree in early
15 childhood education or child development or the equivalent, or a
16 child development associate (CDA) credential. However, if an
17 applicant demonstrates to the department that it is unable to fully
18 comply with this subparagraph after making reasonable efforts to
19 comply, the applicant may use paraprofessionals who have completed
20 at least 1 course that earns college credit in early childhood
21 education or child development if the applicant provides to the
22 department, and the department approves, a plan for each
23 paraprofessional to come into compliance with the standards in this
24 subparagraph. A paraprofessional's compliance plan must be
25 completed within 3 years of the date of employment. Progress toward
26 completion of the compliance plan consists of at least 2 courses or
27 60 clock hours of training per calendar year.

28 (d) Include a program budget that contains only those costs
29 that are not reimbursed or reimbursable by federal funding, that



1 are clearly and directly attributable to the great start readiness
2 program, and that would not be incurred if the program were not
3 being offered. Eligible costs include transportation costs. The
4 program budget must indicate the extent to which these funds will
5 supplement other federal, state, local, or private funds. An
6 applicant shall not use funds received under this section to
7 supplant any federal funds received by the applicant to serve
8 children eligible for a federally funded preschool program that has
9 the capacity to serve those children.

10 (6) For a grant recipient that enrolls pupils in a school-day
11 program funded under this section, each child enrolled in the
12 school-day program is counted as described in section 39 for
13 purposes of determining the amount of the grant award.

14 (7) For a grant recipient that enrolls pupils in a GSRP/Head
15 Start blended program, the grant recipient shall ensure that all
16 Head Start and GSRP policies and regulations are applied to the
17 blended slots, with adherence to the highest standard from either
18 program, to the extent allowable under federal law.

19 (8) An intermediate district or consortium of intermediate
20 districts receiving a grant under this section shall designate an
21 early childhood coordinator, and may provide services directly or
22 may contract with 1 or more districts or public or private for-
23 profit or nonprofit providers that meet all requirements of
24 subsections (4) and (5).

25 (9) An intermediate district or consortium of intermediate
26 districts may retain for administrative services provided by the
27 intermediate district or consortium of intermediate districts an
28 amount not to exceed 4% of the grant amount. Expenses incurred by
29 subrecipients engaged by the intermediate district or consortium of



1 intermediate districts for directly running portions of the program
2 are considered program costs or a contracted program fee for
3 service. Subrecipients operating with a federally approved indirect
4 rate for other early childhood programs may include indirect costs,
5 not to exceed the federal 10% de minimis.

6 (10) An intermediate district or consortium of intermediate
7 districts may expend not more than 2% of the total grant amount for
8 outreach, recruiting, and public awareness of the program.

9 (11) Each grant recipient shall enroll children identified
10 under subsection (5)(b) according to how far the child's household
11 income is below 250% of the federal poverty guidelines by ranking
12 each applicant child's household income from lowest to highest and
13 dividing the applicant children into quintiles based on how far the
14 child's household income is below 250% of the federal poverty
15 guidelines, and then enrolling children in the quintile with the
16 lowest household income before enrolling children in the quintile
17 with the next lowest household income until slots are completely
18 filled. If the grant recipient determines that all eligible
19 children are being served and that there are no children on the
20 waiting list who live with families with a household income that is
21 equal to or less than 250% of the federal poverty guidelines, the
22 grant recipient may then enroll children who live with families
23 with a household income that is equal to or less than 300% of the
24 federal poverty guidelines. The enrollment process must consider
25 income and risk factors, such that children determined with higher
26 need are enrolled before children with lesser need. For purposes of
27 this subsection, all age-eligible children served in foster care or
28 who are experiencing homelessness or who have individualized
29 education programs recommending placement in an inclusive preschool



1 setting are considered to live with families with household income
2 equal to or less than 250% of the federal poverty guidelines
3 regardless of actual family income and are prioritized for
4 enrollment within the lowest quintile.

5 (12) An intermediate district or consortium of intermediate
6 districts receiving a grant under this section shall allow parents
7 of eligible children who are residents of the intermediate district
8 or within the consortium to choose a program operated by or
9 contracted with another intermediate district or consortium of
10 intermediate districts and shall enter into a written agreement
11 regarding payment, in a manner prescribed by the department.

12 (13) An intermediate district or consortium of intermediate
13 districts receiving a grant under this section shall conduct a
14 local process to contract with interested and eligible public and
15 private for-profit and nonprofit community-based providers that
16 meet all requirements of subsection (4) for at least 30% of its
17 total allocation. For the purposes of this 30% allocation, an
18 intermediate district or consortium of intermediate districts may
19 count children served by a Head Start grantee or delegate in a
20 blended Head Start and great start readiness school-day program.
21 Children served in a program funded only through Head Start are not
22 counted toward this 30% allocation. The intermediate district or
23 consortium shall report to the department, in a manner prescribed
24 by the department, a detailed list of community-based providers by
25 provider type, including private for-profit, private nonprofit,
26 community college or university, Head Start grantee or delegate,
27 and district or intermediate district, and the number and
28 proportion of its total allocation allocated to each provider as
29 subrecipient. If the intermediate district or consortium is not



1 able to contract for at least 30% of its total allocation, the
2 grant recipient shall notify the department and, if the department
3 verifies that the intermediate district or consortium attempted to
4 contract for at least 30% of its total allocation and was not able
5 to do so, then the intermediate district or consortium may retain
6 and use all of its allocation as provided under this section. To be
7 able to use this exemption, the intermediate district or consortium
8 shall demonstrate to the department that the intermediate district
9 or consortium increased the percentage of its total allocation for
10 which it contracts with a community-based provider and the
11 intermediate district or consortium shall submit evidence
12 satisfactory to the department, and the department must be able to
13 verify this evidence, demonstrating that the intermediate district
14 or consortium took measures to contract for at least 30% of its
15 total allocation as required under this subsection, including, but
16 not limited to, at least all of the following measures:

17 (a) The intermediate district or consortium notified each
18 nonparticipating licensed child care center located in the service
19 area of the intermediate district or consortium regarding the
20 center's eligibility to participate, in a manner prescribed by the
21 department.

22 (b) The intermediate district or consortium provided to each
23 nonparticipating licensed child care center located in the service
24 area of the intermediate district or consortium information
25 regarding great start readiness program requirements and a
26 description of the application and selection process for community-
27 based providers.

28 (c) The intermediate district or consortium provided to the
29 public and to participating families a list of community-based



1 great start readiness program subrecipients with a great start to
2 quality rating of at least 3 stars.

3 (14) If an intermediate district or consortium of intermediate
4 districts receiving a grant under this section fails to submit
5 satisfactory evidence to demonstrate its effort to contract for at
6 least 30% of its total allocation, as required under subsection
7 (13), the department shall reduce the allocation to the
8 intermediate district or consortium by a percentage equal to the
9 difference between the percentage of an intermediate district's or
10 consortium's total allocation awarded to community-based providers
11 and 30% of its total allocation.

12 (15) In order to assist intermediate districts and consortia
13 in complying with the requirement to contract with community-based
14 providers for at least 30% of their total allocation, the
15 department shall do all of the following:

16 (a) Ensure that a great start resource center or the
17 department provides each intermediate district or consortium
18 receiving a grant under this section with the contact information
19 for each licensed child care center located in the service area of
20 the intermediate district or consortium by March 1 of each year.

21 (b) Provide, or ensure that an organization with which the
22 department contracts provides, a community-based provider with a
23 validated great start to quality rating within 90 days of the
24 provider's having submitted a request and self-assessment.

25 (c) Ensure that all intermediate district, district, community
26 college or university, Head Start grantee or delegate, private for-
27 profit, and private nonprofit providers are subject to a single
28 great start to quality rating system. The rating system must ensure
29 that regulators process all prospective providers at the same pace



1 on a first-come, first-served basis and must not allow 1 type of
 2 provider to receive a great start to quality rating ahead of any
 3 other type of provider.

4 (d) Not later than March 1 of each year, compile the results
 5 of the information reported by each intermediate district or
 6 consortium under subsection (13) and report to the legislature a
 7 list by intermediate district or consortium with the number and
 8 percentage of each intermediate district's or consortium's total
 9 allocation allocated to community-based providers by provider type,
 10 including private for-profit, private nonprofit, community college
 11 or university, Head Start grantee or delegate, and district or
 12 intermediate district.

13 (16) A recipient of funds under this section shall report to
 14 the center in a form and manner prescribed by the center the
 15 information necessary to derive the number of children
 16 participating in the program who meet the program eligibility
 17 criteria under subsection (5) (b), the number of eligible children
 18 not participating in the program and on a waitlist, and the total
 19 number of children participating in the program by various
 20 demographic groups and eligibility factors necessary to analyze
 21 equitable and priority access to services for the purposes of
 22 subsection (3).

23 (17) As used in this section:

24 (a) "GSRP/Head Start blended program" means a part-day program
 25 funded under this section and a Head Start program, which are
 26 combined for a school-day program.

27 (b) "Federal poverty guidelines" means the guidelines
 28 published annually in the Federal Register by the United States
 29 Department of Health and Human Services under its authority to



1 revise the poverty line under 42 USC 9902.

2 (c) "Part-day program" means a program that operates at least
3 4 days per week, 30 weeks per year, for at least 3 hours of
4 teacher-child contact time per day but for fewer hours of teacher-
5 child contact time per day than a school-day program.

6 (d) "School-day program" means a program that operates for at
7 least the same length of day as a district's first grade program
8 for a minimum of 4 days per week, 30 weeks per year. A classroom
9 that offers a school-day program must enroll all children for the
10 school day to be considered a school-day program.

11 (18) An intermediate district or consortium of intermediate
12 districts receiving funds under this section shall establish and
13 charge tuition according to a sliding scale of tuition rates based
14 upon household income for children participating in an eligible
15 great start readiness program who live with families with a
16 household income that is more than 250% of the federal poverty
17 guidelines to be used by all of its providers, as approved by the
18 department.

19 (19) From the amount allocated in subsection (2), there is
20 allocated for ~~2021-2022~~**2022-2023** an amount not to exceed
21 \$10,000,000.00 for reimbursement of transportation costs for
22 children attending great start readiness programs funded under this
23 section. To receive reimbursement under this subsection, not later
24 than November 1 of each year, a program funded under this section
25 that provides transportation shall submit to the intermediate
26 district that is the fiscal agent for the program a projected
27 transportation budget. The amount of the reimbursement for
28 transportation under this subsection is no more than the projected
29 transportation budget or \$300.00 multiplied by the number of



1 children funded for the program under this section. If the amount
2 allocated under this subsection is insufficient to fully reimburse
3 the transportation costs for all programs that provide
4 transportation and submit the required information, the department
5 shall prorate the reimbursement in an equal amount per child
6 funded. The department shall make payments to the intermediate
7 district that is the fiscal agent for each program, and the
8 intermediate district shall then reimburse the program provider for
9 transportation costs as prescribed under this subsection.

10 (20) Subject to, and from the funds allocated under,
11 subsection (19), the department shall reimburse a program for
12 transportation costs related to parent- or guardian-accompanied
13 transportation provided by transportation service companies, buses,
14 or other public transportation services. To be eligible for
15 reimbursement under this subsection, a program must submit to the
16 intermediate district or consortia of intermediate districts all of
17 the following:

18 (a) The names of families provided with transportation support
19 along with a documented reason for the need for transportation
20 support and the type of transportation provided.

21 (b) Financial documentation of actual transportation costs
22 incurred by the program, including, but not limited to, receipts
23 and mileage reports, as determined by the department.

24 (c) Any other documentation or information determined
25 necessary by the department.

26 (21) The department shall implement a process to review and
27 approve age-appropriate comprehensive classroom level quality
28 assessments for GSRP grantees that support the early childhood
29 standards of quality for prekindergarten children adopted by the



1 state board. The department shall make available to intermediate
 2 districts at least 2 classroom level quality assessments that were
 3 approved in 2018.

4 (22) An intermediate district that is a GSRP grantee may
 5 approve the use of a supplemental curriculum that aligns with and
 6 enhances the age-appropriate educational curriculum in the
 7 classroom. If the department objects to the use of a supplemental
 8 curriculum approved by an intermediate district, the superintendent
 9 shall establish a review committee independent of the department.
 10 The review committee shall meet within 60 days of the department
 11 registering its objection in writing and provide a final
 12 determination on the validity of the objection within 60 days of
 13 the review committee's first meeting.

14 (23) The department shall implement a process to evaluate and
 15 approve age-appropriate educational curricula that are in
 16 compliance with the early childhood standards of quality for
 17 prekindergarten children adopted by the state board.

18 (24) From the funds allocated under subsection (1), there is
 19 allocated for ~~2021-2022-2022-2023~~ an amount not to exceed
 20 \$2,000,000.00 for payments to intermediate districts or consortia
 21 of intermediate districts for professional development and training
 22 materials for educators in programs implementing new curricula or
 23 child assessment tools approved for use in the great start
 24 readiness program.

25 (25) A great start readiness program or a GSRP/Head Start
 26 blended program funded under this section is permitted to utilize
 27 AmeriCorps Pre-K Reading Corps members in classrooms implementing
 28 research-based early literacy intervention strategies.

29 **Sec. 32n. (1) From the federal funding appropriated under**



1 section 11, there is allocated for 2022-2023 only an amount not to
2 exceed \$25,000,000.00 from the federal funding awarded to this
3 state from the coronavirus state fiscal recovery fund under the
4 American rescue plan act of 2021, title IX, subtitle M of Public
5 Law 117-2, for the purposes of this section. The department shall
6 develop a competitive grant program to distribute this funding to
7 eligible entities, as described in subsection (2), as prescribed
8 under this section.

9 (2) The department shall establish competitive grant criteria
10 for the grant program described in subsection (1) for eligible
11 applicants to expand access to quality, affordable programming
12 before and after the school day or during the summer for young
13 people. To be eligible for a grant under this section, the
14 applicant must meet, at a minimum, all of the following criteria:

15 (a) Serve children in any of grades K to 12.

16 (b) Be a community-based organization that is exempt from
17 federal income tax under section 501(c)(3) of the internal revenue
18 code, 26 USC 501, an institution of higher education, a community
19 or adult education program, a public library, a local government,
20 or an intermediate district.

21 (c) Provide before-school, after-school, before-and-after-
22 school, or summer school programming to children described in
23 subdivision (a). These programs must be used to support expanded
24 learning opportunities, including, but not limited to, mentoring,
25 leadership, community engagement, agriculture, art, music,
26 literacy, science, technology, engineering, mathematics, health,
27 and recreation programming.

28 (d) Address measurable goals, including, but not limited to,
29 improved school attendance, academic outcomes, positive behaviors,



1 and skill acquisition, and include activities linked to research or
2 quality practices.

3 (3) The department shall establish a competitive grant process
4 for awarding funding under this section. The process must be posted
5 publicly at least 30 days prior to the grant application period.
6 The department shall develop the form and manner for applying for
7 the grants. The application must include a request for information
8 on the applicant's outreach to children, youth, and families who
9 are eligible for free or reduced-price meals under the Richard B.
10 Russell national school lunch act, 42 USC 1751 to 1769j. The
11 application must be open for not less than 30 calendar days. At
12 least 30 days before the application is opened, the department must
13 publish on its public website the criteria that will be used in
14 evaluating the application that must include, but are not limited
15 to, priorities under subsection (5).

16 (4) Subject to subsection (8), in determining award amounts
17 under this subsection, the department shall, to the extent
18 practicable, ensure that eligible entities in all geographic
19 regions of this state are represented in the distribution of grant
20 funding under this section.

21 (5) Subject to subsection (8), the department shall prioritize
22 the distribution of grant funding under this section based on, at a
23 minimum, the following:

24 (a) An applicant's demonstrated need.

25 (b) The percentage of low-income families in the geographic
26 area being served. Prioritization must be determined by the average
27 percentage of pupils in the district who are eligible for free and
28 reduced-priced meals as determined under the Richard B. Russell
29 national school lunch act, 42 USC 1751 to 1769j, where eligible



1 entities will provide before-and-after-school or summer school
2 programs.

3 (c) Whether the application provides services for the full
4 school year.

5 (d) The applicant's track record for providing quality,
6 affordable before-and-after-school or summer school services.

7 (e) Whether an applicant serving children in any of grades K
8 through 8 is licensed or is in the process of becoming licensed or
9 has implemented the Michigan State Board of Education Michigan Out-
10 of-School Time Standards of Quality. This does not preclude a
11 nonlicensed entity from applying for funding under this section and
12 being funded under this section.

13 (6) Subject to subsection (7), an eligible entity that
14 receives grant funding under this section shall use the funding
15 only to provide before-school, after-school, before-and-after-
16 school, or summer school programming to children described in
17 subsection (2) (a). The programming offered under this subsection
18 must meet all of the following:

19 (a) Be provided to children in a manner in which the children
20 are physically present at a building or location designated by the
21 eligible entity.

22 (b) Provide educational programming in core subject areas,
23 including, but not limited to, mathematics, reading, and science.

24 (c) Provide data to evaluate the program in a form and manner
25 as prescribed by the department.

26 (7) Subject to subsections (2), (4), and (5), up to 2% of
27 funding allocated under this section must be allocated to a
28 nonprofit entity with experience serving youth-serving
29 organizations to provide start-up grants and capacity building,



1 professional development, and technical assistance for
 2 implementation of high-quality, evidence-based out-of-school time
 3 learning opportunities.

4 (8) The department shall award no less than 60% of the funding
 5 under this section to community-based organizations.

6 (9) Notwithstanding section 17b, the department shall make
 7 payments under this section in full upon grant award. Grantees that
 8 do not comply with reporting requirements, fail to provide the
 9 services proposed in their grant application, or close during the
 10 grant period may be required to repay the funding they received
 11 under this section to the department.

12 (10) The federal funding allocated under this section is
 13 intended to respond to the COVID-19 public health emergency and its
 14 negative impacts.

15 Sec. 32p. (1) From the state school aid fund money
 16 appropriated in section 11, there is allocated an amount not to
 17 exceed \$13,400,000.00 to intermediate districts for ~~2021-2022-2022-~~
 18 **2023** for the purpose of providing early childhood funding to
 19 intermediate districts to support the goals and outcomes under
 20 subsection (2) and subsection (4), and to provide **supports for**
 21 early childhood programs for children from birth through age 8. The
 22 funding provided to each intermediate district under this section
 23 is determined by the distribution formula established by the
 24 department's office of great start to provide equitable funding
 25 statewide. In order to receive funding under this section, each
 26 intermediate district must provide an application to the office of
 27 great start not later than September 15 of the immediately
 28 preceding fiscal year indicating the strategies planned to be
 29 provided.



1 (2) Each intermediate district or consortium of intermediate
2 districts that receives funding under this section shall convene a
3 local great start collaborative and a parent coalition that
4 includes an active partnership with at least 1 community-based
5 organization. The goal of each great start collaborative and parent
6 coalition is to ensure the coordination and expansion of local
7 early childhood ~~infrastructure~~**systems** and programs that allow
8 every child in the community to achieve the following outcomes:

9 (a) Children born healthy.

10 (b) Children healthy, thriving, and developmentally on track
11 from birth to grade 3.

12 (c) Children developmentally ready to succeed in school at the
13 time of school entry.

14 (d) Children prepared to succeed in fourth grade and beyond by
15 reading proficiently by the end of third grade.

16 (3) Each local great start collaborative and parent coalition
17 shall convene workgroups to make recommendations about community
18 services designed to achieve the outcomes described in subsection
19 (2) and to ensure that its local great start system includes the
20 following supports for children from birth through age 8:

21 (a) Physical health.

22 (b) Social-emotional health.

23 (c) Family supports, ~~and including~~, **but not limited to, the**
24 **provision of** basic needs **and economic self-sufficiency.**

25 (d) Parent ~~education~~.**leadership and family engagement.**

26 (e) Early education, including the child's development of
27 skills linked to success in foundational literacy, and care.

28 (4) From the funds allocated in subsection (1), at least
29 \$2,500,000.00 must be used for the purpose of providing home visits



1 to at-risk children and their families. The home visits must be
2 conducted as part of a locally coordinated, family-centered,
3 evidence-based, data-driven home visit strategic plan that is
4 approved by the department. The goals of the home visits funded
5 under this subsection are to improve school readiness using
6 evidence-based methods, including a focus on developmentally
7 appropriate outcomes for early literacy, to improve positive
8 parenting practices, and to improve family economic self-
9 sufficiency while reducing the impact of high-risk factors through
10 community resources and referrals. The department shall coordinate
11 the goals of the home visit strategic plans approved under this
12 subsection with other state agency home visit programs in a way
13 that strengthens Michigan's home visiting infrastructure and
14 maximizes federal funds available for the purposes of at-risk
15 family home visits. The coordination among departments and agencies
16 is intended to avoid duplication of state services and spending,
17 and should emphasize efficient service delivery of home visiting
18 programs.

19 (5) Not later than December 1 of each year, each intermediate
20 district shall provide a report to the department detailing the
21 strategies actually implemented during the immediately preceding
22 school year and the families and children actually served. At a
23 minimum, the report must include an evaluation of the services
24 provided with additional funding under subsection (4) for home
25 visits, using the goals identified in subsection (4) as the basis
26 for the evaluation, including the degree to which school readiness
27 was improved, the degree to which positive parenting practices were
28 improved, the degree to which there was improved family economic
29 self-sufficiency, and the degree to which community resources and



1 referrals were utilized. The department shall compile and summarize
 2 these reports and submit its summary to the house and senate
 3 appropriations subcommittees on school aid and to the house and
 4 senate fiscal agencies not later than February 15 of each year.

5 (6) An intermediate district or consortium of intermediate
 6 districts that receives funding under this section may carry over
 7 any unexpended funds received under this section into the next
 8 fiscal year and may expend those unused funds through June 30 of
 9 the next fiscal year. However, an intermediate district or
 10 consortium of intermediate districts that receives funding for the
 11 purposes described in subsection (2) in fiscal year ~~2021-2022-2022-~~
 12 **2023** shall not carry over into the next fiscal year any amount
 13 exceeding ~~20%~~**15%** of the amount awarded to the intermediate
 14 district or consortium in the ~~2021-2022-2022-2023~~ fiscal year. ~~It~~
 15 ~~is intended that the amount carried over from funding awarded for~~
 16 ~~the purposes described in subsection (2) in fiscal year 2022-2023~~
 17 ~~not exceed 15% of the amount awarded in that fiscal year. A~~
 18 recipient of a grant shall return any unexpended grant funds to the
 19 department in the manner prescribed by the department not later
 20 than September 30 of the next fiscal year after the fiscal year in
 21 which the funds are received.

22 **Sec. 32t. From the state school aid fund money appropriated in**
 23 **section 11, there is allocated for 2022-2023 only an amount not to**
 24 **exceed \$2,200,000.00 to Clinton County RESA (CCRESA) for the Strong**
 25 **Beginnings Program to provide services to children who meet the**
 26 **eligibility criteria for the great start readiness program, but do**
 27 **not meet the age eligibility criteria for the great start readiness**
 28 **program. These services must be designed for children who are age 3**
 29 **and must be similar to the services provided through the great**



1 start readiness program. The program described in this section must
2 be administered by CCRESA Strong Beginnings Implementation Team
3 under the direction of the department, office of great start, with
4 assessment, data, and collection analysis for the program being
5 provided by Michigan State University.

6 Sec. 32u. (1) From the general fund money appropriated in
7 section 11, there is allocated for 2022-2023 only an amount not to
8 exceed \$5,000,000.00 to districts and intermediate districts as
9 provided in this section.

10 (2) To receive funding under this section, a district or
11 intermediate district must apply for the funding in a form and
12 manner prescribed by the department.

13 (3) A district or intermediate district that receives funding
14 under this section shall use the funding to provide, in
15 collaboration with BookNook, pupils enrolled in the district or
16 intermediate district with a program that meets all of the
17 following:

18 (a) Allows students to use patented technology to reach and
19 learn together.

20 (b) Provides for scaffolded-learning supports that empower
21 teachers and support staff.

22 (c) Exposes pupils to diverse texts, dynamic games, and
23 meaningful discussion with each lesson.

24 (d) Includes a large tutor network that expands reach to
25 pupils.

26 (4) Notwithstanding section 17b, the department shall make
27 payments under this section on a schedule determined by the
28 department.

29 Sec. 35a. (1) From the appropriations in section 11, there is



1 allocated for ~~2021-2022~~**2022-2023** for the purposes of this section
 2 an amount not to exceed ~~\$61,400,000.00~~**\$67,400,000.00** from the
 3 state school aid fund and there is allocated for ~~2021-2022~~**2022-**
 4 **2023** for the purposes of subsection (8) an amount not to exceed
 5 ~~\$3,500,000.00~~**\$5,000,000.00** from the general fund. Excluding staff
 6 or contracted employees funded under subsection (8), the
 7 superintendent shall designate staff or contracted employees funded
 8 under this section as critical shortage. Programs funded under this
 9 section are intended to ensure that this state will be a top 10
 10 state in grade 4 reading proficiency by 2025 according to the
 11 National Assessment of Educational Progress (NAEP). By December 31
 12 ~~, 2021,~~**of each fiscal year in which funding is allocated under**
 13 **this section**, the superintendent of public instruction shall do
 14 both of the following:

15 (a) Report in person to the house and senate appropriations
 16 subcommittees on school aid regarding progress on the goal
 17 described in this subsection and be available for questioning as
 18 prescribed through a process developed by the chairs of the house
 19 and senate appropriations subcommittees on school aid.

20 (b) Submit a written report to the house and senate
 21 appropriations subcommittees on school aid regarding progress on
 22 the goal described in this subsection.

23 (2) A district that receives funds under subsection (5) may
 24 spend up to 5% of those funds for professional development for
 25 educators in a department-approved research-based training program
 26 related to current state literacy standards for pupils in grades
 27 pre-K to 3. The professional development must also include training
 28 in the use of screening and diagnostic tools, progress monitoring,
 29 and intervention methods used to address barriers to learning and



1 delays in learning that are diagnosed through the use of these
2 tools.

3 (3) A district that receives funds under subsection (5) may
4 use up to 5% of those funds to administer department-approved
5 screening and diagnostic tools to monitor the development of early
6 literacy and early reading skills, and risk factors for word-level
7 reading difficulties of pupils in grades pre-K to 3 and to support
8 evidence-based professional learning described in subsection (11)
9 for educators in administering and using screening, progress
10 monitoring, and diagnostic assessment data to inform instruction
11 through prevention and intervention in a multi-tiered system of
12 supports framework. A department-approved screening and diagnostic
13 tool administered by a district using funding under this section
14 must include all of the following components: phonemic awareness,
15 phonics, fluency, rapid automatized naming (RAN), and
16 comprehension. Further, all of the following sub-skills must be
17 assessed within each of these components:

18 (a) Phonemic awareness - segmentation, blending, and sound
19 manipulation (deletion and substitution).

20 (b) Phonics - decoding (reading) and encoding (spelling).

21 (c) Fluency.

22 (d) Comprehension - making meaning of text.

23 (4) From the allocation under subsection (1), there is
24 allocated an amount not to exceed \$31,500,000.00 for ~~2021-2022~~
25 **2022-2023** for the purpose of providing early literacy coaches at
26 intermediate districts to assist teachers in developing and
27 implementing instructional strategies for pupils in grades pre-K to
28 3 so that pupils are reading at grade level by the end of grade 3.
29 All of the following apply to funding under this subsection:



1 (a) The department shall develop an application process
2 consistent with the provisions of this subsection. An application
3 must provide assurances that literacy coaches funded under this
4 subsection are knowledgeable about at least the following:

5 (i) Current state literacy standards for pupils in grades pre-K
6 to 3.

7 (ii) Implementing an instructional delivery model based on
8 frequent use of formative, screening, and diagnostic tools, known
9 as a multi-tiered system of supports, to determine individual
10 progress for pupils in grades pre-K to 3 so that pupils are reading
11 at grade level by the end of grade 3.

12 (iii) The use of data from diagnostic tools to determine the
13 necessary additional supports and interventions needed by
14 individual pupils in grades pre-K to 3 in order to be reading at
15 grade level.

16 (b) From the allocation under this subsection, the department
17 shall award grants to intermediate districts for the support of
18 early literacy coaches. The department shall provide this funding
19 in the following manner:

20 (i) The department shall award each intermediate district grant
21 funding to support the cost of 1 early literacy coach in an equal
22 amount per early literacy coach, not to exceed \$112,500.00.

23 (ii) After distribution of the grant funding under subparagraph
24 (i), the department shall distribute the remainder of grant funding
25 for additional early literacy coaches in an amount not to exceed
26 \$112,500.00 per early literacy coach. The number of funded early
27 literacy coaches for each intermediate district is based on the
28 percentage of the total statewide number of pupils in grades K to 3
29 who meet the income eligibility standards for the federal free and



1 reduced-price lunch programs who are enrolled in districts in the
2 intermediate district.

3 (c) If an intermediate district that receives funding under
4 this subsection uses an assessment tool that screens for
5 characteristics of dyslexia, the intermediate district shall use
6 the assessment results from that assessment tool to identify pupils
7 who demonstrate characteristics of dyslexia.

8 (5) From the allocation under subsection (1), there is
9 allocated an amount not to exceed \$19,900,000.00 for ~~2021-2022~~
10 **2022-2023** to districts that provide additional instructional time
11 to those pupils in grades pre-K to 3 who have been identified by
12 using department-approved screening and diagnostic tools as needing
13 additional supports and interventions in order to be reading at
14 grade level by the end of grade 3. Additional instructional time
15 may be provided before, during, and after regular school hours or
16 as part of a year-round balanced school calendar. All of the
17 following apply to funding under this subsection:

18 (a) In order to be eligible to receive funding, a district
19 must demonstrate to the satisfaction of the department that the
20 district has done all of the following:

21 (i) Implemented a multi-tiered system of supports instructional
22 delivery model that is an evidence-based model that uses data-
23 driven problem solving to integrate academic and behavioral
24 instruction and that uses intervention delivered to all pupils in
25 varying intensities based on pupil needs. The multi-tiered system
26 of supports must provide at least all of the following essential
27 components:

28 (A) Team-based leadership.

29 (B) A tiered delivery system.



1 (C) Selection and implementation of instruction,
2 interventions, and supports.

3 (D) A comprehensive screening and assessment system.

4 (E) Continuous data-based decision making.

5 (ii) Used department-approved research-based diagnostic tools
6 to identify individual pupils in need of additional instructional
7 time.

8 (iii) Used a reading instruction method that focuses on the 5
9 fundamental building blocks of reading: phonics, phonemic
10 awareness, fluency, vocabulary, and comprehension and content
11 knowledge.

12 (iv) Provided teachers of pupils in grades pre-K to 3 with
13 research-based professional development in diagnostic data
14 interpretation.

15 (v) Complied with the requirements under section 1280f of the
16 revised school code, MCL 380.1280f.

17 (b) The department shall distribute funding allocated under
18 this subsection to eligible districts on an equal per-first-grade-
19 pupil basis.

20 (c) If the funds allocated under this subsection are
21 insufficient to fully fund the payments under this subsection,
22 payments under this subsection are prorated on an equal per-pupil
23 basis based on grade 1 pupils.

24 (6) Not later than September 1 of each year, a district that
25 receives funding under subsection (5) in conjunction with the
26 Michigan student data system, if possible, shall provide to the
27 department a report that includes at least both of the following,
28 in a form and manner prescribed by the department:

29 (a) For pupils in grades pre-K to 3, the teachers, pupils,



1 schools, and grades served with funds under this section and the
2 categories of services provided.

3 (b) For pupils in grades pre-K to 3, pupil proficiency and
4 growth data that allows analysis both in the aggregate and by each
5 of the following subgroups, as applicable:

6 (i) School.

7 (ii) Grade level.

8 (iii) Gender.

9 (iv) Race.

10 (v) Ethnicity.

11 (vi) Economically disadvantaged status.

12 (vii) Disability.

13 (viii) Pupils identified as having reading deficiencies.

14 (7) From the allocation under subsection (1), there is
15 allocated an amount not to exceed \$6,000,000.00 for ~~2021-2022-2022-~~
16 ~~2023~~ to an intermediate district in which the combined total number
17 of pupils in membership of all of its constituent districts is the
18 fewest among all intermediate districts. All of the following apply
19 to the funding under this subsection:

20 (a) Funding under this subsection must be used by the
21 intermediate district, in partnership with an association that
22 represents intermediate district administrators in this state, to
23 implement all of the following:

24 (i) Literacy essentials teacher and principal training modules.

25 (ii) Face-to-face and online professional learning of literacy
26 essentials teacher and principal training modules for literacy
27 coaches, principals, and teachers.

28 (iii) The placement of regional lead literacy coaches to
29 facilitate professional learning for early literacy coaches. These



1 regional lead literacy coaches shall provide support for new
2 literacy coaches, building teachers, and administrators and shall
3 facilitate regional data collection to evaluate the effectiveness
4 of statewide literacy coaches funded under this section.

5 (iv) Provide \$500,000.00 from this subsection for literacy
6 training, modeling, coaching, and feedback for district principals
7 or chief administrators, as applicable. The training described in
8 this subparagraph must use the pre-K and K to 3 essential
9 instructional practices in literacy created by the general
10 education leadership network as the framework for all training
11 provided under this subparagraph.

12 (v) Job-embedded professional learning opportunities for
13 mathematics teachers through mathematics instructional coaching.
14 Funding must be used for professional learning for coaches,
15 professional developers, administrators, and teachers; coaching for
16 early mathematics educators; the development of statewide and
17 regional professional learning networks in mathematics
18 instructions; and the development and support of digital
19 professional learning modules.

20 (b) Not later than September 1 of each year, the intermediate
21 district described in this subsection, in consultation with grant
22 recipients, shall submit a report to the chairs of the senate and
23 house appropriations subcommittees on school aid, the chairs of the
24 senate and house standing committees responsible for education
25 legislation, the house and senate fiscal agencies, and the state
26 budget director. The report described under this subdivision must
27 include student achievement results in English language arts and
28 mathematics and survey results with feedback from parents and
29 teachers regarding the initiatives implemented under this



1 subsection.

2 (c) Up to 2% of funds allocated under this subsection may be
 3 used by the association representing intermediate district
 4 administrators that is in partnership with the intermediate
 5 district specified in this subsection to administer this
 6 subsection.

7 (8) From the general fund money allocated in subsection (1),
 8 the department shall allocate the amount of ~~\$3,500,000.00~~
 9 **\$5,000,000.00** for ~~2021-2022-2022-2023~~ **only** to the Michigan
 10 Education Corps for the PreK Reading Corps, the K3 Reading Corps,
 11 and the Math Corps. All of the following apply to funding under
 12 this subsection:

13 (a) By September 1 of the current fiscal year, the Michigan
 14 Education Corps shall provide a report concerning its use of the
 15 funding to the senate and house appropriations subcommittees on
 16 ~~state~~-school aid, the senate and house fiscal agencies, and the
 17 senate and house caucus policy offices on outcomes and performance
 18 measures of the Michigan Education Corps, including, but not
 19 limited to, the degree to which the Michigan Education Corps'
 20 replication of the PreK Reading Corps, the K3 Reading Corps, and
 21 the Math Corps programs is demonstrating sufficient efficacy and
 22 impact. The report must include data pertaining to at least all of
 23 the following:

24 (i) The current impact of the programs on this state in terms
 25 of numbers of children and schools receiving support. This portion
 26 of the report must specify the number of children tutored,
 27 including dosage and completion, and the demographics of those
 28 children.

29 (ii) Whether the assessments and interventions are implemented



1 with fidelity. This portion of the report must include details on
2 the total number of assessments and interventions completed and the
3 range, mean, and standard deviation.

4 (iii) Whether the literacy or math improvement of children
5 participating in the programs is consistent with expectations. This
6 portion of the report must detail at least all of the following:

7 (A) Growth rate by grade or age level, in comparison to
8 targeted growth rate.

9 (B) Average linear growth rates.

10 (C) Exit rates.

11 (D) Percentage of children who exit who also meet or exceed
12 spring benchmarks.

13 (iv) The impact of the programs on organizations and
14 stakeholders, including, but not limited to, school administrators,
15 internal coaches, and AmeriCorps members.

16 (b) If the department determines that the Michigan Education
17 Corps has misused the funds allocated under this subsection, the
18 Michigan Education Corps shall reimburse this state for the amount
19 of state funding misused.

20 (c) The department may not reserve any portion of the
21 allocation provided under this subsection for an evaluation of the
22 Michigan Education Corps, the Michigan Education Corps' funding, or
23 the Michigan Education Corps' programming unless agreed to in
24 writing by the Michigan Education Corps. The department shall award
25 the entire ~~\$3,500,000.00~~ **\$5,000,000.00** allocated under this
26 subsection to the Michigan Education Corps and shall not condition
27 the awarding of this funding on the implementation of an
28 independent evaluation.

29 (9) If a district or intermediate district expends any funding



1 received under subsection (4) or (5) for professional development
 2 in research-based effective reading instruction, the district or
 3 intermediate district shall select a professional development
 4 program from the list described under subdivision (a). All of the
 5 following apply to the requirement under this subsection:

6 (a) The department shall issue a request for proposals for
 7 professional development programs in research-based effective
 8 reading instruction to develop an initial approved list of
 9 professional development programs in research-based effective
 10 reading instruction. The department shall make the initial approved
 11 list public and shall determine if it will, on a rolling basis,
 12 approve any new proposals submitted for addition to its initial
 13 approved list.

14 (b) To be included as an approved professional development
 15 program in research-based effective reading instruction under
 16 subdivision (a), an applicant must demonstrate to the department in
 17 writing the program's competency in all of the following topics:

18 (i) Understanding of phonemic awareness, phonics, fluency,
 19 vocabulary, and comprehension.

20 (ii) Appropriate use of assessments and differentiated
 21 instruction.

22 (iii) Selection of appropriate instructional materials.

23 (iv) Application of research-based instructional practices.

24 (c) As used in this subsection, "effective reading
 25 instruction" means reading instruction scientifically proven to
 26 result in improvement in pupil reading skills.

27 (10) From the allocation under subsection (1), there is
 28 allocated an amount not to exceed ~~\$4,000,000.00~~ **\$10,000,000.00** for
 29 ~~2021-2022-2022-2023~~ **only for the provision of** professional learning



1 **by the approved provider** described in subsection (11), first to
 2 educators in pre-K, kindergarten, and grade 1 ~~and then next~~ to
 3 educators in grade 2 and grade 3; ~~. All of the following apply to~~
 4 ~~funding under this subsection:~~

5 ~~(a) The~~ **and then to additional elementary school educators and**
 6 **pre-K to grade 12 certificated special education personnel with**
 7 **endorsements in learning disabilities, emotional impairments, or**
 8 **speech and language impairments. For purposes of this subsection,**
 9 **the** department must establish and manage professional learning
 10 opportunities that are open to all ~~pre-K through grade 3 teachers~~
 11 **school personnel described in this subsection** as follows:

12 **(a) (i)** ~~The~~ department must **first** open voluntary enrollment for
 13 any pre-K through grade 3 teacher on a first-come, first-served
 14 basis, with voluntary enrollment prioritized for pre-K,
 15 kindergarten, and grade 1 teachers. **The department shall then open**
 16 **voluntary enrollment for the remaining school personnel described**
 17 **in this subsection.**

18 **(b) (ii)** ~~The~~ department must maintain open enrollment until all
 19 funds are expended.

20 ~~(b) The department shall distribute funding allocated under~~
 21 ~~this subsection to eligible districts on an equal per first-grade-~~
 22 ~~pupil basis.~~

23 ~~(c) If the funds allocated under this subsection are~~
 24 ~~insufficient to fully fund the payments under this subsection,~~
 25 ~~payments under this subsection are prorated on an equal per pupil~~
 26 ~~basis based on grade 1 pupils.~~

27 **(11) The** ~~For the provision of professional learning to the~~
 28 **school personnel described in subsection (10), the** department shall
 29 ~~provide a list of 1 or more approved providers of professional~~



1 ~~learning outlined in this subsection for pre-K to grade 3 teachers,~~
 2 ~~administrators, and early literacy coaches. In order to be~~
 3 ~~approved, a provider of professional learning must~~ **approve LETRS as**
 4 **the approved provider of professional learning, if LETRS continues**
 5 **to meet all of the following:**

6 (a) Be offered through a system of training that provides
 7 educators with the knowledge base to effectively implement any
 8 class-wide, supplemental, or intervention reading approach and to
 9 determine why some students struggle with reading, writing,
 10 spelling, and language.

11 (b) Provide training activities that direct educators to
 12 implement effective reading and spelling instruction supported by
 13 scientifically based research and foster a direct explicit
 14 instructional sequence that uses techniques to support teachers'
 15 independence in using their newly-learned skills with students in
 16 the classroom.

17 (c) Include integrated components for educators and
 18 administrators in pre-K to grade 3 with embedded evaluation or
 19 assessment of knowledge. Evaluation or assessment of knowledge
 20 under this subdivision must incorporate evaluations of learning
 21 throughout each unit and include a summative assessment that must
 22 be completed to demonstrate successful course completion.

23 (d) Build teacher content knowledge and pedagogical knowledge
 24 of the critical components of literacy including how the brain
 25 learns to read, phonological and phonemic awareness; letter
 26 knowledge; phonics; advanced phonics; vocabulary and oral language;
 27 fluency; comprehension; spelling and writing; and the organization
 28 of language.

29 (e) Support educators in understanding how to effectively use



1 screening, progress monitoring, and diagnostic assessment data to
2 improve literacy outcomes through prevention and intervention for
3 reading difficulties in a multi-tiered system of supports. The
4 multi-tiered system of supports must include at least all of the
5 following essential components:

6 (i) Team-based leadership.

7 (ii) A tiered delivery system.

8 (iii) Selection and implementation of instruction,
9 interventions, and supports.

10 (iv) A comprehensive screening and assessment system.

11 (v) Continuous data-based decision making.

12 (12) Notwithstanding section 17b, the department shall make
13 payments made under subsections (7) and (8) on a schedule
14 determined by the department.

15 (13) As used in this section:

16 (a) "Dyslexia" means both of the following:

17 (i) A specific learning disorder that is neurobiological in
18 origin and characterized by difficulties with accurate or fluent
19 word recognition and by poor spelling and decoding abilities that
20 typically result from a deficit in the phonological component of
21 language that is often unexpected in relation to other cognitive
22 abilities and the provision of effective classroom instruction.

23 (ii) A specific learning disorder that may include secondary
24 consequences, such as problems in reading comprehension and a
25 reduced reading experience that can impede the growth of vocabulary
26 and background knowledge and lead to social, emotional, and
27 behavioral difficulties.

28 (b) "Evidence-based" means an activity, program, process,
29 service, strategy, or intervention that demonstrates statistically



1 significant effects on improving pupil outcomes or other relevant
2 outcomes and that meets at least both of the following:

3 (i) At least 1 of the following:

4 (A) Is based on strong evidence from at least 1 well-designed
5 and well-implemented experimental study.

6 (B) Is based on moderate evidence from at least 1 well-
7 designed and well-implemented quasi-experimental study.

8 (C) Is based on promising evidence from at least 1 well-
9 designed and well-implemented correlational study with statistical
10 controls for selection bias.

11 (D) Demonstrates a rationale based on high-quality research
12 findings or positive evaluation that the activity, program,
13 process, service, strategy, or intervention is likely to improve
14 pupil outcomes or other relevant outcomes.

15 (ii) Includes ongoing efforts to examine the effects of the
16 activity, program, process, service, strategy, or intervention.

17 (c) "Explicit" means direct and deliberate instruction through
18 continuous pupil-teacher interaction that includes teacher
19 modeling, guided practice, and independent practice.

20 (d) "Fluency" means the ability to read with speed, accuracy,
21 and proper expression.

22 (e) "Multi-tiered system of supports" means a comprehensive
23 framework that includes 3 distinct tiers of instructional support
24 and is composed of a collection of evidence-based strategies
25 designed to meet the individual needs and assets of a whole pupil
26 at all achievement levels.

27 (f) "Phonemic awareness" means the conscious awareness of all
28 of the following:

29 (i) Individual speech sounds, including, but not limited to,



1 consonants and vowels, in spoken syllables.

2 (ii) The ability to consciously manipulate through, including,
3 but not limited to, matching, blending, segmenting, deleting, or
4 substituting, individual speech sounds described in subparagraph
5 (i).

6 (iii) All levels of the speech sound system, including, but not
7 limited to, word boundaries, rhyme recognition, stress patterns,
8 syllables, onset-rime units, and phonemes.

9 (g) "Phonological" means relating to the system of contrastive
10 relationships among the speech sounds that constitute the
11 fundamental components of a language.

12 (h) "Progress monitoring" means the assessing of students'
13 academic performance, quantifying students' rates of improvement or
14 progress toward goals, and determining how students are responding
15 to instruction.

16 (i) "Rapid automatized naming (RAN)" means a task that
17 measures how quickly individuals can name objects; pictures;
18 colors; or symbols, including letters and digits, aloud, which can
19 predict later reading abilities for preliterate children.

20 Sec. 35d. (1) From the general fund money appropriated under
21 section 11, for ~~2021-2022,~~ **2022-2023 only**, there is allocated an
22 amount not to exceed \$1,000,000.00 for the department to provide
23 grants to districts and intermediate districts for the purchase of
24 1 or more components or trainings through an eligible teacher
25 training program for children with dyslexia from a provider of an
26 eligible teacher training program for children with dyslexia as
27 provided under this section.

28 (2) A provider that provides programming that meets all of the
29 following is considered to be a provider of an eligible teacher



1 training program for purposes of this section:

2 (a) Allows teachers to incorporate the 5 components essential
3 to an effective reading program into their daily lessons. The 5
4 components described in this subdivision are phonemic awareness,
5 phonics, vocabulary, fluency, and comprehension.

6 (b) Trains educators to teach reading using a proven,
7 multisensory approach.

8 (c) Educates teachers on how to explicitly and effectively
9 teach reading to beginning readers.

10 (d) Breaks reading and spelling down into smaller skills
11 involving letters and sounds, and then builds on these skills over
12 time.

13 (e) Uses multisensory teaching strategies to teach reading by
14 using sight, hearing, touch, and movement to help students connect
15 and learn the concepts being taught.

16 (3) Districts and intermediate districts may apply to the
17 department for grants to purchase components or training through an
18 eligible teacher training program from a provider of an eligible
19 teacher training program, and, upon receiving an application but
20 except as otherwise provided in this subsection, the department
21 shall make payments to districts and intermediate districts for
22 those purchases. The department shall make payments under this
23 section on a first-come, first-served basis until funds are
24 depleted.

25 Sec. 35f. From the general fund money appropriated in section
26 11, there is allocated for ~~2021-2022-2022-2023~~ **only** an amount not
27 to exceed ~~\$750,000.00~~ **\$1,000,000.00** for the department to award to
28 the Chaldean ~~community foundation~~ **Community Foundation**. The
29 Chaldean ~~community foundation~~ **Community Foundation** shall use funds



1 received under this section to support and expand early childhood
2 learning opportunities, improve early literacy achievement,
3 increase high school graduation rates for new Americans, and assist
4 with diploma acquisition, skills training, and postsecondary
5 education.

6 Sec. 35g. (1) From the state school aid fund money
7 appropriated in section 11, there is allocated an amount not to
8 exceed \$1,000,000.00 for ~~2021-2022~~**2022-2023 only** for competitive
9 grants to eligible districts that have established innovative
10 community libraries.

11 (2) A district that has established an innovative community
12 library that meets all of the following is an eligible district
13 under this section:

14 (a) The library provides for the engagement and connection of
15 readers.

16 (b) The library provides for resources that are used to
17 further reading skills.

18 (c) The library provides for the involvement of community
19 volunteers and donations.

20 (3) An eligible district may partner with an existing library
21 to provide an innovative community library described in subsection
22 (2).

23 (4) For the purpose of this section, an innovative community
24 library described in subsection (2) does not need to be in a
25 physical building.

26 (5) To receive funding under this section, an eligible
27 district must apply for the funding to the department's innovation
28 council, in a form and manner prescribed by the department's
29 innovation council, by not later than March 15 ~~, 2022.~~**of each**



1 **fiscal year in which funding is allocated under this section.** The
2 department's innovation council must develop an application process
3 for the submission of applications for funding under this section
4 by not later than December 15 ~~, 2021.~~ **of each fiscal year in which**
5 **funding is allocated under this section.** The department's
6 innovation council must score applications and award up to 20
7 grants under this section based on the following criteria by not
8 later than July 15 ~~, 2022.~~ **of each fiscal year in which funding is**
9 **allocated under this section:**

10 (a) How the innovative community library has addressed early
11 childhood literacy gaps.

12 (b) How community partners of the innovative community library
13 have engaged in addressing literacy gaps.

14 (c) How the innovative community library has connected
15 different readers together.

16 (d) How the innovative community library will promote its
17 approach to other districts or communities in addressing early
18 literacy gaps.

19 (6) The grant awards under subsection (5) must be ranked in a
20 manner in which there are 2 first-place grant awards, 2 second-
21 place grant awards, 2 third-place grant awards, 2 fourth-place
22 grant awards, 2 fifth-place grant awards, 2 sixth-place grant
23 awards, 2 seventh-place grant awards, 2 eighth-place grant awards,
24 2 ninth-place grant awards, and 2 tenth-place grant awards. The
25 first-place grant awards described in this subsection must receive
26 the highest award of funding under this section and the amount of
27 funding awarded under this section must decline sequentially with
28 each numerical-place award described in this subsection, with the
29 lowest award of funding under this section going to the tenth-place



1 grant award recipients.

2 (7) Notwithstanding section 17b, subject to subsection (5),
3 the department shall make payments to eligible districts under this
4 section on a schedule determined by the department.

5 Sec. 35h. From the general fund money appropriated in section
6 11, there is allocated for ~~2021-2022~~**2022-2023 only** an amount not
7 to exceed ~~\$1,700,000.00~~**\$500,000.00** to the Jewish Federation of
8 Metro Detroit to support day schools, day camps, and summer
9 programming to help mitigate the impact of remote learning on
10 students' mental health and physical well-being.

11 Sec. 39. (1) An eligible applicant receiving funds under
12 section 32d shall submit an application, in a form and manner
13 prescribed by the department, by a date specified by the department
14 in the immediately preceding fiscal year. An eligible applicant is
15 not required to amend the applicant's current accounting cycle or
16 adopt this state's fiscal year accounting cycle in accounting for
17 financial transactions under this section. The application must
18 include all of the following:

19 (a) The estimated total number of children in the community
20 who meet the criteria of section 32d, as provided to the applicant
21 by the department utilizing the most recent population data
22 available from the American Community Survey conducted by the
23 United States Census Bureau. The department shall ensure that it
24 provides updated American Community Survey population data at least
25 once every 3 years.

26 (b) The estimated number of children in the community who meet
27 the criteria of section 32d and are being served exclusively by
28 Head Start programs operating in the community.

29 (c) The number of children whom the applicant has the capacity



1 to serve who meet the criteria of section 32d including a
2 verification of physical facility and staff resources capacity.

3 (2) After notification of funding allocations, an applicant
4 receiving funds under section 32d shall also submit an
5 implementation plan for approval, in a form and manner prescribed
6 by the department, by a date specified by the department, that
7 details how the applicant complies with the program components
8 established by the department ~~pursuant to~~ **under** section 32d.

9 (3) The initial allocation to each eligible applicant under
10 section 32d is the lesser of the following:

11 (a) The sum of the number of children served in a school-day
12 program in the preceding school year multiplied by ~~\$8,700.00~~
13 **\$9,150.00** and the number of children served in a GSRP/Head Start
14 blended program or a part-day program in the preceding school year
15 multiplied by ~~\$4,350.00~~ **\$4,575.00**.

16 (b) The sum of the number of children the applicant has the
17 capacity to serve in the current school year in a school-day
18 program multiplied by ~~\$8,700.00~~ **\$9,150.00** and the number of
19 children served in a GSRP/Head Start blended program or a part-day
20 program the applicant has the capacity to serve in the current
21 school year multiplied by ~~\$4,350.00~~ **\$4,575.00**.

22 (4) If funds remain after the allocations under subsection
23 (3), the department shall distribute the remaining funds to each
24 intermediate district or consortium of intermediate districts that
25 serves less than the state percentage benchmark determined under
26 subsection (5). The department shall distribute these remaining
27 funds to each eligible applicant based upon each applicant's
28 proportionate share of the remaining unserved children necessary to
29 meet the statewide percentage benchmark in intermediate districts



1 or consortia of intermediate districts serving less than the
2 statewide percentage benchmark. When all applicants have been given
3 the opportunity to reach the statewide percentage benchmark, the
4 statewide percentage benchmark may be reset, as determined by the
5 department, until greater equity of opportunity to serve eligible
6 children across all intermediate school districts has been
7 achieved.

8 (5) For the purposes of subsection (4), the department shall
9 calculate a percentage of children served by each intermediate
10 district or consortium of intermediate districts by adding the
11 number of children served in the immediately preceding year by that
12 intermediate district or consortium with the number of eligible
13 children under section 32d served exclusively by head start, as
14 reported in a form and manner prescribed by the department, within
15 the intermediate district or consortia service area and dividing
16 that total by the total number of children within the intermediate
17 district or consortium of intermediate districts who meet the
18 criteria of section 32d as determined by the department utilizing
19 the most recent population data available from the American
20 Community Survey conducted by the United States Census Bureau. The
21 department shall compare the resulting percentage of eligible
22 children served to a statewide percentage benchmark to determine if
23 the intermediate district or consortium is eligible for additional
24 funds under subsection (4). The statewide percentage benchmark is
25 100%.

26 (6) If, taking into account the total amount to be allocated
27 to the applicant as calculated under this section, an applicant
28 determines that it is able to include additional eligible children
29 in the great start readiness program without additional funds under



1 section 32d, the applicant may include additional eligible children
 2 but does not receive additional funding under section 32d for those
 3 children.

4 (7) The department shall review the program components under
 5 section 32d and under this section at least biennially. The
 6 department also shall convene a committee of internal and external
 7 stakeholders at least once every 5 years to ensure that the funding
 8 structure under this section reflects current system needs under
 9 section 32d.

10 (8) As used in this section, "GSRP/Head Start blended
 11 program", "part-day program", and "school-day program" mean those
 12 terms as defined in section 32d.

13 ~~(9) For the 2020-2021 program year only, the number of~~
 14 ~~children reported on the application described in subsection~~
 15 ~~(1)(a), (b), and (c) must not be used by the department for the~~
 16 ~~purpose of calculating hold harmless funding levels for 2021-2022.~~
 17 ~~Hold harmless funding for 2021-2022 must be determined based on the~~
 18 ~~2019-2020 final allocations calculated and paid under section 32d~~
 19 ~~in 2019-2020.~~

20 Sec. 39a. (1) From the federal funds appropriated in section
 21 11, there is allocated for ~~2020-2021 to districts, intermediate~~
 22 ~~districts, and other eligible entities all available federal~~
 23 ~~funding, estimated at \$752,300,000.00 and there is allocated for~~
 24 ~~2021-2022-2022-2023~~ to districts, intermediate districts, and other
 25 eligible entities all available federal funding, estimated at
 26 \$752,300,000.00, for the federal programs under the no child left
 27 behind act of 2001, Public Law 107-110, or the every student
 28 succeeds act, Public Law 114-95. These funds are allocated as
 29 follows:



1 (a) An amount estimated at ~~\$1,200,000.00 for 2020-2021 and~~
2 ~~estimated at \$1,200,000.00 for 2021-2022-2022-2023~~ to provide
3 students with drug- and violence-prevention programs and to
4 implement strategies to improve school safety, funded from DED-
5 OESE, drug-free schools and communities funds.

6 (b) An amount estimated at ~~\$100,000,000.00 for 2020-2021 and~~
7 ~~estimated at \$100,000,000.00 for 2021-2022-2022-2023~~ for the
8 purpose of preparing, training, and recruiting high-quality
9 teachers and class size reduction, funded from DED-OESE, improving
10 teacher quality funds.

11 (c) An amount estimated at ~~\$13,000,000.00 for 2020-2021 and~~
12 ~~estimated at \$13,000,000.00 for 2021-2022-2022-2023~~ for programs to
13 teach English to limited English proficient (LEP) children, funded
14 from DED-OESE, language acquisition state grant funds.

15 (d) An amount estimated at ~~\$2,800,000.00 for 2020-2021 and~~
16 ~~estimated at \$2,800,000.00 for 2021-2022-2022-2023~~ for rural and
17 low-income schools, funded from DED-OESE, rural and low income
18 school funds.

19 (e) An amount estimated at ~~\$535,000,000.00 for 2020-2021 and~~
20 ~~estimated at \$535,000,000.00 for 2021-2022-2022-2023~~ to provide
21 supplemental programs to enable educationally disadvantaged
22 children to meet challenging academic standards, funded from DED-
23 OESE, title I, disadvantaged children funds.

24 (f) An amount estimated at ~~\$9,200,000.00 for 2020-2021 and~~
25 ~~estimated at \$9,200,000.00 for 2021-2022-2022-2023~~ for the purpose
26 of identifying and serving migrant children, funded from DED-OESE,
27 title I, migrant education funds.

28 (g) An amount estimated at ~~\$39,000,000.00 for 2020-2021 and~~
29 ~~estimated at \$39,000,000.00 for 2021-2022-2022-2023~~ for the purpose



1 of providing high-quality extended learning opportunities, after
2 school and during the summer, for children in low-performing
3 schools, funded from DED-OESE, twenty-first century community
4 learning center funds.

5 (h) An amount estimated at ~~\$14,000,000.00 for 2020-2021 and~~
6 ~~estimated at \$14,000,000.00 for 2021-2022-2022-2023~~ to help support
7 local school improvement efforts, funded from DED-OESE, title I,
8 local school improvement grants.

9 (i) An amount estimated at ~~\$35,000,000.00 for 2020-2021 and~~
10 ~~estimated at \$35,000,000.00 for 2021-2022-2022-2023~~ to improve the
11 academic achievement of students, funded from DED-OESE, title IV,
12 student support and academic enrichment grants.

13 (j) An amount estimated at ~~\$3,100,000.00 for 2020-2021 and~~
14 ~~estimated at \$3,100,000.00 for 2021-2022-2022-2023~~ for literacy
15 programs that advance literacy skills for students from birth
16 through grade 12, including, but not limited to, English-proficient
17 students and students with disabilities, funded from DED-OESE,
18 striving readers comprehensive literacy program.

19 (2) From the federal funds appropriated in section 11, there
20 is allocated to districts, intermediate districts, and other
21 eligible entities all available federal funding, estimated at
22 ~~\$77,867,000.00 for 2020-2021 and estimated at \$56,500,000.00 for~~
23 ~~2021-2022-2022-2023~~ for the following programs that are funded by
24 federal grants:

25 (a) An amount estimated at ~~\$24,367,000.00 for 2020-2021 and~~
26 ~~estimated at \$3,000,000.00 for 2021-2022-2022-2023~~ to provide
27 services to homeless children and youth, funded from DED-OVAE,
28 homeless children and youth funds.

29 (b) An amount estimated at ~~\$24,000,000.00 for 2020-2021 and~~



1 ~~estimated at \$24,000,000.00 for 2021-2022-2022-2023~~ for providing
2 career and technical education services to pupils, funded from DED-
3 OVAE, basic grants to states.

4 (c) An amount estimated at ~~\$14,000,000.00 for 2020-2021 and~~
5 ~~estimated at \$14,000,000.00 for 2021-2022-2022-2023~~ for the
6 Michigan charter school subgrant program, funded from DED-OII,
7 public charter schools program funds.

8 (d) An amount estimated at ~~\$14,000,000.00 for 2020-2021 and~~
9 ~~estimated at \$14,000,000.00 for 2021-2022-2022-2023~~ for the purpose
10 of promoting and expanding high-quality preschool services, funded
11 from HHS-OCC, preschool development funds.

12 (e) An amount estimated at ~~\$1,500,000.00 for 2020-2021 and~~
13 ~~estimated at \$1,500,000.00 for 2021-2022-2022-2023~~ for the purpose
14 of addressing priority substance abuse treatment, prevention, and
15 mental health needs, funded from HHS-SAMHSA.

16 (3) The department shall distribute all federal funds
17 allocated under this section in accordance with federal law and
18 with flexibility provisions outlined in Public Law 107-116, and in
19 the education flexibility partnership act of 1999, Public Law 106-
20 25. Notwithstanding section 17b, the department shall make payments
21 of federal funds to districts, intermediate districts, and other
22 eligible entities under this section on a schedule determined by
23 the department.

24 (4) For the purposes of applying for federal grants
25 appropriated under this article, the department shall allow an
26 intermediate district to submit a consortium application on behalf
27 of 2 or more districts with the agreement of those districts as
28 appropriate according to federal rules and guidelines.

29 (5) For the purposes of funding federal title I grants under



1 this article, in addition to any other federal grants for which the
 2 strict discipline academy is eligible, the department shall
 3 allocate to a strict discipline academy out of title I, part A an
 4 amount equal to what the strict discipline academy would have
 5 received if included and calculated under title I, part D, or what
 6 it would receive under the formula allocation under title I, part
 7 A, whichever is greater.

8 (6) As used in this section:

9 (a) "DED" means the United States Department of Education.

10 (b) "DED-OESE" means the DED Office of Elementary and
 11 Secondary Education.

12 (c) "DED-OII" means the DED Office of Innovation and
 13 Improvement.

14 (d) "DED-OVAE" means the DED Office of Vocational and Adult
 15 Education.

16 (e) "HHS" means the United States Department of Health and
 17 Human Services.

18 (f) "HHS-OCC" means the HHS Office of Child Care.

19 (g) "HHS-SAMHSA" means the HHS Substance Abuse and Mental
 20 Health Services Project.

21 Sec. 41. (1) For a district to be eligible to receive funding
 22 under this section, the district must administer to English
 23 language learners the English language proficiency assessment known
 24 as the "WIDA ACCESS for English language learners" or the "WIDA
 25 Alternate ACCESS". From the state school aid fund money
 26 appropriated in section 11, there is allocated an amount not to
 27 exceed ~~\$25,200,000.00~~ **\$26,511,000.00** for ~~2021-2022-2022-2023~~ for
 28 payments to eligible districts for services for English language
 29 learners who have been administered the WIDA ACCESS for English



1 language learners.

2 (2) The department shall distribute funding allocated under
3 subsection (1) to eligible districts based on the number of full-
4 time equivalent English language learners as follows:

5 (a) ~~\$935.00~~ **\$984.00** per full-time equivalent English language
6 learner who has been assessed under the WIDA ACCESS for English
7 language learners or the WIDA Alternate ACCESS with a WIDA ACCESS
8 or WIDA Alternate ACCESS composite score between 1.0 and 1.9, or
9 less, as applicable to each assessment.

10 (b) ~~\$645.00~~ **\$679.00** per full-time equivalent English language
11 learner who has been assessed under the WIDA ACCESS for English
12 language learners or the WIDA Alternate ACCESS with a WIDA ACCESS
13 or WIDA Alternate ACCESS composite score between 2.0 and 2.9, or
14 less, as applicable to each assessment.

15 (c) ~~\$105.00~~ **\$111.00** per full-time equivalent English language
16 learner who has been assessed under the WIDA ACCESS for English
17 language learners or the WIDA Alternate ACCESS with a WIDA ACCESS
18 or WIDA Alternate ACCESS composite score between 3.0 and 3.9, or
19 less, as applicable to each assessment.

20 (3) If funds allocated under subsection (1) are insufficient
21 to fully fund the payments as prescribed under subsection (2), the
22 department shall prorate payments on an equal percentage basis,
23 with the same percentage proration applied to all funding
24 categories.

25 (4) Each district receiving funds under subsection (1) shall
26 submit to the department by July 15 of each fiscal year a report,
27 not to exceed 10 pages, on the usage by the district of funds under
28 subsection (1) in a form and manner determined by the department,
29 including a brief description of each program conducted or services



1 performed by the district using funds under subsection (1) and the
2 amount of funds under subsection (1) allocated to each of those
3 programs or services. If a district does not comply with this
4 subsection, the department shall withhold an amount equal to the
5 August payment due under this section until the district complies
6 with this subsection. If the district does not comply with this
7 subsection by the end of the fiscal year, the withheld funds are
8 forfeited to the **state** school aid fund.

9 (5) In order to receive funds under subsection (1), a district
10 must allow access for the department or the department's designee
11 to audit all records related to the program for which it receives
12 those funds. The district shall reimburse this state for all
13 disallowances found in the audit.

14 (6) Beginning July 1, 2020, and every 3 years thereafter, the
15 department shall review the per-pupil distribution under subsection
16 (2), to ensure that funding levels are appropriate and make
17 recommendations for adjustments to the members of the senate and
18 house subcommittees on K-12 school aid appropriations.

19 **Sec. 41b. From the state school aid fund money appropriated in**
20 **section 11, there is allocated for 2022-2023 only an amount not to**
21 **exceed \$1,250,000.00 for KEYS Grace Academy to, in partnership with**
22 **Kalasho Education and Youth Services, provide English-as-a-second-**
23 **language services, provide early childhood learning, improve**
24 **progress toward high school graduation attainment, and provide K to**
25 **12 education-support services to legal immigrants, including, but**
26 **not limited to, those individuals who recently arrived to the**
27 **United States from Afghanistan with an application before the**
28 **United States Department of Homeland Security for temporary**
29 **protected status or federal humanitarian parole.**



1 Sec. 51a. (1) From the state school aid fund money in section
2 11, there is allocated an amount not to exceed ~~\$1,079,296,100.00~~
3 **\$1,089,096,100.00** for ~~2020-2021-2021-2022~~ and there is allocated an
4 amount not to exceed ~~\$1,123,696,100.00~~ **\$1,460,503,100.00** for ~~2021-~~
5 ~~2022-2022-2023~~ from state sources and all available federal funding
6 under sections 1411 to 1419 of part B of the individuals with
7 disabilities education act, 20 USC 1411 to 1419, estimated at
8 ~~\$456,752,000.00~~ **\$380,000,000.00** for ~~2020-2021-2021-2022~~ and
9 ~~\$380,000,000.00~~ **\$390,000,000.00** for ~~2021-2022,~~ **2022-2023**, plus any
10 carryover federal funds from previous year appropriations. The
11 allocations under this subsection are for the purpose of
12 reimbursing districts and intermediate districts for special
13 education programs, services, and special education personnel as
14 prescribed in article 3 of the revised school code, MCL 380.1701 to
15 380.1761; net tuition payments made by intermediate districts to
16 the Michigan Schools for the Deaf and Blind; and special education
17 programs and services for pupils who are eligible for special
18 education programs and services according to statute or rule. For
19 meeting the costs of special education programs and services not
20 reimbursed under this article, a district or intermediate district
21 may use money in general funds or special education funds, not
22 otherwise restricted, or contributions from districts to
23 intermediate districts, tuition payments, gifts and contributions
24 from individuals or other entities, or federal funds that may be
25 available for this purpose, as determined by the intermediate
26 district plan prepared under article 3 of the revised school code,
27 MCL 380.1701 to 380.1761. Notwithstanding section 17b, the
28 department shall make payments of federal funds to districts,
29 intermediate districts, and other eligible entities under this



1 section on a schedule determined by the department.

2 (2) From the funds allocated under subsection (1), there is
3 allocated the amount necessary, estimated at ~~\$319,000,000.00~~
4 **\$311,800,000.00** for ~~2020-2021-2021-2022~~ and estimated at
5 ~~\$332,000,000.00~~ **\$323,300,000.00** for ~~2021-2022, 2022-2023~~, for
6 payments toward reimbursing districts and intermediate districts
7 for 28.6138% of total approved costs of special education,
8 excluding costs reimbursed under section 53a, and 70.4165% of total
9 approved costs of special education transportation. Allocations
10 under this subsection are made as follows:

11 (a) For 2021-2022, the department shall calculate the initial
12 amount allocated to a district under this subsection toward
13 fulfilling the specified percentages by multiplying the district's
14 special education pupil membership, excluding pupils described in
15 subsection (11), times the foundation allowance under section 20 of
16 the pupil's district of residence, plus the amount of the
17 district's per-pupil allocation under section 20m, not to exceed
18 the target foundation allowance for the current fiscal year, or,
19 for a special education pupil in membership in a district that is a
20 public school academy, times an amount equal to the amount per
21 membership pupil calculated under section 20(6). For an
22 intermediate district, the amount allocated under this subdivision
23 toward fulfilling the specified percentages is an amount per
24 special education membership pupil, excluding pupils described in
25 subsection (11), and is calculated in the same manner as for a
26 district, using the foundation allowance under section 20 of the
27 pupil's district of residence, not to exceed the target foundation
28 allowance for the current fiscal year, and that district's per-
29 pupil allocation under section 20m.



1 **(b)** ~~(a)~~ **For 2022-2023, the** department shall calculate the
 2 initial amount allocated to a district under this subsection toward
 3 fulfilling the specified percentages by multiplying the district's
 4 special education pupil membership, excluding pupils described in
 5 subsection (11), times **25% of** the foundation allowance under
 6 section 20 of the pupil's district of residence, plus **25% of** the
 7 amount of the district's per-pupil allocation under section 20m,
 8 not to exceed **25% of** the target foundation allowance for the
 9 current fiscal year, or, for a special education pupil in
 10 membership in a district that is a public school academy, times an
 11 amount equal to **25% of** the amount per membership pupil calculated
 12 under section 20(6). For an intermediate district, the amount
 13 allocated under this subdivision toward fulfilling the specified
 14 percentages is an amount per special education membership pupil,
 15 excluding pupils described in subsection (11), and is calculated in
 16 the same manner as for a district, using **25% of** the foundation
 17 allowance under section 20 of the pupil's district of residence,
 18 not to exceed **25% of** the target foundation allowance for the
 19 current fiscal year, and that district's per-pupil allocation under
 20 section 20m.

21 **(c)** ~~(b)~~ After the allocations under subdivision (a) **or (b), as**
 22 **applicable,** the department shall pay a district or intermediate
 23 district for which the payments calculated under subdivision (a) do
 24 not fulfill the specified percentages the amount necessary to
 25 achieve the specified percentages for the district or intermediate
 26 district.

27 (3) From the funds allocated under subsection (1), there is
 28 allocated for ~~2020-2021~~ **2021-2022** an amount not to exceed
 29 \$1,000,000.00 and there is allocated for ~~2021-2022~~ **2022-2023** an



1 amount not to exceed \$1,000,000.00 to make payments to districts
 2 and intermediate districts under this subsection. If the amount,
 3 **for 2021-2022**, -allocated to a district or intermediate district
 4 for ~~a~~**the** fiscal year under subsection ~~(2)(b)~~**(2)(c) or, for 2022-**
 5 **2023, the amount, equal to the amount necessary to fulfill the**
 6 **specified percentages minus (the sum of the amounts calculated**
 7 **under subsection (2)(a) plus the amount received under section**
 8 **51e)**, is less than the sum of the amounts allocated to the district
 9 or intermediate district for 1996-97 under sections 52 and 58,
 10 there is allocated to the district or intermediate district for the
 11 fiscal year an amount equal to that difference, adjusted by
 12 applying the same proration factor that was used in the
 13 distribution of funds under section 52 in 1996-97 as adjusted to
 14 the district's or intermediate district's necessary costs of
 15 special education used in calculations for the fiscal year. This
 16 adjustment is to reflect reductions in special education program
 17 operations or services between 1996-97 and subsequent fiscal years.
 18 The department shall make adjustments for reductions in special
 19 education program operations or services in a manner determined by
 20 the department and shall include adjustments for program or service
 21 shifts.

22 (4) If the department determines that the sum of the amounts
 23 allocated for a fiscal year to a district or intermediate district
 24 under subsection (2)(a) and (b) is not sufficient to fulfill the
 25 specified percentages in subsection (2), then the department shall
 26 pay the shortfall to the district or intermediate district during
 27 the fiscal year beginning on the October 1 following the
 28 determination and shall adjust payments under subsection (3) as
 29 necessary. If the department determines that the sum of the amounts



1 allocated for a fiscal year to a district or intermediate district
2 under subsection (2)(a) and (b) exceeds the sum of the amount
3 necessary to fulfill the specified percentages in subsection (2),
4 then the department shall deduct the amount of the excess from the
5 district's or intermediate district's payments under this article
6 for the fiscal year beginning on the October 1 following the
7 determination and shall adjust payments under subsection (3) as
8 necessary. However, **for 2021-2022 only**, if the amount allocated
9 under subsection (2)(a) in itself exceeds the amount necessary to
10 fulfill the specified percentages in subsection (2), there is no
11 deduction under this subsection.

12 (5) State funds are allocated on a total approved cost basis.
13 Federal funds are allocated under applicable federal requirements.

14 (6) From the amount allocated in subsection (1), there is
15 allocated an amount not to exceed \$2,200,000.00 for ~~2020-2021-2021-~~
16 **2022** and there is allocated an amount not to exceed \$2,200,000.00
17 for ~~2021-2022-2022-2023~~ to reimburse 100% of the net increase in
18 necessary costs incurred by a district or intermediate district in
19 implementing the revisions in the administrative rules for special
20 education that became effective on July 1, 1987. As used in this
21 subsection, "net increase in necessary costs" means the necessary
22 additional costs incurred solely because of new or revised
23 requirements in the administrative rules minus cost savings
24 permitted in implementing the revised rules. The department shall
25 determine net increase in necessary costs in a manner specified by
26 the department.

27 (7) For purposes of this section and sections 51b to 58, all
28 of the following apply:

29 (a) "Total approved costs of special education" are determined



1 in a manner specified by the department and may include indirect
2 costs, but must not exceed 115% of approved direct costs for
3 section 52 and section 53a programs. The total approved costs
4 include salary and other compensation for all approved special
5 education personnel for the program, including payments for Social
6 Security and Medicare and public school employee retirement system
7 contributions. The total approved costs do not include salaries or
8 other compensation paid to administrative personnel who are not
9 special education personnel as that term is defined in section 6 of
10 the revised school code, MCL 380.6. Costs reimbursed by federal
11 funds, other than those federal funds included in the allocation
12 made under this article, are not included. Special education
13 approved personnel not utilized full time in the evaluation of
14 students or in the delivery of special education programs,
15 ancillary, and other related services are reimbursed under this
16 section only for that portion of time actually spent providing
17 these programs and services, with the exception of special
18 education programs and services provided to youth placed in child
19 caring institutions or juvenile detention programs approved by the
20 department to provide an on-grounds education program.

21 (b) ~~Beginning with the 2004-2005 fiscal year, a~~ **A** district or
22 intermediate district that employed special education support
23 services staff to provide special education support services in
24 2003-2004 or in a subsequent fiscal year and that in a fiscal year
25 after 2003-2004 receives the same type of support services from
26 another district or intermediate district shall report the cost of
27 those support services for special education reimbursement purposes
28 under this article. This subdivision does not prohibit the transfer
29 of special education classroom teachers and special education



1 classroom aides if the pupils counted in membership associated with
2 those special education classroom teachers and special education
3 classroom aides are transferred and counted in membership in the
4 other district or intermediate district in conjunction with the
5 transfer of those teachers and aides.

6 (c) If the department determines before bookclosing for a
7 fiscal year that the amounts allocated for that fiscal year under
8 subsections (2), (3), (6), and (11) and sections 53a, 54, and 56
9 will exceed expenditures for that fiscal year under subsections
10 (2), (3), (6), and (11) and sections 53a, 54, and 56, then for a
11 district or intermediate district whose reimbursement for that
12 fiscal year would otherwise be affected by subdivision (b),
13 subdivision (b) does not apply to the calculation of the
14 reimbursement for that district or intermediate district and the
15 department shall calculate reimbursement for that district or
16 intermediate district in the same manner as it was for 2003-2004.
17 If the amount of the excess allocations under subsections (2), (3),
18 (6), and (11) and sections 53a, 54, and 56 is not sufficient to
19 fully fund the calculation of reimbursement to those districts and
20 intermediate districts under this subdivision, then the department
21 shall prorate calculations and resulting reimbursement under this
22 subdivision on an equal percentage basis. ~~Beginning in 2015-2016,~~
23 ~~the~~**The** amount of reimbursement under this subdivision for a fiscal
24 year must not exceed \$2,000,000.00 for any district or intermediate
25 district.

26 (d) Reimbursement for ancillary and other related services, as
27 that term is defined by R 340.1701c of the Michigan Administrative
28 Code, is not provided when those services are covered by and
29 available through private group health insurance carriers or



1 federal reimbursed program sources unless the department and
2 district or intermediate district agree otherwise and that
3 agreement is approved by the state budget director. Expenses, other
4 than the incidental expense of filing, must not be borne by the
5 parent. In addition, the filing of claims must not delay the
6 education of a pupil. A district or intermediate district is
7 responsible for payment of a deductible amount and for an advance
8 payment required until the time a claim is paid.

9 (e) ~~Beginning with calculations for 2004-2005, if~~ **If** an
10 intermediate district purchases a special education pupil
11 transportation service from a constituent district that was
12 previously purchased from a private entity; if the purchase from
13 the constituent district is at a lower cost, adjusted for changes
14 in fuel costs; and if the cost shift from the intermediate district
15 to the constituent does not result in any net change in the revenue
16 the constituent district receives from payments under sections 22b
17 and 51c, then upon application by the intermediate district, the
18 department shall direct the intermediate district to continue to
19 report the cost associated with the specific identified special
20 education pupil transportation service and shall adjust the costs
21 reported by the constituent district to remove the cost associated
22 with that specific service.

23 (8) A pupil who is enrolled in a full-time special education
24 program conducted or administered by an intermediate district or a
25 pupil who is enrolled in the Michigan Schools for the Deaf and
26 Blind is not included in the membership count of a district, but is
27 counted in membership in the intermediate district of residence.

28 (9) Special education personnel transferred from 1 district to
29 another to implement the revised school code are entitled to the



1 rights, benefits, and tenure to which the ~~person~~**individual** would
2 otherwise be entitled had that ~~person~~**individual** been employed by
3 the receiving district originally.

4 (10) If a district or intermediate district uses money
5 received under this section for a purpose other than the purpose or
6 purposes for which the money is allocated, the department may
7 require the district or intermediate district to refund the amount
8 of money received. The department shall deposit money that is
9 refunded in the state treasury to the credit of the state school
10 aid fund.

11 (11) From the funds allocated in subsection (1), there is
12 allocated the amount necessary, estimated at ~~\$2,400,000.00~~
13 **\$1,500,000.00** for ~~2020-2021~~**2021-2022** and estimated at
14 ~~\$2,900,000.00~~**\$1,500,000.00** for ~~2021-2022,~~**2022-2023**, to pay the
15 foundation allowances for pupils described in this subsection. The
16 department shall calculate the allocation to a district under this
17 subsection by multiplying the number of pupils described in this
18 subsection who are counted in membership in the district times the
19 sum of the foundation allowance under section 20 of the pupil's
20 district of residence, plus the amount of the district's per-pupil
21 allocation under section 20m, not to exceed the target foundation
22 allowance for the current fiscal year, or, for a pupil described in
23 this subsection who is counted in membership in a district that is
24 a public school academy, times an amount equal to the amount per
25 membership pupil under section 20(6). The department shall
26 calculate the allocation to an intermediate district under this
27 subsection in the same manner as for a district, using the
28 foundation allowance under section 20 of the pupil's district of
29 residence not to exceed the target foundation allowance for the



1 current fiscal year and that district's per-pupil allocation under
2 section 20m. This subsection applies to all of the following
3 pupils:

4 (a) Pupils described in section 53a.

5 (b) Pupils counted in membership in an intermediate district
6 who are not special education pupils and are served by the
7 intermediate district in a juvenile detention or child caring
8 facility.

9 (c) Pupils with an emotional impairment counted in membership
10 by an intermediate district and provided educational services by
11 the department of health and human services.

12 (12) If it is determined that funds allocated under subsection
13 (2) or (11) or under section 51c will not be expended, funds up to
14 the amount necessary and available may be used to supplement the
15 allocations under subsection (2) or (11) or under section 51c in
16 order to fully fund those allocations. After payments under
17 subsections (2) and (11) and section 51c, the department shall
18 expend the remaining funds from the allocation in subsection (1) in
19 the following order:

20 (a) ~~100%~~ **One hundred percent** of the reimbursement required
21 under section 53a.

22 (b) ~~100%~~ **One hundred percent** of the reimbursement required
23 under subsection (6).

24 (c) ~~100%~~ **One hundred percent** of the payment required under
25 section 54.

26 (d) ~~100%~~ **One hundred percent** of the payment required under
27 subsection (3).

28 (e) ~~100%~~ **One hundred percent** of the payments under section 56.

29 (13) The allocations under subsections (2), (3), and (11) are



1 allocations to intermediate districts only and are not allocations
2 to districts, but instead are calculations used only to determine
3 the state payments under section 22b.

4 (14) If a public school academy that is not a cyber school, as
5 that term is defined in section 551 of the revised school code, MCL
6 380.551, enrolls under this section a pupil who resides outside of
7 the intermediate district in which the public school academy is
8 located and who is eligible for special education programs and
9 services according to statute or rule, or who is a child with a
10 disability, as that term is defined under the individuals with
11 disabilities education act, Public Law 108-446, the intermediate
12 district in which the public school academy is located and the
13 public school academy shall enter into a written agreement with the
14 intermediate district in which the pupil resides for the purpose of
15 providing the pupil with a free appropriate public education, and
16 the written agreement must include at least an agreement on the
17 responsibility for the payment of the added costs of special
18 education programs and services for the pupil. If the public school
19 academy that enrolls the pupil does not enter into an agreement
20 under this subsection, the public school academy shall not charge
21 the pupil's resident intermediate district or the intermediate
22 district in which the public school academy is located the added
23 costs of special education programs and services for the pupil, and
24 the public school academy is not eligible for any payouts based on
25 the funding formula outlined in the resident or nonresident
26 intermediate district's plan. If a pupil is not enrolled in a
27 public school academy under this subsection, the provision of
28 special education programs and services and the payment of the
29 added costs of special education programs and services for a pupil



1 described in this subsection are the responsibility of the district
2 and intermediate district in which the pupil resides.

3 (15) For the purpose of receiving its federal allocation under
4 part B of the individuals with disabilities education act, Public
5 Law 108-446, a public school academy that is a cyber school, as
6 that term is defined in section 551 of the revised school code, MCL
7 380.551, and is in compliance with section 553a of the revised
8 school code, MCL 380.553a, directly receives the federal allocation
9 under part B of the individuals with disabilities education act,
10 Public Law 108-446, from the intermediate district in which the
11 cyber school is located, as the subrecipient. If the intermediate
12 district does not distribute the funds described in this subsection
13 to the cyber school by the part B application due date of July 1,
14 the department may distribute the funds described in this
15 subsection directly to the cyber school according to the formula
16 prescribed in 34 CFR 300.705 and 34 CFR 300.816. **Beginning July 1,**
17 **2021, this subsection is subject to section 8c. It is the intent of**
18 **the legislature that the immediately preceding sentence apply**
19 **retroactively and is effective July 1, 2021.**

20 (16) For a public school academy that is a cyber school, as
21 that term is defined in section 551 of the revised school code, MCL
22 380.551, and is in compliance with section 553a of the revised
23 school code, MCL 380.553a, that enrolls a pupil under this section,
24 the intermediate district in which the cyber school is located
25 shall ensure that the cyber school complies with sections 1701a,
26 1703, 1704, 1751, 1752, 1756, and 1757 of the revised school code,
27 MCL 380.1701a, 380.1703, 380.1704, 380.1751, 380.1752, 380.1756,
28 and 380.1757; applicable rules; and the individuals with
29 disabilities education act, Public Law 108-446. **Beginning July 1,**



1 **2021, this subsection is subject to section 8c. It is the intent of**
2 **the legislature that the immediately preceding sentence apply**
3 **retroactively and is effective July 1, 2021.**

4 (17) For the purposes of this section, the department or the
5 center shall only require a district or intermediate district to
6 report information that is not already available from the financial
7 information database maintained by the center.

8 Sec. 51c. As required by the court in the consolidated cases
9 known as *Durant v State of Michigan*, 456 Mich 175 (1997), from the
10 allocation under section 51a(1), there is allocated for ~~2020-2021~~
11 **2021-2022** and for ~~2021-2022, 2022-2023~~, the amount necessary,
12 estimated at ~~\$702,500,000.00~~ **\$686,200,000.00** for ~~2020-2021-2021-~~
13 **2022** and ~~\$733,400,000.00~~ **\$709,900,000.00** for ~~2021-2022, 2022-2023~~,
14 for payments to reimburse districts for 28.6138% of total approved
15 costs of special education excluding costs reimbursed under section
16 53a, and 70.4165% of total approved costs of special education
17 transportation. Funds allocated under this section that are not
18 expended in the fiscal year for which they were allocated, as
19 determined by the department, may be used to supplement the
20 allocations under sections 22a and 22b to fully fund those
21 allocations for the same fiscal year. For each fund transfer as
22 described in the immediately preceding sentence that occurs, the
23 state budget director shall send notification of the transfer to
24 the house and senate appropriations subcommittees on state school
25 aid and the house and senate fiscal agencies by not later than 14
26 calendar days after the transfer occurs.

27 Sec. 51d. (1) From the federal funds appropriated in section
28 11, there is allocated for ~~2020-2021 all available federal funding,~~
29 ~~estimated at \$83,195,000.00, and there is allocated for 2021-2022~~



1 **2022-2023** all available federal funding, estimated at
 2 \$71,000,000.00, for special education programs and services that
 3 are funded by federal grants. The department shall distribute all
 4 federal funds allocated under this section in accordance with
 5 federal law. Notwithstanding section 17b, the department shall make
 6 payments of federal funds to districts, intermediate districts, and
 7 other eligible entities under this section on a schedule determined
 8 by the department.

9 (2) From the federal funds allocated under subsection (1), the
 10 following amounts are allocated:

11 (a) ~~For 2020-2021, an amount estimated at \$19,822,000.00 for~~
 12 ~~handicapped infants and toddlers, funded from DED-OSERS,~~
 13 ~~handicapped infants and toddlers funds. For 2021-2022, 2022-2023,~~
 14 an amount estimated at \$14,000,000.00 for handicapped infants and
 15 toddlers, funded from DED-OSERS, handicapped infants and toddlers
 16 funds.

17 (b) ~~For 2020-2021, an amount estimated at \$20,373,000.00 for~~
 18 ~~preschool grants under Public Law 94-142, funded from DED-OSERS,~~
 19 ~~handicapped preschool incentive funds. For 2021-2022, 2022-2023,~~ an
 20 amount estimated at \$14,000,000.00 for preschool grants under
 21 Public Law 94-142, funded from DED-OSERS, handicapped preschool
 22 incentive funds.

23 (c) ~~For 2020-2021 and for 2021-2022, 2022-2023,~~ an amount
 24 estimated at \$43,000,000.00 for special education programs funded
 25 by DED-OSERS, handicapped program, individuals with disabilities
 26 act funds.

27 (3) As used in this section, "DED-OSERS" means the United
 28 States Department of Education Office of Special Education and
 29 Rehabilitative Services.



1 Sec. 51e. (1) From the allocation under section 51a(1), there
2 is allocated for 2022-2023 the amount necessary, estimated at
3 \$336,207,000.00 for 2022-2023 for payments to districts and
4 intermediate districts for 75% of foundation allowance costs
5 associated with special education pupils.

6 (2) The department shall calculate the amount allocated to a
7 district under this section by multiplying the district's special
8 education pupil membership, excluding pupils described in section
9 51a(11), times 75% of the foundation allowance under section 20 of
10 the pupil's district of residence, plus 75% of the amount of the
11 district's per-pupil allocation under section 20m, not to exceed
12 75% of the target foundation allowance for the current fiscal year,
13 or, for a special education pupil in membership in a district that
14 is a public school academy, times an amount equal to 75% of the
15 amount per membership pupil calculated under section 20(6). For an
16 intermediate district, the amount allocated under this subsection
17 is an amount per special education membership pupil, excluding
18 pupils described in section 51a(11), and is calculated in the same
19 manner as for a district, using 75% of the foundation allowance
20 under section 20 of the pupil's district of residence, not to
21 exceed 75% of the target foundation allowance for the current
22 fiscal year, and 75% of that district's per-pupil allocation under
23 section 20m.

24 (3) In addition to the amount calculated in subsection (2),
25 there is allocated the difference between the amount received under
26 section 51f in the 2021-2022 fiscal year and the amount calculated
27 under subsection (2). If the calculated amount under subsection (2)
28 exceeds the amount received by the district or intermediate
29 district under section 51f for the 2021-2022 fiscal year, there is



1 **no payment calculated under this subsection.**

2 Sec. 51g. From the general fund money appropriated in section
3 11, \$3,000,000.00 is allocated for ~~2021-2022~~**2022-2023** to an
4 association for administrators of special education services to
5 develop content for use by special education students, teachers,
6 and others. Any content that is developed as described in this
7 section must be accessible throughout this state. Funds received by
8 an association under this section may be used to support the
9 development of assessment tools to measure the needs of students
10 with special education needs in remote learning environments and
11 the effectiveness of various educational methods and tools, in
12 collaboration with the department. Funds under this section may
13 also be utilized to identify any available federal funds for
14 research related to special education in remote learning.

15 Sec. 53a. (1) For districts, reimbursement for pupils
16 described in subsection (2) is 100% of the total approved costs of
17 operating special education programs and services approved by the
18 department and included in the intermediate district plan adopted
19 under article 3 of the revised school code, MCL 380.1701 to
20 380.1761, minus the district's foundation allowance calculated
21 under section 20 and minus the district's per-pupil allocation
22 under section 20m. For intermediate districts, the department shall
23 calculate reimbursement for pupils described in subsection (2) in
24 the same manner as for a district, using the foundation allowance
25 under section 20 of the pupil's district of residence, not to
26 exceed the target foundation allowance under section 20 for the
27 current fiscal year plus the amount of the district's per-pupil
28 allocation under section 20m.

29 (2) Reimbursement under subsection (1) is for the following



1 special education pupils:

2 (a) Pupils assigned to a district or intermediate district
3 through the community placement program of the courts or a state
4 agency, if the pupil was a resident of another intermediate
5 district at the time the pupil came under the jurisdiction of the
6 court or a state agency.

7 (b) Pupils who are residents of institutions operated by the
8 department of health and human services.

9 (c) Pupils who are former residents of department of community
10 health institutions for the developmentally disabled who are placed
11 in community settings other than the pupil's home.

12 (d) Pupils enrolled in a department-approved on-grounds
13 educational program longer than 180 days, but not longer than 233
14 days, at a residential child care institution, if the child care
15 institution offered in 1991-92 an on-grounds educational program
16 longer than 180 days but not longer than 233 days.

17 (e) Pupils placed in a district by a parent for the purpose of
18 seeking a suitable home, if the parent does not reside in the same
19 intermediate district as the district in which the pupil is placed.

20 (3) Only those costs that are clearly and directly
21 attributable to educational programs for pupils described in
22 subsection (2), and that would not have been incurred if the pupils
23 were not being educated in a district or intermediate district, are
24 reimbursable under this section.

25 (4) The costs of transportation are funded under this section
26 and are not reimbursed under section 58.

27 (5) The department shall not allocate more than \$10,500,000.00
28 of the allocation for ~~2021-2022~~ **2022-2023** in section 51a(1) under
29 this section.



1 Sec. 54. Each intermediate district receives an amount per
 2 pupil for each pupil in attendance at the Michigan Schools for the
 3 Deaf and Blind. The amount is proportionate to the total
 4 instructional cost at each school. The department shall not
 5 allocate more than \$1,688,000.00 of the allocation for ~~2021-2022~~
 6 **2022-2023** in section 51a(1) under this section.

7 Sec. 54b. (1) From the general fund money appropriated in
 8 section 11, there is allocated an amount not to exceed
 9 \$1,600,000.00 for ~~2021-2022~~**2022-2023** to continue the
 10 implementation of the recommendations of the special education
 11 reform task force published in January 2016.

12 (2) The department shall use funds allocated under this
 13 section for the purpose of piloting statewide implementation of the
 14 ~~Michigan Integrated Behavior and Learning Support Initiative~~
 15 ~~(MiBLSI)~~, **MiMTSS Center**, a nationally recognized program that
 16 includes positive behavioral intervention and supports and provides
 17 a statewide structure to support local initiatives for an
 18 integrated behavior and reading program. With the assistance of the
 19 intermediate districts involved in ~~MiBLSI~~, **the MiMTSS Center**, the
 20 department shall identify a number of intermediate districts to
 21 participate in the pilot that is sufficient to ensure that ~~MiBLSI~~
 22 **the MiMTSS Center** can be implemented statewide with fidelity and
 23 sustainability. In addition, the department shall identify an
 24 intermediate district to act as a fiscal agent for these funds.

25 (3) **As used in this section, "MiMTSS Center" means the**
 26 **Michigan Multi-Tiered System of Supports Center.**

27 Sec. 54d. (1) From the state school aid fund money
 28 appropriated in section 11, there is allocated an amount not to
 29 exceed ~~\$14,150,000.00~~ **\$21,250,000.00** for ~~2021-2022~~**2022-2023** to



1 intermediate districts for the purpose of providing state early on
2 services programs for children from birth to 3 years of age with a
3 developmental delay or a disability, or both, and their families,
4 as described in the early on Michigan state plan, as approved by
5 the department.

6 (2) To be eligible to receive grant funding under this
7 section, each intermediate district must apply in a form and manner
8 determined by the department.

9 (3) The grant funding allocated under this section must be
10 used to increase early on services and resources available to
11 children that demonstrate developmental delays to help prepare them
12 for success as they enter school. State early on services include
13 evaluating and providing early intervention services for eligible
14 infants and toddlers and their families to address developmental
15 delays, including those affecting physical, cognitive,
16 communication, adaptive, social, or emotional development. Grant
17 funds must not be used to supplant existing services that are
18 currently being provided.

19 (4) The department shall distribute the funds allocated under
20 subsection (1) to intermediate districts according to the
21 department's early on funding formula utilized to distribute the
22 federal award to Michigan under part C of the individuals with
23 disabilities education act, Public Law 108-446. Funds received
24 under this section must not supplant existing funds or resources
25 allocated for early on early intervention services. An intermediate
26 district receiving funds under this section shall maximize the
27 capture of Medicaid funds to support early on early intervention
28 services to the extent possible.

29 (5) Each intermediate district that receives funds under this



1 section shall report data and other information to the department
 2 in a form, manner, and frequency prescribed by the department to
 3 allow for monitoring and evaluation of the program and to ensure
 4 that the children described in subsection (1) received appropriate
 5 levels and types of services delivered by qualified personnel,
 6 based on the individual needs of the children and their families.

7 (6) Notwithstanding section 17b, the department shall make
 8 payments under this section on a schedule determined by the
 9 department.

10 (7) Grant funds awarded and allocated to an intermediate
 11 district under this section must be expended by the grant recipient
 12 before June 30 of the fiscal year immediately following the fiscal
 13 year in which the funds were received.

14 Sec. 55. (1) From the general fund money appropriated in
 15 section 11, there is allocated an amount not to exceed ~~\$250,000.00~~
 16 **\$300,000.00** for ~~2021-2022-2022-2023~~ **only** to the Conductive Learning
 17 Center ~~located at~~ **operating in cooperation with** Aquinas College.
 18 This funding must be used to support the operational costs of the
 19 conductive education model taught at the Conductive Learning Center
 20 to maximize the independence and mobility of children and adults
 21 with neuromotor disabilities. The conductive education model funded
 22 under this section must be based on the concept of neuroplasticity
 23 and the ability of people to learn and improve when they are
 24 motivated, regardless of the severity of their disability.

25 (2) Notwithstanding section 17b, the department shall
 26 distribute the funding allocated under this section to the
 27 Conductive Learning Center not later than December 1, ~~2021~~ **of each**
 28 **fiscal year for which funding is allocated under this section.**

29 Sec. 56. (1) For the purposes of this section:



1 (a) "Membership" means for a particular fiscal year the total
2 membership of the intermediate district and the districts
3 constituent to the intermediate district, except that if a district
4 has elected not to come under part 30 of the revised school code,
5 MCL 380.1711 to 380.1741, membership of the district is not
6 included in the membership of the intermediate district.

7 (b) "Millage levied" means the millage levied for special
8 education under part 30 of the revised school code, MCL 380.1711 to
9 380.1741, including a levy for debt service obligations.

10 (c) "Taxable value" means the total taxable value of the
11 districts constituent to an intermediate district, except that if a
12 district has elected not to come under part 30 of the revised
13 school code, MCL 380.1711 to 380.1741, taxable value of the
14 district is not included in the taxable value of the intermediate
15 district.

16 (2) From the allocation under section 51a(1), there is
17 allocated an amount not to exceed \$40,008,100.00 for ~~2020-2021~~
18 **2021-2022** and an amount not to exceed \$40,008,100.00 for ~~2021-2022~~
19 **2022-2023** to reimburse intermediate districts levying millages for
20 special education under part 30 of the revised school code, MCL
21 380.1711 to 380.1741. The purpose, use, and expenditure of the
22 reimbursement are limited as if the funds were generated by these
23 millages and governed by the intermediate district plan adopted
24 under article 3 of the revised school code, MCL 380.1701 to
25 380.1761. As a condition of receiving funds under this section, an
26 intermediate district distributing any portion of special education
27 millage funds to its constituent districts must submit for
28 departmental approval and implement a distribution plan.

29 (3) Except as otherwise provided in this subsection,



1 reimbursement for those millages levied in ~~2019-2020-2020-2021~~ is
 2 made in ~~2020-2021-2021-2022~~ at an amount per ~~2019-2020-2020-2021~~
 3 membership pupil computed by subtracting from ~~\$208,800.00~~
 4 **\$218,200.00** the ~~2019-2020-2020-2021~~ taxable value behind each
 5 membership pupil and multiplying the resulting difference by the
 6 ~~2019-2020-2020-2021~~ millage levied, and then subtracting from that
 7 amount the ~~2019-2020-2020-2021~~ local community stabilization share
 8 revenue for special education purposes behind each membership pupil
 9 for reimbursement of personal property exemption loss under the
 10 local community stabilization authority act, 2014 PA 86, MCL
 11 123.1341 to 123.1362. Reimbursement in ~~2020-2021-2021-2022~~ for an
 12 intermediate district whose 2017-2018 allocation was affected by
 13 the operation of subsection (5) is an amount equal to 102.5% of the
 14 2017-2018 allocation to that intermediate district.

15 (4) Except as otherwise provided in this subsection,
 16 reimbursement for those millages levied in ~~2020-2021-2021-2022~~ is
 17 made in ~~2021-2022-2022-2023~~ at an amount per ~~2020-2021-2021-2022~~
 18 membership pupil computed by subtracting from ~~\$215,900.00~~
 19 **\$229.600.00** the ~~2020-2021-2021-2022~~ taxable value behind each
 20 membership pupil and multiplying the resulting difference by the
 21 ~~2020-2021-2021-2022~~ millage levied, and then subtracting from that
 22 amount the ~~2020-2021-2021-2022~~ local community stabilization share
 23 revenue for special education purposes **and 2021-2022 tax increment**
 24 **revenues captured by a brownfield redevelopment authority created**
 25 **under the brownfield redevelopment financing act, 1996 PA 381, MCL**
 26 **125.2651 to 125.2670**, behind each membership pupil for
 27 reimbursement of personal property exemption loss under the local
 28 community stabilization authority act, 2014 PA 86, MCL 123.1341 to
 29 123.1362, **and reimbursements paid under section 26d for tax**



1 **increment revenues captured by a brownfield redevelopment authority**
 2 **under the brownfield redevelopment financing act, 1996 PA 381, MCL**
 3 **125.2651 to 125.2670.** Reimbursement in ~~2021-2022-2022-2023~~ for an
 4 intermediate district whose 2017-2018 allocation was affected by
 5 the operation of subsection (5) is an amount equal to 102.5% of the
 6 2017-2018 allocation to that intermediate district.

7 (5) The department shall ensure that the amount paid to a
 8 single intermediate district under ~~this section~~ **subsection (2)** does
 9 not exceed 62.9% of the total amount allocated under subsection
 10 (2).

11 (6) The department shall ensure that the amount paid to a
 12 single intermediate district under ~~this section~~ **subsection (2)** is
 13 not less than 75% of the amount allocated to the intermediate
 14 district under ~~this section~~ **subsection (2)** for the immediately
 15 preceding fiscal year.

16 (7) From the ~~state school aid fund money appropriated in~~
 17 ~~section 11,~~ **allocation under section 51a(1)**, there is allocated an
 18 amount not to exceed \$34,200,000.00 for 2021-2022 **and an amount not**
 19 **to exceed \$34,200,000.00 for 2022-2023**, to provide payments to
 20 intermediate districts levying millages for special education under
 21 part 30 of the revised school code, MCL 380.1711 to 380.1741. The
 22 purpose, use, and expenditure of the payments under this subsection
 23 are limited as if the funds were generated by these millages and
 24 governed by the intermediate district plan adopted under article 3
 25 of the revised school code, MCL 380.1701 to 380.1761. The
 26 department shall provide a payment under this subsection to each
 27 intermediate district described in this subsection as follows:

28 (a) Except as otherwise provided in this subsection, for an
 29 intermediate district with a ~~2020-2021~~ 3-year average special



1 education millage revenue per pupil **in the immediately preceding**
 2 **fiscal year** that is less than \$251.00 and that is levying at least
 3 46.2% but less than 60.0% of its maximum millage rate allowed under
 4 section 1724a of the revised school code, MCL 380.1724a, an amount
 5 computed by subtracting from \$251.00 the ~~2020-2021~~ 3-year average
 6 special education millage revenue per pupil **in the immediately**
 7 **preceding fiscal year** and, only if the millage levied by the
 8 intermediate district is less than 1, multiplying that amount by
 9 the number of mills levied divided by 1, and then multiplying that
 10 amount by the ~~2020-2021~~ 3-year average membership **in the**
 11 **immediately preceding fiscal year**, and then subtracting from that
 12 amount the amount allocated under subsection (2) for ~~2021-2022.~~ **the**
 13 **current fiscal year**. If the calculation under this subdivision
 14 results in an amount below zero, there is no payment under this
 15 subdivision.

16 (b) Except as otherwise provided in this subsection, for an
 17 intermediate district with a ~~2020-2021~~ 3-year average special
 18 education millage revenue per pupil **in the immediately preceding**
 19 **fiscal year** that is less than ~~\$281.00~~ **\$296.00** and that is levying
 20 at least 60.0% of its maximum millage rate allowed under section
 21 1724a of the revised school code, MCL 380.1724a, an amount computed
 22 by subtracting from \$281.00 the ~~2020-2021~~ 3-year average special
 23 education millage revenue per pupil **in the immediately preceding**
 24 **fiscal year**, and, only if the millage levied by the intermediate
 25 district is less than 1, multiplying that amount by the number of
 26 mills levied divided by 1, and then multiplying that amount by the
 27 ~~2020-2021~~ 3-year average membership **in the immediately preceding**
 28 **fiscal year**, and then subtracting from that amount the amount
 29 allocated under subsection (2) for ~~2021-2022.~~ **the current fiscal**



1 **year.** If the calculation under this subdivision results in an
 2 amount below zero, there is no payment under this subdivision.

3 (8) As used in subsection (7):

4 (a) "~~2020-2021 3-year~~ **3-year** average membership" means the 3-
 5 year average pupil membership for ~~2018-2019, 2019-2020, and 2020-~~
 6 ~~2021.~~ **each of the 3 most recent fiscal years.**

7 (b) "~~2020-2021 3-year~~ **3-year** average special education
 8 millage revenue per pupil" means the 3-year average taxable value
 9 per mill levied behind each membership pupil for ~~2018-2019, 2019-~~
 10 ~~2020, and 2020-2021~~ **each of the 3 most recent fiscal years**
 11 multiplied by the ~~2020-2021~~ millage levied **in the most recent**
 12 **fiscal year.**

13 Sec. 61a. (1) From the state school aid fund money
 14 appropriated in section 11, there is allocated an amount not to
 15 exceed ~~\$37,611,300.00~~ **\$47,611,300.00** for ~~2021-2022-2022-2023~~ **only**
 16 to reimburse on an added cost basis districts, except for a
 17 district that served as the fiscal agent for a vocational education
 18 consortium in the 1993-94 school year and that has a foundation
 19 allowance as calculated under section 20 greater than the ~~minimum~~
 20 **target** foundation allowance under that section, and secondary area
 21 vocational-technical education centers for secondary-level career
 22 and technical education programs according to rules approved by the
 23 superintendent. **It is the intent of the legislature that, for 2023-**
 24 **2024, the allocation from the state school aid fund money**
 25 **appropriated in section 11 for purposes described in this**
 26 **subsection will be \$37,611,300.00.** Applications for participation
 27 in the programs must be submitted in the form prescribed by the
 28 department. The department shall determine the added cost for each
 29 career and technical education program area. The department shall



1 prioritize the allocation of added cost funds based on the capital
2 and program expenditures needed to operate the career and technical
3 education programs provided; the number of pupils enrolled; the
4 advancement of pupils through the instructional program; the
5 existence of an articulation agreement with at least 1
6 postsecondary institution that provides pupils with opportunities
7 to earn postsecondary credit during the pupil's participation in
8 the career and technical education program and transfers those
9 credits to the postsecondary institution upon completion of the
10 career and technical education program; and the program rank in
11 student placement, job openings, and wages, and shall ensure that
12 the allocation does not exceed 75% of the added cost of any
13 program. Notwithstanding any rule or department determination to
14 the contrary, when determining a district's allocation or the
15 formula for making allocations under this section, the department
16 shall include the participation of pupils in grade 9 in all of
17 those determinations and in all portions of the formula. With the
18 approval of the department, the board of a district maintaining a
19 secondary career and technical education program may offer the
20 program for the period from the close of the school year until
21 September 1. The program shall use existing facilities and must be
22 operated as prescribed by rules promulgated by the superintendent.

23 (2) Except for a district that served as the fiscal agent for
24 a vocational education consortium in the 1993-94 school year, the
25 department shall reimburse districts and intermediate districts for
26 local career and technical education administration, shared time
27 career and technical education administration, and career education
28 planning district career and technical education administration.
29 The superintendent shall adopt guidelines for the definition of



1 what constitutes administration and shall make reimbursement
2 pursuant to those guidelines. The department shall not distribute
3 more than \$800,000.00 of the allocation in subsection (1) under
4 this subsection.

5 (3) A career and technical education program funded under this
6 section may provide an opportunity for participants who are
7 eligible to be funded under section 107 to enroll in the career and
8 technical education program funded under this section if the
9 participation does not occur during regular school hours.

10 Sec. 61b. (1) From the ~~funds~~**state school aid fund money**
11 appropriated under section 11, there is allocated for ~~2021-2022~~
12 **2022-2023** an amount not to exceed \$8,000,000.00 ~~from the state~~
13 ~~school aid fund appropriation~~ for CTE early middle college and CTE
14 dual enrollment programs authorized under this section and for
15 planning grants for the development or expansion of CTE early
16 middle college programs. The purpose of these programs is to
17 increase the number of Michigan residents with high-quality degrees
18 or credentials, and to increase the number of students who are
19 college and career ready upon high school graduation.

20 (2) From the funds allocated under subsection (1), the
21 department shall allocate an amount as determined under this
22 subsection to each intermediate district serving as a fiscal agent
23 for state-approved CTE early middle college and CTE dual enrollment
24 programs in each of the career education planning districts
25 identified by the department. An intermediate district shall not
26 use more than 5% of the funds allocated under this subsection for
27 administrative costs for serving as the fiscal agent.

28 (3) To be an eligible fiscal agent, an intermediate district
29 must agree to do all of the following in a form and manner



1 determined by the department:

2 (a) Distribute funds to eligible CTE early middle college and
3 CTE dual enrollment programs in a career education planning
4 district as described in this section.

5 (b) Collaborate with the career and educational advisory
6 council in the workforce development board service delivery area to
7 develop 1 regional strategic plan under subsection (4) that aligns
8 CTE programs and services into an efficient and effective delivery
9 system for high school students. The department will align career
10 education planning districts, workforce development board service
11 delivery areas, and intermediate districts for the purpose of
12 creating 1 regional strategic plan for each workforce development
13 board service delivery area.

14 (c) Implement a regional process to rank career clusters in
15 the workforce development board service delivery area as described
16 under subsection (4). Regional processes must be approved by the
17 department before the ranking of career clusters.

18 (d) Report CTE early middle college and CTE dual enrollment
19 program and student data and information as prescribed by the
20 department and the center.

21 (e) The local education agency responsible for student
22 reporting in the Michigan student data system (MSDS) will report
23 the total number of college credits the student earned, at the time
24 of high school graduation, as determined by the department and the
25 center.

26 (f) The local education agency will report each award outcome
27 in the Michigan student data system (MSDS) that the CTE early
28 middle college student attained. For purposes of this subsection,
29 an on-track CTE early middle college graduate is a graduate who



1 obtained their high school diploma and at least 1 of the following:

2 (i) An associate's degree.

3 (ii) 60 transferrable college credits.

4 (iii) Professional certification.

5 (iv) A Michigan Early Middle College Association certificate.

6 (v) Participation in a registered apprenticeship.

7 (4) A regional strategic plan must be approved by the career
8 and educational advisory council before submission to the
9 department. A regional strategic plan must include, but is not
10 limited to, the following:

11 (a) An identification of regional employer need based on a
12 ranking of all career clusters in the workforce development board
13 service delivery area ranked by 10-year projections of annual job
14 openings and median wage for each standard occupational code in
15 each career cluster as obtained from the United States Bureau of
16 Labor Statistics. Standard occupational codes within high-ranking
17 clusters also may be further ranked by median wage and annual job
18 openings. The career and educational advisory council located in
19 the workforce development board service delivery area shall review
20 the rankings and modify them if necessary to accurately reflect
21 employer demand for talent in the workforce development board
22 service delivery area. A career and educational advisory council
23 shall document that it has conducted this review and certify that
24 it is accurate. These career cluster rankings must be determined
25 and updated once every 4 years.

26 (b) An identification of educational entities in the workforce
27 development board service delivery area that will provide eligible
28 CTE early middle college and CTE dual enrollment programs including
29 districts, intermediate districts, postsecondary institutions, and



1 noncredit occupational training programs leading to an industry-
2 recognized credential.

3 (c) A strategy to inform parents and students of CTE early
4 middle college and CTE dual enrollment programs in the workforce
5 development board service delivery area.

6 (d) Any other requirements as defined by the department.

7 (5) An eligible CTE program is a program that meets all of the
8 following:

9 (a) Has been identified in the highest 5 career cluster
10 rankings in any of the 16 workforce development board service
11 delivery area strategic plans jointly approved by the department of
12 labor and economic opportunity and the department.

13 (b) Has a coherent sequence of courses in a specific career
14 cluster that will allow a student to earn a high school diploma and
15 achieve at least 1 of the following:

16 (i) For CTE early middle college, outcomes as defined in
17 subsection (3)(f).

18 (ii) For CTE dual enrollment, 1 of the following:

19 (A) An associate degree.

20 (B) An industry-recognized technical certification approved by
21 the department of labor and economic opportunity.

22 (C) Up to 60 transferable college credits.

23 (D) Participation in a registered apprenticeship, pre-
24 apprenticeship, or apprentice readiness program.

25 (c) Is aligned with the Michigan merit curriculum.

26 (d) Has an articulation or a college credit agreement with at
27 least 1 postsecondary institution that provides students with
28 opportunities to receive postsecondary credits during the student's
29 participation in the CTE early middle college or CTE dual



1 enrollment program and transfers those credits to the postsecondary
2 institution upon completion of the CTE early middle college or CTE
3 dual enrollment program.

4 (e) Provides instruction that is supervised, directed, or
5 coordinated by an appropriately certificated CTE teacher or, for
6 concurrent enrollment courses, a postsecondary faculty member.

7 (f) Provides for highly integrated student support services
8 that include at least the following:

9 (i) Teachers as academic advisors.

10 (ii) Supervised course selection.

11 (iii) Monitoring of student progress and completion.

12 (iv) Career planning services provided by a local one-stop
13 service center as described in the Michigan works one-stop service
14 center system act, 2006 PA 491, MCL 408.111 to 408.135, or by a
15 high school counselor or advisor.

16 (g) Has courses that are taught on a college campus, are
17 college courses offered at the high school and taught by college
18 faculty, or are courses taught in combination with online
19 instruction.

20 (6) The department shall distribute funds to eligible CTE
21 early middle college and CTE dual enrollment programs as follows:

22 (a) The department shall determine statewide average CTE costs
23 per pupil for each CIP code program by calculating statewide
24 average costs for each CIP code program for the 3 most recent
25 fiscal years.

26 (b) The distribution to each eligible CTE early middle college
27 or CTE dual enrollment program is the product of 50% of CTE costs
28 per pupil times the pupil enrollment of each eligible CTE early
29 middle college or CTE dual enrollment program in the immediately



1 preceding school year.

2 (7) In order to receive funds under this section, a CTE early
3 middle college or CTE dual enrollment program shall furnish to the
4 intermediate district that is the fiscal agent identified in
5 subsection (2), in a form and manner determined by the department,
6 all information needed to administer this program and meet federal
7 reporting requirements; shall allow the department or the
8 department's designee to review all records related to the program
9 for which it receives funds; and shall reimburse the state for all
10 disallowances found in the review, as determined by the department.

11 (8) There is allocated for ~~2021-2022-2022-2023~~ from the funds
12 under subsection (1) an amount not to exceed \$500,000.00 from the
13 state school aid fund allocation for grants to intermediate
14 districts or consortia of intermediate districts for the purpose of
15 planning for new or expanded early middle college programs.
16 Applications for grants must be submitted in a form and manner
17 determined by the department. The amount of a grant under this
18 subsection must not exceed \$50,000.00. To be eligible for a grant
19 under this subsection, an intermediate district or consortia of
20 intermediate districts must provide matching funds equal to the
21 grant received under this subsection. Notwithstanding section 17b,
22 the department shall make payments under this subsection in the
23 manner determined by the department.

24 (9) Funds distributed under this section may be used to fund
25 program expenditures that would otherwise be paid from foundation
26 allowances. A program receiving funding under section 61a may
27 receive funding under this section for allowable costs that exceed
28 the reimbursement the program received under section 61a. The
29 combined payments received by a program under section 61a and this



1 section must not exceed the total allowable costs of the program. A
2 program provider shall not use more than 5% of the funds allocated
3 under this section to the program for administrative costs.

4 (10) If the allocation under subsection (1) is insufficient to
5 fully fund payments as otherwise calculated under this section, the
6 department shall prorate payments under this section on an equal
7 percentage basis.

8 (11) If pupils enrolled in a career cluster in an eligible CTE
9 early middle college or CTE dual enrollment program qualify to be
10 reimbursed under this section, those pupils continue to qualify for
11 reimbursement until graduation, even if the career cluster is no
12 longer identified as being in the highest 5 career cluster
13 rankings.

14 (12) As used in this section:

15 (a) "Allowable costs" means those costs directly attributable
16 to the program as jointly determined by the department of labor and
17 economic opportunity and the department.

18 (b) "Career and educational advisory council" means an
19 advisory council to the local workforce development boards located
20 in a workforce development board service delivery area consisting
21 of educational, employer, labor, and parent representatives.

22 (c) "CIP" means classification of instructional programs.

23 (d) "CTE" means career and technical education programs.

24 (e) "CTE dual enrollment program" means a 4-year high school
25 program of postsecondary courses offered by eligible postsecondary
26 educational institutions that leads to an industry-recognized
27 certification or degree.

28 (f) "Early middle college program" means a 5-year high school
29 program.



1 (g) "Eligible postsecondary educational institution" means
2 that term as defined in section 3 of the career and technical
3 preparation act, 2000 PA 258, MCL 388.1903.

4 Sec. 61c. (1) From the ~~general~~**state school aid** fund money
5 appropriated in section 11, there is allocated for ~~2021-2022-2022-~~
6 **2023 only** an amount not to exceed \$7,500,000.00 to eligible career
7 education planning districts for the ~~CTE skilled trades initiative~~
8 ~~described in subsections (2) to (5).~~ **purposes described in this**
9 **section.** To be eligible to receive funding under this section, at
10 least 50% of the area served by a CEPD must be located in an
11 intermediate district that did not levy a vocational education
12 millage in ~~2021-2022~~.

13 (2) To receive funding under subsection (1), each eligible
14 CEPD must apply in a form and manner prescribed by the department.
15 Funding to each eligible CEPD must be equal to the quotient of the
16 allocation under subsection (1) and the sum of the number of career
17 education planning districts applying for funding under subsection
18 (1) that are located in an intermediate district that did not levy
19 a vocational education millage in ~~2021-2022~~.

20 (3) At least 50% of the funding allocated to each eligible
21 CEPD must be used to update equipment in current CTE programs that
22 have been identified in the highest 5 career cluster rankings in
23 the most recent CEPD regional strategic plans jointly approved by
24 the Michigan talent investment agency in the department of labor
25 and economic opportunity and the department, for training on new
26 equipment, for professional development relating to computer
27 science or coding, or for new and emerging certified CTE programs
28 to allow CEPD administrators to provide programming in communities
29 that will enhance economic development. The funding for equipment



1 should be used to support and enhance community areas that have
2 sustained job growth, and act as a commitment to build a more
3 qualified and skilled workforce. In addition, each CEPD is
4 encouraged to explore the option of leasing equipment from local
5 private industry to encourage the use of the most advanced
6 equipment.

7 (4) The allocation of funds at the local level must be
8 determined by CEPD administrators using data from the state,
9 region, and local sources to make well-informed decisions on
10 program equipment improvements. Grants awarded by CEPD
11 administrators for capital infrastructure must be used to ensure
12 that CTE programs can deliver educational programs in high-wage,
13 high-skill, and high-demand occupations. Each CEPD shall continue
14 to ensure that program advisory boards make recommendations on
15 needed improvements for equipment that support job growth and job
16 skill development and retention for both the present and the
17 future.

18 (5) Not later than September 15 of each fiscal year, each CEPD
19 receiving funding shall annually report to the department, the
20 senate and house appropriations subcommittees on school aid, the
21 senate and house fiscal agencies, and legislature on equipment
22 purchased under subsection (1). In addition, the report must
23 identify growth data on program involvement, retention, and
24 development of student skills.

25 (6) As used in this section:

26 (a) "CEPD" means a career education planning district
27 described in this section.

28 (b) "CTE" means career and technical education.

29 Sec. 61d. (1) From the appropriation in section 11, there is



1 allocated for ~~2021-2022~~**2022-2023** an amount not to exceed
2 \$5,000,000.00 from the state school aid fund for additional
3 payments to districts for career and technical education programs
4 for the purpose of increasing the number of Michigan residents with
5 high-quality degrees or credentials, and to increase the number of
6 pupils who are college- and career-ready upon high school
7 graduation.

8 (2) The department shall calculate payments to districts under
9 this section in the following manner:

10 (a) A payment of \$35.00 multiplied by the number of pupils in
11 grades 9 to 12 who are counted in membership in the district and
12 are enrolled in at least 1 career and technical education program.

13 (b) An additional payment of \$35.00 multiplied by the number
14 of pupils in grades 9 to 12 who are counted in membership in the
15 district and are enrolled in at least 1 career and technical
16 education program that provides instruction in critical skills and
17 high-demand career fields.

18 (3) If the allocation under subsection (1) is insufficient to
19 fully fund payments under subsection (2), the department shall
20 prorate payments under this section on an equal per-pupil basis.

21 **(4) If a student attends a career and technical education**
22 **program at an intermediate district, the payment under subsection**
23 **(2) attributable to that student must be split equally between the**
24 **intermediate district providing the program and the district that**
25 **counts the student in membership.**

26 (5) ~~(4)~~—As used in this section:

27 (a) "Career and technical education program" means a state-
28 approved career and technical education program, as determined by
29 the department.



1 (b) "Career and technical education program that provides
2 instruction in critical skills and high-demand career field" means
3 a career and technical education program classified under any of
4 the following 2-digit classification of instructional programs
5 (CIP) codes:

6 (i) 01, which refers to "agriculture, agriculture operations,
7 and related sciences".

8 (ii) 03, which refers to "natural resources and conservation".

9 (iii) 10 through 11, which refers to "communications
10 technologies/technicians and support services" and "computer and
11 information sciences and support services".

12 (iv) 14 through 15, which refers to "engineering" and
13 "engineering technologies and engineering-related fields".

14 (v) 26, which refers to "biological and biomedical sciences".

15 (vi) 46 through 48, which refers to "construction trades",
16 "mechanic and repair technologies/technicians", and "precision
17 production".

18 (vii) 51, which refers to "health professions and related
19 programs".

20 **Sec. 61i. (1) From the state school aid fund money**
21 **appropriated in section 11, there is allocated for 2022-2023 only**
22 **an amount not to exceed \$10,000,000.00 to eligible intermediate**
23 **districts as provided under this section.**

24 **(2) To receive funding under this section, an intermediate**
25 **district must apply for the funding in a form and manner prescribed**
26 **by the department.**

27 **(3) The department shall not allocate more than 1% of the**
28 **total funding allocated under this section to an eligible**
29 **intermediate district in the first round of funding under this**



1 section.

2 (4) An intermediate district that meets either of the
3 following is an eligible intermediate district under this section:

4 (a) It has a CTE teacher on staff.

5 (b) It pledges in its application described in subsection (2)
6 to hire a CTE teacher.

7 (5) An eligible intermediate district that receives funding
8 under this section shall use the funding only for the recruitment
9 of, retention of, and coverage of continued education costs for CTE
10 teachers.

11 (6) Notwithstanding section 17b, the department shall make
12 payments under this section on a schedule determined by the
13 department.

14 (7) Funds allocated under this section for 2022-2023 are a
15 work project appropriation, and any unexpended funds for 2022-2023
16 are carried forward into 2023-2024. The purpose of the work project
17 is to continue providing funding for the recruitment of, retention
18 of, and coverage of continued education costs for CTE teachers as
19 described in this section. The estimated completion date of the
20 work project is September 30, 2024.

21 (8) As used in this section, "CTE" means career and technical
22 education.

23 Sec. 62. (1) For the purposes of this section:

24 (a) "Membership" means for a particular fiscal year the total
25 membership of the intermediate district and the districts
26 constituent to the intermediate district or the total membership of
27 the area vocational-technical program, except that if a district
28 has elected not to come under sections 681 to 690 of the revised
29 school code, MCL 380.681 to 380.690, the membership of that



1 district are not included in the membership of the intermediate
2 district. However, the membership of a district that has elected
3 not to come under sections 681 to 690 of the revised school code,
4 MCL 380.681 to 380.690, is included in the membership of the
5 intermediate district if the district meets both of the following:

6 (i) The district operates the area vocational-technical
7 education program pursuant to a contract with the intermediate
8 district.

9 (ii) The district contributes an annual amount to the operation
10 of the program that is commensurate with the revenue that would
11 have been raised for operation of the program if millage were
12 levied in the district for the program under sections 681 to 690 of
13 the revised school code, MCL 380.681 to 380.690.

14 (b) "Millage levied" means the millage levied for area
15 vocational-technical education under sections 681 to 690 of the
16 revised school code, MCL 380.681 to 380.690, including a levy for
17 debt service obligations incurred as the result of borrowing for
18 capital outlay projects and in meeting capital projects fund
19 requirements of area vocational-technical education.

20 (c) "Taxable value" means the total taxable value of the
21 districts constituent to an intermediate district or area
22 vocational-technical education program, except that if a district
23 has elected not to come under sections 681 to 690 of the revised
24 school code, MCL 380.681 to 380.690, the taxable value of that
25 district is not included in the taxable value of the intermediate
26 district. However, the taxable value of a district that has elected
27 not to come under sections 681 to 690 of the revised school code,
28 MCL 380.681 to 380.690, is included in the taxable value of the
29 intermediate district if the district meets both of the following:



1 (i) The district operates the area vocational-technical
2 education program pursuant to a contract with the intermediate
3 district.

4 (ii) The district contributes an annual amount to the operation
5 of the program that is commensurate with the revenue that would
6 have been raised for operation of the program if millage were
7 levied in the district for the program under sections 681 to 690 of
8 the revised school code, MCL 380.681 to 380.690.

9 (2) From the appropriation in section 11, there is allocated
10 an amount not to exceed \$9,190,000.00 each fiscal year for ~~2020-~~
11 ~~2021-2021-2022~~ and for ~~2021-2022-2022-2023~~ to reimburse
12 intermediate districts and area vocational-technical education
13 programs established under section 690(3) of the revised school
14 code, MCL 380.690, levying millages for area vocational-technical
15 education under sections 681 to 690 of the revised school code, MCL
16 380.681 to 380.690. The purpose, use, and expenditure of the
17 reimbursement are limited as if the funds were generated by those
18 millages.

19 (3) Reimbursement for those millages levied in ~~2019-2020-2020-~~
20 ~~2021~~ is made in ~~2020-2021-2021-2022~~ at an amount per ~~2019-2020~~
21 ~~2020-2021~~ membership pupil computed by subtracting from ~~\$218,700.00~~
22 ~~\$227,300.00~~ the ~~2019-2020-2020-2021~~ taxable value behind each
23 membership pupil and multiplying the resulting difference by the
24 ~~2019-2020-2020-2021~~ millage levied, and then subtracting from that
25 amount the ~~2019-2020-2020-2021~~ local community stabilization share
26 revenue for area vocational technical education behind each
27 membership pupil for reimbursement of personal property exemption
28 loss under the local community stabilization authority act, 2014 PA
29 86, MCL 123.1341 to 123.1362.



1 (4) Reimbursement for those millages levied in ~~2020-2021-2021-~~
 2 ~~2022~~ is made in ~~2021-2022-2022-2023~~ at an amount per ~~2020-2021~~
 3 ~~2021-2022~~ membership pupil computed by subtracting from ~~\$224,800.00~~
 4 ~~\$237,500.00~~ the ~~2020-2021-2021-2022~~ taxable value behind each
 5 membership pupil and multiplying the resulting difference by the
 6 ~~2020-2021-2021-2022~~ millage levied, and then subtracting from that
 7 amount the ~~2020-2021-2021-2022~~ local community stabilization share
 8 revenue for area vocational technical education **and 2021-2022 tax**
 9 **increment revenues captured by a brownfield redevelopment authority**
 10 **created under the brownfield redevelopment financing act, 1996 PA**
 11 **381, MCL 125.2651 to 125.2670**, behind each membership pupil for
 12 reimbursement of personal property exemption loss under the local
 13 community stabilization authority act, 2014 PA 86, MCL 123.1341 to
 14 123.1362, **and reimbursements paid under section 26d for tax**
 15 **increment revenues captured by a brownfield redevelopment authority**
 16 **under the brownfield redevelopment financing act, 1996 PA 381, MCL**
 17 **125.2651 to 125.2670.**

18 (5) The department shall ensure that the amount paid to a
 19 single intermediate district under this section does not exceed
 20 38.4% of the total amount allocated under subsection (2).

21 (6) The department shall ensure that the amount paid to a
 22 single intermediate district under this section is not less than
 23 75% of the amount allocated to the intermediate district under this
 24 section for the immediately preceding fiscal year.

25 Sec. 65. (1) From the appropriation under section 11, there is
 26 allocated an amount not to exceed ~~\$400,000.00~~ **\$900,000.00** for ~~2021-~~
 27 ~~2022-2022-2023~~ **only** for a pre-college engineering K-12 educational
 28 program that is focused on the development of a diverse future
 29 Michigan workforce, that serves multiple communities within



1 southeast Michigan, that enrolls pupils from multiple districts,
2 and that received funds appropriated for this purpose in the
3 appropriations act that provided the Michigan strategic fund budget
4 for 2014-2015. **It is the intent of the legislature that, for 2023-**
5 **2024, the allocation from the state school aid fund money**
6 **appropriated in section 11 for purposes described in this section**
7 **will be \$400,000.00.**

8 (2) To be eligible for funding under this section, a program
9 must have the ability to expose pupils to, and motivate and prepare
10 pupils for, science, technology, engineering, and mathematics
11 careers and postsecondary education with special attention given to
12 groups of pupils who are at-risk and underrepresented in technical
13 professions and careers.

14 Sec. 67. (1) From the general fund money appropriated in
15 section 11, there is allocated an amount not to exceed
16 \$3,000,000.00 for ~~2021-2022~~**2022-2023** for college access programs.
17 The programs funded under this section are intended to inform
18 students of college and career options and to provide resources
19 intended to increase the number of pupils who are adequately
20 prepared with the information needed to make informed decisions on
21 college and career. The funds appropriated under this section are
22 intended to be used to increase the number of Michigan residents
23 with high-quality degrees or credentials. Funds appropriated under
24 this section must not be used to supplant funding for counselors
25 already funded by districts.

26 (2) The department of labor and economic opportunity shall
27 administer funds allocated under this section in collaboration with
28 the Michigan college access network. These funds may be used for
29 any of the following purposes:



1 (a) Michigan college access network operations, programming,
2 and services to local college access networks.

3 (b) Local college access networks, which are community-based
4 college access/success partnerships committed to increasing the
5 college participation and completion rates within geographically
6 defined communities through a coordinated strategy.

7 (c) The Michigan college advising program, a program intended
8 to place trained, recently graduated college advisors in high
9 schools that serve significant numbers of low-income and first-
10 generation college-going pupils. State funds used for this purpose
11 may not exceed 33% of the total funds available under this
12 subsection.

13 (d) Subgrants of up to \$5,000.00 to districts with
14 comprehensive high schools that establish a college access team and
15 implement specific strategies to create a college-going culture in
16 a high school in a form and manner approved by the Michigan college
17 access network and the department of labor and economic
18 opportunity.

19 (e) The Michigan college access portal, an online one-stop
20 portal to help pupils and families plan and apply for college.

21 (f) Public awareness and outreach campaigns to encourage low-
22 income and first-generation college-going pupils to take necessary
23 steps toward college and to assist pupils and families in
24 completing a timely and accurate free application for federal
25 student aid.

26 (g) Subgrants to postsecondary institutions to recruit, hire,
27 and train college student mentors and college advisors to assist
28 high school pupils in navigating the postsecondary planning and
29 enrollment process.



1 (3) For the purposes of this section, "college" means any
2 postsecondary educational opportunity that leads to a career,
3 including, but not limited to, a postsecondary degree, industry-
4 recognized technical certification, or registered apprenticeship.

5 Sec. 67a. (1) From the general fund money appropriated under
6 section 11, there is allocated an amount not to exceed \$50,000.00
7 for ~~2021-2022~~**2022-2023 only** for a grant to be distributed by the
8 department to an organization to provide industrial and
9 technological education and workforce preparation for students and
10 professional development opportunities and support for teachers.

11 (2) Notwithstanding section 17b, the department shall make
12 grant payments under this section on a schedule determined by the
13 department.

14 **Sec. 67c. (1) From the general fund money appropriated in**
15 **section 11, there is allocated for 2022-2023 only an amount not to**
16 **exceed \$3,000,000.00 to Michigan State University as prescribed in**
17 **this section.**

18 (2) Michigan State University shall use the funding it
19 receives under subsection (1) to recruit participants for and to
20 provide stipends for basic living expenses to participants in a
21 developer academy at Michigan State University that, at a minimum,
22 does all of the following:

23 (a) Provides individuals age 18 or older with a 1-year program
24 focused on coding, design, entrepreneurship, and essential
25 professional skills.

26 (b) Provides the individuals described in subdivision (a) the
27 opportunity to become world-class developers.

28 (c) Provides the individuals described in subdivision (a) the
29 opportunity to work on real-world challenges and connect with



1 community and industry partners.

2 (d) Provides a month-long foundation program throughout the
3 year designed for learners considering app economy careers who are
4 also interested in learning more about app development generally.

5 (e) Provides the services described in subdivisions (a) to (d)
6 without charging participants tuition or fees.

7 (3) In determining the amount of each stipend described in
8 subsection (2), Michigan State University shall, based on the
9 federal free application for federal student aid (FAFSA) form,
10 determine the participant's estimated family contribution and
11 compare that to the participant's indirect opportunity cost.

12 (4) As used in this section, "opportunity cost" means the
13 income a participant foregoes by not working at minimum-wage levels
14 due to his or her attendance in the developer academy described in
15 this section.

16 (5) Notwithstanding section 17b, the department shall make
17 payments under this section on a schedule determined by the
18 department.

19 Sec. 67d. (1) From the general fund money appropriated in
20 section 11, there is allocated for 2022-2023 only an amount not to
21 exceed \$2,500,000.00 to, through a grant program administered by
22 the department, an eligible state-approved 501(c)(3) organization
23 to teach or train restaurant management, culinary arts or
24 hospitality, and tourism management as part of career and
25 professional development.

26 (2) As used in this section, "eligible state-approved
27 501(c)(3) organization" means an organization that is exempt from
28 taxation under section 501(c)(3) of the internal revenue code of
29 1986, 26 USC 501, that provides either the ProStart or Hospitality



1 Tourism Management curriculum and training to state-approved career
2 and technical education programs with classification of
3 instructional programs (CIP) codes in the 12.05xx or 52.09xx and
4 that administers national certification for the purposes of
5 restaurant management, culinary arts or hospitality, or tourism
6 management in becoming a hospitality and tourism specialist as part
7 of career and professional development.

8 (3) Notwithstanding section 17b, the department shall make
9 payments under this section on a schedule determined by the
10 department.

11 Sec. 67e. (1) From the general fund money appropriated in
12 section 11, there is allocated for 2022-2023 only \$2,000,000.00 for
13 a skilled-trades-for-students awareness program. Funds allocated
14 under this section must be awarded to a 501(c) (3) nonprofit
15 organization to which all of the following criteria apply:

16 (a) It focuses on raising awareness of skilled trades as a
17 viable career option.

18 (b) It has previously distributed educational booklets on
19 building a house or an activity book for the skilled trades.

20 (c) It is affiliated with a statewide residential building
21 trade organization.

22 (2) The funds allocated under this section must be used to
23 develop, produce, and distribute a guide to skilled trades careers
24 for students in grades 8 to 12.

25 (3) Notwithstanding section 17b, the department shall make
26 payments under this section on a schedule determined by the
27 department.

28 Sec. 74. (1) From the state school aid fund money appropriated
29 in section 11, there is allocated an amount not to exceed



1 ~~\$3,805,800.00~~ **\$3,964,800.00** for 2021-2022 **and there is allocated an**
2 **amount not to exceed \$3,844,200.00 for 2022-2023** for the purposes
3 of this section.

4 (2) From the allocation in subsection (1), there is allocated
5 for 2021-2022 **and for 2022-2023** the amount necessary for payments
6 to state supported colleges or universities and intermediate
7 districts providing school bus driver safety instruction under
8 section 51 of the pupil transportation act, 1990 PA 187, MCL
9 257.1851. The department shall make payments in an amount
10 determined by the department not to exceed the actual cost of
11 instruction and driver compensation for each public or nonpublic
12 school bus driver attending a course of instruction. For the
13 purpose of computing compensation, the hourly rate allowed each
14 school bus driver must not exceed the hourly rate received for
15 driving a school bus. The department shall make reimbursement
16 compensating the driver during the course of instruction to the
17 college or university or intermediate district providing the course
18 of instruction.

19 (3) From the allocation in subsection (1), there is allocated
20 for 2021-2022 **and for 2022-2023** the amount necessary to pay the
21 reasonable costs of nonspecial education auxiliary services
22 transportation provided under section 1323 of the revised school
23 code, MCL 380.1323. Districts funded under this subsection do not
24 receive funding under any other section of this article for
25 nonspecial education auxiliary services transportation.

26 (4) From the funds allocated in subsection (1), there is
27 allocated an amount not to exceed \$1,780,800.00 for 2021-2022 **and**
28 **there is allocated an amount not to exceed \$1,819,200.00 for 2022-**
29 **2023** for reimbursement to districts and intermediate districts for



1 costs associated with the inspection of school buses and pupil
 2 transportation vehicles by the department of state police as
 3 required under section 715a of the Michigan vehicle code, 1949 PA
 4 300, MCL 257.715a, and section 39 of the pupil transportation act,
 5 1990 PA 187, MCL 257.1839. The department of state police shall
 6 prepare a statement of costs attributable to each district for
 7 which bus inspections are provided and submit it to the department
 8 and to an intermediate district serving as fiduciary in a time and
 9 manner determined jointly by the department and the department of
 10 state police. Upon review and approval of the statement of cost,
 11 the department shall forward to the designated intermediate
 12 district serving as fiduciary the amount of the reimbursement on
 13 behalf of each district and intermediate district for costs
 14 detailed on the statement within 45 days after receipt of the
 15 statement. The designated intermediate district shall make payment
 16 in the amount specified on the statement to the department of state
 17 police within 45 days after receipt of the statement. The total
 18 reimbursement of costs under this subsection must not exceed the
 19 amount allocated under this subsection. Notwithstanding section
 20 17b, the department shall make payments to eligible entities under
 21 this subsection on a schedule prescribed by the department.

22 Sec. 81. (1) From the state school aid fund money appropriated
 23 in section 11, there is allocated for ~~2020-2021 to the intermediate~~
 24 ~~districts the sum necessary, but not to exceed \$69,138,000.00, and~~
 25 ~~there is allocated for 2021-2022~~ **2022-2023** to the intermediate
 26 districts the sum necessary, but not to exceed ~~\$71,903,600.00~~
 27 **\$75,642,600.00** to provide state aid to intermediate districts under
 28 this section.

29 (2) ~~The amount allocated under this section for 2020-2021 to~~



1 ~~each intermediate district is an amount equal to 100% of the amount~~
2 ~~allocated to the intermediate district under this section for 2019-~~
3 ~~2020.~~ The amount allocated under this section for ~~2021-2022-~~
4 **2023** to each intermediate district is an amount equal to ~~104%~~
5 **105.2%** of the amount allocated to the intermediate district under
6 this section for ~~2020-2021.~~ **2021-2022**. An intermediate district
7 shall use funding provided under this section to comply with
8 requirements of this article and the revised school code that are
9 applicable to intermediate districts, and for which funding is not
10 provided elsewhere in this article, and to provide technical
11 assistance to districts as authorized by the intermediate school
12 board.

13 (3) Intermediate districts receiving funds under this section
14 shall collaborate with the department to develop expanded
15 professional development opportunities for teachers to update and
16 expand their knowledge and skills needed to support the Michigan
17 merit curriculum.

18 (4) From the allocation in subsection (1), there is allocated
19 to an intermediate district, formed by the consolidation or
20 annexation of 2 or more intermediate districts or the attachment of
21 a total intermediate district to another intermediate district or
22 the annexation of all of the constituent K-12 districts of a
23 previously existing intermediate district which has disorganized,
24 an additional allotment of \$3,500.00 each fiscal year for each
25 intermediate district included in the new intermediate district for
26 3 years following consolidation, annexation, or attachment.

27 (5) In order to receive funding under this section, an
28 intermediate district shall do all of the following:

29 (a) Demonstrate to the satisfaction of the department that the



1 intermediate district employs at least 1 person who is trained in
2 pupil accounting and auditing procedures, rules, and regulations.

3 (b) Demonstrate to the satisfaction of the department that the
4 intermediate district employs at least 1 person who is trained in
5 rules, regulations, and district reporting procedures for the
6 individual-level student data that serves as the basis for the
7 calculation of the district and high school graduation and dropout
8 rates.

9 (c) Comply with sections 1278a and 1278b of the revised school
10 code, MCL 380.1278a and 380.1278b.

11 (d) Furnish data and other information required by state and
12 federal law to the center and the department in the form and manner
13 specified by the center or the department, as applicable.

14 (e) Comply with section 1230g of the revised school code, MCL
15 380.1230g.

16 (f) Provide advice, guidance, and leadership to assist all
17 districts located within its geographic boundaries to assist in the
18 preparedness and response efforts toward addressing COVID-19. At a
19 minimum, this must include the coordination and collaboration with
20 any local public health agency that has jurisdiction within the
21 intermediate district's geographic boundaries and may include the
22 coordination of bulk purchasing of personal protective equipment,
23 technology, or other products or services necessary for students to
24 return to school.

25 (g) ~~An intermediate district shall ensure~~ **Ensure** that all
26 districts located within its geographic boundaries have equitable
27 access to the intermediate district's coordination activities and
28 services, intermediate district-wide or regional meetings,
29 regularly scheduled superintendent meetings, programming, events,



1 **email distribution lists, listservs,** or other coordination or
2 collaboration activities **organized by or hosted at the intermediate**
3 **district.** In ensuring that all districts located within the
4 geographic boundaries of the intermediate district have equitable
5 access to services, meetings, programming, events, **email**
6 **distribution lists, listservs,** or activities as described in the
7 immediately preceding sentence, the intermediate district shall
8 ensure that districts that are public school academies that are
9 located within its geographic boundaries are not excluded from said
10 services, meetings, programming, events, **email distribution lists,**
11 **listservs,** or activities **organized by or hosted at the intermediate**
12 **district** if districts that are not public school academies that are
13 located within the geographic boundaries of the intermediate
14 district are not excluded.

15 Sec. 94. (1) From the general fund money appropriated in
16 section 11, there is allocated to the department for ~~2021-2022~~
17 **2022-2023** an amount not to exceed \$1,200,000.00 for efforts to
18 increase the number of pupils who participate and succeed in
19 advanced placement and international baccalaureate programs, and to
20 support the college-level examination program (CLEP).

21 (2) From the funds allocated under this section, the
22 department shall award funds to cover all or part of the costs of
23 advanced placement test fees or international baccalaureate test
24 fees and international baccalaureate registration fees for low-
25 income pupils who take an advanced placement or an international
26 baccalaureate test and CLEP fees for low-income pupils who take a
27 CLEP test.

28 (3) The department shall only award funds under this section
29 if the department determines that all of the following criteria are



1 met:

2 (a) Each pupil for whom payment is made meets eligibility
3 requirements of the federal advanced placement test fee program
4 under ~~section 1701 of the no child left behind act of 2001, Public~~
5 ~~Law 107-110, or under a corresponding provision of the every~~
6 student succeeds act, Public Law 114-95, **as applicable.**

7 (b) The tests are administered by the college board, the
8 international baccalaureate organization, or another test provider
9 approved by the department.

10 (c) The pupil for whom payment is made pays at least \$5.00
11 toward the cost of each test for which payment is made.

12 (4) The department shall establish procedures for awarding
13 funds under this section.

14 (5) Notwithstanding section 17b, the department shall make
15 payments under this section on a schedule determined by the
16 department.

17 Sec. 94a. (1) There is created within the state budget office
18 in the department of technology, management, and budget the center
19 for educational performance and information. The center shall do
20 all of the following:

21 (a) Coordinate the collection of all data required by state
22 and federal law from districts, intermediate districts, and
23 postsecondary institutions.

24 (b) Create, maintain, and enhance this state's P-20
25 longitudinal data system and ensure that it meets the requirements
26 of subsection (4).

27 (c) Collect data in the most efficient manner possible in
28 order to reduce the administrative burden on reporting entities,
29 including, but not limited to, electronic transcript services.



1 (d) Create, maintain, and enhance this state's web-based
2 educational portal to provide information to school leaders,
3 teachers, researchers, and the public in compliance with all
4 federal and state privacy laws. Data must include, but are not
5 limited to, all of the following:

6 (i) Data sets that link teachers to student information,
7 allowing districts to assess individual teacher impact on student
8 performance and consider student growth factors in teacher and
9 principal evaluation systems.

10 (ii) Data access or, if practical, data sets, provided for
11 regional data hubs that, in combination with local data, can
12 improve teaching and learning in the classroom.

13 (iii) Research-ready data sets for researchers to perform
14 research that advances this state's educational performance.

15 (e) Provide data in a useful manner to allow state and local
16 policymakers to make informed policy decisions.

17 (f) Provide public reports to the residents of this state to
18 allow them to assess allocation of resources and the return on
19 their investment in the education system of this state.

20 (g) Other functions as assigned by the state budget director.

21 (2) Each state department, officer, or agency that collects
22 information from districts, intermediate districts, or
23 postsecondary institutions as required under state or federal law
24 shall make arrangements with the center to ensure that the state
25 department, officer, or agency is in compliance with subsection
26 (1). This subsection does not apply to information collected by the
27 department of treasury under the uniform budgeting and accounting
28 act, 1968 PA 2, MCL 141.421 to 141.440a; the revised municipal
29 finance act, 2001 PA 34, MCL 141.2101 to 141.2821; the school bond



1 qualification, approval, and loan act, 2005 PA 92, MCL 388.1921 to
2 388.1939; or section 1351a of the revised school code, MCL
3 380.1351a.

4 (3) The center may enter into any interlocal agreements
5 necessary to fulfill its functions.

6 (4) The center shall ensure that the P-20 longitudinal data
7 system required under subsection (1)(b) meets all of the following:

8 (a) Includes data at the individual student level from
9 preschool through postsecondary education and into the workforce.

10 (b) Supports interoperability by using standard data
11 structures, data formats, and data definitions to ensure linkage
12 and connectivity in a manner that facilitates the exchange of data
13 among agencies and institutions within the state and between
14 states.

15 (c) Enables the matching of individual teacher and student
16 records so that an individual student may be matched with those
17 teachers providing instruction to that student.

18 (d) Enables the matching of individual teachers with
19 information about their certification and the institutions that
20 prepared and recommended those teachers for state certification.

21 (e) Enables data to be easily generated for continuous
22 improvement and decision-making, including timely reporting to
23 parents, teachers, and school leaders on student achievement.

24 (f) Ensures the reasonable quality, validity, and reliability
25 of data contained in the system.

26 (g) Provides this state with the ability to meet federal and
27 state reporting requirements.

28 (h) For data elements related to preschool through grade 12
29 and postsecondary, meets all of the following:



1 (i) Contains a unique statewide student identifier that does
2 not permit a student to be individually identified by users of the
3 system, except as allowed by federal and state law.

4 (ii) Contains student-level enrollment, demographic, and
5 program participation information.

6 (iii) Contains student-level information about the points at
7 which students exit, transfer in, transfer out, drop out, or
8 complete education programs.

9 (iv) Has the capacity to communicate with higher education data
10 systems.

11 (i) For data elements related to preschool through grade 12
12 only, meets all of the following:

13 (i) Contains yearly test records of individual students for
14 assessments approved by DED-OESE for accountability purposes under
15 section 1111(b) of the elementary and secondary education act of
16 1965, 20 USC 6311, including information on individual students not
17 tested, by grade and subject.

18 (ii) Contains student-level transcript information, including
19 information on courses completed and grades earned.

20 (iii) Contains student-level college readiness test scores.

21 (j) For data elements related to postsecondary education only:

22 (i) Contains data that provide information regarding the extent
23 to which individual students transition successfully from secondary
24 school to postsecondary education, including, but not limited to,
25 all of the following:

26 (A) Enrollment in remedial coursework.

27 (B) Completion of 1 year's worth of college credit applicable
28 to a degree within 2 years of enrollment.

29 (ii) Contains data that provide other information determined



1 necessary to address alignment and adequate preparation for success
2 in postsecondary education.

3 (5) From the general fund money appropriated in section 11,
4 there is allocated an amount not to exceed ~~\$18,802,500.00~~
5 **\$19,032,300.00** for ~~2021-2022-2022-2023~~ to the department of
6 technology, management, and budget to support the operations of the
7 center. In addition, from the federal funds appropriated in section
8 11, there is allocated for ~~2021-2022-2022-2023~~ the amount
9 necessary, estimated at \$193,500.00, to support the operations of
10 the center and to establish a P-20 longitudinal data system
11 necessary for state and federal reporting purposes. The center
12 shall cooperate with the department to ensure that this state is in
13 compliance with federal law and is maximizing opportunities for
14 increased federal funding to improve education in this state.

15 (6) From the funds allocated in subsection (5), the center may
16 use an amount determined by the center for competitive grants for
17 ~~2021-2022-2022-2023~~ to support collaborative efforts on the P-20
18 longitudinal data system. All of the following apply to grants
19 awarded under this subsection:

20 (a) The center shall award competitive grants to eligible
21 intermediate districts or a consortium of intermediate districts
22 based on criteria established by the center.

23 (b) Activities funded under the grant must support the P-20
24 longitudinal data system portal and may include portal hosting,
25 hardware and software acquisition, maintenance, enhancements, user
26 support and related materials, and professional learning tools and
27 activities aimed at improving the utility of the P-20 longitudinal
28 data system.

29 (c) An applicant that received a grant under this subsection



1 for the immediately preceding fiscal year has priority for funding
2 under this section. However, after 3 fiscal years of continuous
3 funding, an applicant is required to compete openly with new
4 applicants.

5 (7) Funds allocated under this section that are not expended
6 in the fiscal year in which they were allocated may be carried
7 forward to a subsequent fiscal year and are appropriated for the
8 purposes for which the funds were originally allocated.

9 (8) The center may bill departments as necessary in order to
10 fulfill reporting requirements of state and federal law. The center
11 may also enter into agreements to supply custom data, analysis, and
12 reporting to other principal executive departments, state agencies,
13 local units of government, and other individuals and organizations.
14 The center may receive and expend funds in addition to those
15 authorized in subsection (5) to cover the costs associated with
16 salaries, benefits, supplies, materials, and equipment necessary to
17 provide such data, analysis, and reporting services.

18 (9) As used in this section, "DED-OESE" means the United
19 States Department of Education Office of Elementary and Secondary
20 Education.

21 Sec. 95b. (1) From the general fund money appropriated under
22 section 11, there is allocated an amount not to exceed
23 \$2,000,000.00 for ~~2021-2022~~**2022-2023 only** for the model value-
24 added growth and projection analytics system. The department shall
25 continue the model value-added growth and projection analytics
26 system and incorporate that model into its reporting requirements
27 under the every student succeeds act, Public Law 114-95. The model
28 described in this subsection must do at least all of the following:

29 (a) Utilize existing assessments and any future assessments



1 that are suitable for measuring student growth.

2 (b) Report student growth measures at the district, school,
3 teacher, and subgroup levels.

4 (c) Recognize the growth of tested students, including those
5 who may have missing assessment data.

6 (d) Include all available prior standardized assessment data
7 that meet inclusion criteria across grades, subjects, and state and
8 local assessments.

9 (e) Allow student growth results to be disaggregated.

10 (f) Provide individual student projections showing the
11 probability of a student reaching specific performance levels on
12 future assessments. Given school closures and extended
13 cancellations related to COVID-19, the data under this subdivision
14 may be used to inform decisions about student placement or students
15 that could benefit from additional supports or interventions.

16 (g) Demonstrate any prior success with this state's
17 assessments through the Michigan council of educator effectiveness
18 teacher evaluation pilot.

19 (h) Demonstrate prior statewide implementation in at least 2
20 other states for at least 10 years.

21 (i) Have a native roster verification system built into the
22 value-added reporting platform that has been implemented statewide
23 in at least 2 other states.

24 (j) Have a "help/contact us" ticketing system built into the
25 value-added reporting platform.

26 (k) Given school closures that have occurred pursuant to an
27 executive order issued by the governor, the value-added reporting
28 platform must provide continued hosting and delivery of reporting
29 and offer the department additional supports in the areas of



1 research, analysis, web reporting, and training.

2 (l) The department and the platform vendor shall provide
3 statewide training for educators to understand the reporting that
4 details the impact to student learning and growth.

5 (2) The department shall provide internet-based electronic
6 student growth and projection reporting based on the model under
7 subsection (1) to educators at the school, district, and state
8 levels. The model must include role-based permissions that allow
9 educators to access information about the performance of the
10 students within their immediate responsibility in accordance with
11 applicable privacy laws.

12 (3) The model under subsection (1) must not be a mandatory
13 part of teacher evaluation or educator pay-for-performance systems.

14 (4) The model under subsection (1) must be a model that
15 received funding under this section in 2018-2019.

16 (5) By March 31 ~~, 2022,~~ **of each fiscal year for which funding**
17 **is allocated under this section,** the department shall work with the
18 center to ~~provide a report to the senate and house appropriations~~
19 ~~subcommittees on school aid and the senate and house fiscal~~
20 ~~agencies regarding the number of districts that are not public~~
21 ~~school academies that opted in to student teacher linkages in their~~
22 ~~use of the model value-added growth and projection analytics system~~
23 ~~under this section. The report under this subsection must also~~
24 ~~include verification that the value-added reporting platform~~
25 ~~continued hosting and delivery of historical reporting and specify~~
26 ~~any additional research and analysis offered to the department.~~ **make**
27 **data publicly available on an external website that provides**
28 **student growth metrics provided by the value-added reporting**
29 **platform at the district and school level by grade and subject.**



1 Sec. 97. ~~(1) For 2021-2022, from the state school aid fund~~
2 ~~money appropriated under section 11, there is allocated an amount~~
3 ~~not to exceed \$7,500,000.00 and from the general fund money~~
4 ~~appropriated under section 11, there is allocated an amount not to~~
5 ~~exceed \$2,500,000.00 for competitive grants to public schools,~~
6 ~~nonpublic schools, districts, and intermediate districts to~~
7 ~~purchase technology equipment, upgrade hardening measures, or~~
8 ~~conduct school building safety assessments to improve the safety~~
9 ~~and security of school buildings, pupils or students, and school~~
10 ~~staff with the goal of creating a safer school environment through~~
11 ~~equipment and technology enhancements. The department of state~~
12 ~~police, grants and community services division, shall administer~~
13 ~~the grant program described in this subsection. All grants under~~
14 ~~this subsection must be funded on a reimbursement-only basis.~~
15 ~~Grants under this subsection must not exceed \$50,000.00 for each~~
16 ~~public school or nonpublic school and \$250,000.00 for each district~~
17 ~~or intermediate district.~~

18 ~~(2) All of the following apply to the application process for~~
19 ~~funding under subsection (1):~~

20 ~~(a) To receive funding under subsection (1), a public school,~~
21 ~~nonpublic school, district, or intermediate district shall submit~~
22 ~~an application for funding under subsection (1) directly to the~~
23 ~~department of state police, grants and community services division.~~

24 ~~(b) An application from a district or intermediate district~~
25 ~~under this subsection must be for 1 or more buildings that have~~
26 ~~some or all of pre-K to grade 12 classrooms and pupils.~~

27 ~~(c) An applicant may submit only 1 application.~~

28 ~~(d) An individual public school may submit its own application~~
29 ~~but must not also be included in its district's application if the~~



1 ~~district submits an application under this subsection.~~

2 ~~(e) The department of state police shall award grants to~~
 3 ~~applicants based on eligibility, the project description, and~~
 4 ~~whether the project reflects the highest security need of the~~
 5 ~~applicant within grant funding constraints, the budget narrative,~~
 6 ~~the budget, project goals, objectives, and performance measures.~~

7 ~~(f) The department of state police shall give priority to all~~
 8 ~~of the following applicants:~~

9 ~~(i) Applicants seeking funding for projects that involve~~
 10 ~~multiple agencies working in partnership.~~

11 ~~(ii) Applicants seeking funding for proposals that seek to~~
 12 ~~secure exterior access points of school buildings.~~

13 ~~(iii) Applicants that did not receive a school safety grant in~~
 14 ~~the past.~~

15 ~~(iv) Applicants that did not receive a grant under section 1001~~
 16 ~~of article XX of 2018 PA 207 or under section 115 of 2018 PA 618.~~

17 ~~(g) To be awarded a grant, an applicant must demonstrate proof~~
 18 ~~that the public school, nonpublic school, district, or intermediate~~
 19 ~~district has an emergency operation plan that was updated after~~
 20 ~~August 1, 2017 to align with the state emergency operations plan~~
 21 ~~guidance and statewide school safety information policy developed~~
 22 ~~under section 1308 of the revised school code, MCL 380.1308.~~

23 ~~(h) The department of state police shall issue grant guidance~~
 24 ~~and application materials, including required performance measures,~~
 25 ~~not later than February 1, 2022.~~

26 ~~(3) The department of state police shall not award funding~~
 27 ~~under subsection (1) to a public school, nonpublic school,~~
 28 ~~district, or intermediate district in relation to the same school~~
 29 ~~building more than once. If a district submits an application under~~



1 ~~subsection (2) relating to a school building and a public school~~
 2 ~~within that district also submits an application for funding in~~
 3 ~~relation to that same school building, the department of state~~
 4 ~~police shall not allocate funding under subsection (1) twice for~~
 5 ~~that school building. If a public school, nonpublic school,~~
 6 ~~district, or intermediate district submits more than 1 application,~~
 7 ~~the department of state police shall first consider the most recent~~
 8 ~~application submitted in considering funding under subsection (1).~~

9 ~~(4) Eligible expenses for reimbursement under subsection (1)~~
 10 ~~must be consistent with the recommendations of the school safety~~
 11 ~~task force created by Executive Order No. 2018-5. The department of~~
 12 ~~state police shall list the eligible expenses in the grant guidance~~
 13 ~~and application materials described under subsection (2). The~~
 14 ~~following items are not eligible expenses for which grant funds~~
 15 ~~under subsection (1) may be applied:~~

16 ~~(a) Weapons, including tasers.~~

17 ~~(b) Personal body armor for routine use.~~

18 ~~(c) Construction of new facilities.~~

19 ~~(d) Costs in applying for the grant, such as consultants and~~
 20 ~~grant writers.~~

21 ~~(e) Expenses incurred before the date of the award or after~~
 22 ~~the end of the performance period of the grant award.~~

23 ~~(f) Personnel costs or operation costs related to a capital~~
 24 ~~improvement.~~

25 ~~(g) Indirect costs or indirect administrative expenses.~~

26 ~~(h) Travel.~~

27 ~~(i) Contributions or donations.~~

28 ~~(j) Management or administrative training and conferences,~~
 29 ~~except as otherwise preapproved by the department of state police.~~



1 ~~(k) Management studies or research and development.~~

2 ~~(l) Memberships and dues, except for a specific requirement of~~
 3 ~~the project that has been preapproved by the department of state~~
 4 ~~police.~~

5 ~~(m) Vehicles, watercraft, or aircraft, including unmanned or~~
 6 ~~remotely piloted aircraft and vehicles.~~

7 ~~(n) Service contracts and training beyond the performance~~
 8 ~~period of the grant award.~~

9 ~~(o) Food, refreshments, and snacks.~~

10 ~~(5) A grantee under section 1001 of article XX of 2018 PA 207~~
 11 ~~that is a public school, nonpublic school, district, or~~
 12 ~~intermediate district or a grantee under section 115 of 2018 PA 618~~
 13 ~~that is a public school, nonpublic school, district, or~~
 14 ~~intermediate district is not prohibited from applying for, and~~
 15 ~~receiving, a grant award under this section.~~

16 ~~(6) The department of state police shall begin issuing awards~~
 17 ~~for grants under subsection (1) not later than May 1, 2022. A~~
 18 ~~project that is awarded a grant under this section must be~~
 19 ~~completed by July 1, 2023.~~

20 ~~(7) The department of state police shall report on grant~~
 21 ~~activities under this section, including available performance~~
 22 ~~outcomes as identified in individual grant agreements, to the~~
 23 ~~senate and house appropriations subcommittees on state police, the~~
 24 ~~senate and house fiscal agencies, and the state budget office by~~
 25 ~~August 1, 2023.~~

26 ~~(8) The funds allocated for school safety grants under this~~
 27 ~~section for 2021-2022 are a work project appropriation, and any~~
 28 ~~unexpended funds for 2021-2022 do not lapse to the state school aid~~
 29 ~~fund or general fund and are carried forward into 2022-2023. The~~



1 ~~purpose of the work project is to continue promoting safer school~~
2 ~~environments. The estimated completion date of the work project is~~
3 ~~July 1, 2023.~~

4 (1) ~~(9) The department of state police shall ensure that a~~
5 ~~grant to a nonpublic school under this section is funded from the~~
6 ~~general fund money allocated under this section.~~**From the state**
7 **school aid fund money appropriated in section 11, there is**
8 **allocated \$150,000,000.00 for 2022-2023 only, and from the general**
9 **fund money appropriated in section 11, there is allocated**
10 **\$18,000,000.00 for 2022-2023 only, to provide payments to districts**
11 **and nonpublic schools for activities to improve student safety.**
12 **Allowable expenditures of funds allocated under this section**
13 **include, but are not limited to, the following:**

- 14 (a) Coordination with local law enforcement.
- 15 (b) Training for school staff on threat assessment.
- 16 (c) Training for school staff and students on threat response.
- 17 (d) Training for school staff on crisis communication.
- 18 (e) Safety infrastructure, including, but not limited to,
19 cameras, door blocks, hardened vestibules, window screening, and
20 technology necessary to operate buzzer systems. This may also
21 include firearm detection software that integrates to existing
22 security cameras to detect and alert school personnel and first
23 responders to visible firearms on school property. The software
24 described in the immediately preceding sentence must be organically
25 developed and proprietary to the company it is purchased from and
26 should not include any third-party or open-source data.
- 27 (f) Age-appropriate training for students and families on
28 responsible gun ownership.
- 29 (g) Providing professional development to school resource



1 officers that includes training on the best practices for serving
2 in a school setting.

3 (h) Any other school safety service or product necessary to
4 improve or maintain security in buildings.

5 (2) From the state school aid fund money allocated in
6 subsection (1), the department shall make payments to districts in
7 an equal amount per pupil based on the total number of pupils in
8 membership in each district. From the general fund money allocated
9 in subsection (1), the department shall make payments to nonpublic
10 schools in an equal amount per pupil, using pupil counts determined
11 by the department. The department shall ensure that the amount per
12 pupil paid to nonpublic schools does not exceed the amount per
13 pupil paid to districts.

14 (3) If funding remains after the distribution of funds
15 described in subsection (2), the department may provide additional
16 per-pupil allocations to allocate remaining funding, using for
17 those calculations the same requirements described in subsection
18 (2).

19 (4) To receive funding under this section, districts and
20 nonpublic schools must apply for the funding in a form and manner
21 prescribed by the department. As part of the application process
22 described in this subsection, districts and nonpublic schools must
23 document how they will use community input to guide the expenditure
24 of these funds and must commit to hosting at least 1 community
25 conversation about school safety and student mental health.

26 (5) Notwithstanding section 17b, the department shall make
27 payments under this section on a schedule determined by the
28 department.

29 Sec. 97a. From the general fund money appropriated in section



1 11, there is allocated an amount not to exceed \$1,947,000.00 for
2 ~~2021-2022-2022-2023~~ **only** for Michigan Virtual University to support
3 Navigate 360.

4 **Sec. 97b. (1) From the state school aid fund money**
5 **appropriated in section 11, there is allocated for 2022-2023 an**
6 **amount not to exceed \$25,000,000.00 to public schools, districts,**
7 **and intermediate districts as prescribed in this section.**

8 (2) To receive funding under this section, a public school,
9 district, or intermediate district must apply for the funding to
10 the department of state police, grants and community services
11 division, in a form and manner prescribed by the department of
12 state police, and must pledge, in its application, that it will
13 provide 50% matching funds for the funds it receives under this
14 section.

15 (3) The department of state police shall not award funding
16 under subsection (1) to a public school, district, or intermediate
17 district in relation to the same school building more than once in
18 a single grant application period. If a district submits an
19 application under subsection (2) relating to a school building and
20 a public school within that district also submits an application
21 for funding in relation to that same school building, the
22 department of state police shall not allocate funding under
23 subsection (1) twice for that school building. If a public school,
24 district, or intermediate district submits more than 1 application,
25 the department of state police shall first consider the most recent
26 application submitted in considering funding under subsection (1).

27 (4) A public school, district, or intermediate district that
28 receives funding under this section shall use the funding only to
29 ensure that it has at least 1 school resource officer at its



1 school, district, or intermediate district to do 1 or more of the
2 following in his or her service at the school, district, or
3 intermediate district:

4 (a) Assist school administration in ensuring the physical
5 safety of school buildings of the school, district, or intermediate
6 district and the individuals inside the school buildings.

7 (b) Work with school administration to develop safety
8 procedures for potential threats in school buildings of the school,
9 district, or intermediate district.

10 (c) Welcome, counsel, and mentor students.

11 (d) Educate students about law-related topics, as appropriate.

12 (e) De-escalate aggression that occurs between students or
13 between students and school, district, or intermediate district
14 staff.

15 (f) Mentor students as advisors and role models.

16 (5) Funds allocated under this section for 2022-2023 are a
17 work project appropriation, and any unexpended funds for 2022-2023
18 are carried forward into 2023-2024. The purpose of the work project
19 is to continue providing funding to support public schools,
20 districts, and intermediate districts in having school resource
21 officers at schools, districts, or intermediate districts. The
22 estimated completion date of the work project is September 30,
23 2027.

24 (6) Notwithstanding section 17b, the department shall make
25 payments under this section on a schedule determined by the
26 department.

27 (7) As used in this section, "public school" means that term
28 as defined in section 5 of the revised school code, MCL 380.5.

29 Sec. 97e. (1) From the general fund money appropriated in



1 section 11, there is allocated for 2022-2023 only an amount not to
2 exceed \$2,000,000.00 for the commission.

3 (2) The school safety and mental health commission is created
4 within the department.

5 (3) The commission must consist of all of the following
6 members who must be appointed by the governor as follows:

7 (a) One member from a list of 3 or more names submitted by the
8 minority leader of the house of representatives who has experience
9 in school mental health.

10 (b) One member from a list of 3 or more names submitted by the
11 speaker of the house of representatives who has a background in law
12 enforcement.

13 (c) One member from a list of 3 or more names submitted by the
14 speaker of the house of representatives who is a parent.

15 (d) One member from a list of 3 or more names submitted by the
16 senate minority leader who is a school psychologist or
17 psychiatrist.

18 (e) One member from a list of 3 or more names submitted by the
19 senate majority leader who is a prosecutor.

20 (f) One member from a list of 3 or more names submitted by the
21 senate majority leader who is a teacher.

22 (g) One member who has a background in school administration.

23 (h) One member who has experience in school-threat
24 assessments.

25 (i) One member who has experience in the provision of
26 inpatient treatment to children under age 18.

27 (4) The director of the department of health and human
28 services or the director's designee may be a member of the
29 commission. In addition, the following department heads or their



1 designees that are from within their respective departments or
2 agencies may be nonvoting, ex officio members of the commission:

3 (a) The director of the department of state police.

4 (b) The superintendent of public instruction.

5 (5) The governor shall appoint 5 of the first members to 2-
6 year terms and 4 of the first members to 4-year terms. After the
7 first appointments, the term of a member of the commission is 4
8 years or until a successor is appointed under subsection (3),
9 whichever is later.

10 (6) If a vacancy occurs on the commission, an individual must
11 be appointed in the same manner as prescribed under subsection (3)
12 to fill the vacancy for the balance of the term.

13 (7) The governor may remove a member of the commission for
14 incompetence, dereliction of duty, malfeasance, or nonfeasance in
15 office, or any other good cause.

16 (8) The commission shall meet at least monthly.

17 (9) A majority of the members of the commission constitutes a
18 quorum for transacting business. A vote of the majority of the
19 members of the commission serving is required for any action of the
20 commission.

21 (10) The commission shall conduct its business in compliance
22 with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

23 (11) A writing that is prepared, owned, used, possessed, or
24 retained by the commission in performing an official function is
25 subject to the freedom of information act, 1976 PA 442, MCL 15.231
26 to 15.246.

27 (12) A member of the commission is not entitled to
28 compensation for service on the commission, but the commission may
29 reimburse a member for actual and necessary expenses incurred in



1 serving.

2 (13) The commission shall do all of the following:

3 (a) Collaborate to provide recommendations to reduce youth
4 suicides and strengthen the mental health of school-aged children,
5 adolescents, and their families through a comprehensive, statewide
6 approach.

7 (b) Seek input from educational professionals, mental health
8 professionals, and organizations from across this state to suggest
9 approaches to identify and support students at risk of behavioral
10 health issues.

11 (c) Collaborate with the Michigan suicide prevention
12 commission on recommendations regarding youth suicide.

13 (d) Create and maintain an online community through which best
14 practices and resources can be shared, host professional trainings,
15 and engage in public awareness efforts regarding mental health
16 issues and resources.

17 (e) Review possible uses of and make recommendations for the
18 use of funds received by districts and nonpublic schools under
19 section 97.

20 (f) Convey recommendations to the department of licensing and
21 regulatory affairs and the bureau of construction codes within the
22 department of licensing and regulatory affairs concerning building
23 construction that is consistent with school safety needs.

24 (14) The commission may hire an executive director and staff.

25 (15) As used in this section, "commission" means the school
26 safety and mental health commission created in subsection (2).

27 Sec. 97f. (1) From the state school aid fund money
28 appropriated in section 11, there is allocated for 2022-2023 only
29 an amount not to exceed \$15,000,000.00 for a pilot program



1 implementing a cross-system intervention approach for identifying
2 and supporting middle and high school students that are determined
3 to be at risk for violence through a psychiatric or psychological
4 assessment.

5 (2) Funding allocated in this section must be awarded to a
6 public research institution within a public university in this
7 state and must be used for the pilot program described in this
8 section.

9 (3) The pilot program must be a collaboration between a public
10 research institution and a national law enforcement foundation and
11 must include all the following:

12 (a) The use of case management, intensive mentoring, and
13 technical assistance to reduce the threat of violence in school
14 communities in this state and to provide early interventions for
15 participating youth.

16 (b) Implementation in at least 5 communities from regions
17 across this state.

18 (c) A third-party evaluation to assess outcomes and inform
19 potential statewide implementation.

20 (d) The provision of research-informed training and technical
21 assistance to law enforcement, schools, and community organizations
22 to avert school violence and support young people in this state.

23 (4) The funds allocated under this section for 2022-2023 are a
24 work project appropriation, and any unexpended funds for 2022-2023
25 are carried forward into 2023-2024. The purpose of the work project
26 is to increase school safety by identifying and supporting middle
27 and high school students that are determined to be at risk for
28 violence as described in this section. The estimated completion
29 date of the work project is September 30, 2027.



1 **(5) Notwithstanding section 17b, the department shall make**
 2 **payments under this section on a schedule determined by the**
 3 **department.**

4 Sec. 98. (1) From the general fund money appropriated in
 5 section 11, there is allocated an amount not to exceed
 6 ~~\$7,500,000.00~~ **\$8,000,000.00** for ~~2021-2022~~ **2022-2023** for the
 7 purposes described in this section. **It is the intent of the**
 8 **legislature that, for 2023-2024, the allocation from the general**
 9 **fund money appropriated in section 11 for purposes described in**
 10 **this section will be \$7,500,000.00.** The Michigan Virtual University
 11 shall provide a report to the legislature not later than November 1
 12 of each ~~year~~ **fiscal year for which funding is allocated under this**
 13 **section** that includes its mission, its plans, and proposed
 14 benchmarks it must meet, including a plan to achieve the
 15 organizational priorities identified in this section, in order to
 16 receive full funding for ~~2022-2023~~ **the next fiscal year for which**
 17 **funding is allocated under this section.** Not later than March 1 of
 18 each ~~year~~ **fiscal year for which funding is allocated under this**
 19 **section,** the Michigan Virtual University shall provide an update to
 20 the house and senate appropriations subcommittees on school aid to
 21 show the progress being made to meet the benchmarks identified.

22 (2) The Michigan Virtual University shall operate the Michigan
 23 Virtual Learning Research Institute. The Michigan Virtual Learning
 24 Research Institute shall do all of the following:

25 (a) Support and accelerate innovation in education through the
 26 following activities:

27 (i) Test, evaluate, and recommend as appropriate new
 28 technology-based instructional tools and resources.

29 (ii) Research, design, and recommend virtual education delivery



1 models for use by pupils and teachers that include age-appropriate
2 multimedia instructional content.

3 (iii) Research, develop, and recommend annually to the
4 department criteria by which cyber schools and virtual course
5 providers should be monitored and evaluated to ensure a quality
6 education for their pupils.

7 (iv) Based on pupil completion and performance data reported to
8 the department or the center from cyber schools and other virtual
9 course providers operating in this state, analyze the effectiveness
10 of virtual learning delivery models in preparing pupils to be
11 college- and career-ready and publish a report that highlights
12 enrollment totals, completion rates, and the overall impact on
13 pupils. The Michigan Virtual Learning Research Institute shall
14 submit the report to the house and senate appropriations
15 subcommittees on school aid, the state budget director, the house
16 and senate fiscal agencies, the department, districts, and
17 intermediate districts not later than March 31 of each ~~year~~**fiscal**
18 **year for which funding is allocated under this section.**

19 (v) Provide an extensive professional development program to
20 at least 30,000 educational personnel, including teachers, school
21 administrators, and school board members, that focuses on the
22 effective integration of virtual learning into curricula and
23 instruction. The Michigan Virtual Learning Research Institute is
24 encouraged to work with the MiSTEM council described in section 99s
25 to coordinate professional development of teachers in applicable
26 fields. In addition, the Michigan Virtual Learning Research
27 Institute and external stakeholders are encouraged to coordinate
28 with the department for professional development in this state. Not
29 later than December 1 of each ~~year~~**fiscal year for which funding**



1 **is allocated under this section**, the Michigan Virtual Learning
 2 Research Institute shall submit a report to the house and senate
 3 appropriations subcommittees on school aid, the state budget
 4 director, the house and senate fiscal agencies, and the department
 5 on the number of teachers, school administrators, and school board
 6 members who have received professional development services from
 7 the Michigan Virtual University. The report must also ~~identify~~
 8 **include both of the following:**

9 (A) **The identification of** barriers and other opportunities to
 10 encourage the adoption of virtual learning in the public education
 11 system.

12 (B) **A link to, and explanation of, the Michigan Virtual**
 13 **University's online course standards for professional development**
 14 **programming. The standards described in this sub-subparagraph must**
 15 **inform learners how to file a complaint about course content and**
 16 **detail the steps that will be taken for the review and resolution**
 17 **of complaints.**

18 (vi) Identify and share best practices for planning,
 19 implementing, and evaluating virtual and blended education delivery
 20 models with intermediate districts, districts, and public school
 21 academies to accelerate the adoption of innovative education
 22 delivery models statewide.

23 (b) Provide leadership for this state's system of virtual
 24 learning education by doing the following activities:

25 (i) Develop and report policy recommendations to the governor
 26 and the legislature that accelerate the expansion of effective
 27 virtual learning in this state's schools.

28 (ii) Provide a clearinghouse for research reports, academic
 29 studies, evaluations, and other information related to virtual



1 learning.

2 (iii) Promote and distribute the most current instructional
3 design standards and guidelines for virtual teaching.

4 (iv) In collaboration with the department and interested
5 colleges and universities in this state, support implementation and
6 improvements related to effective virtual learning instruction.

7 (v) Pursue public/private partnerships that include districts
8 to study and implement competency-based technology-rich virtual
9 learning models.

10 (vi) Create a statewide network of school-based mentors serving
11 as liaisons between pupils, virtual instructors, parents, and
12 school staff, as provided by the department or the center, and
13 provide mentors with research-based training and technical
14 assistance designed to help more pupils be successful virtual
15 learners.

16 (vii) Convene focus groups and conduct annual surveys of
17 teachers, administrators, pupils, parents, and others to identify
18 barriers and opportunities related to virtual learning.

19 (viii) Produce an annual consumer awareness report for schools
20 and parents about effective virtual education providers and
21 education delivery models, performance data, cost structures, and
22 research trends.

23 (ix) Provide an internet-based platform that educators can use
24 to create student-centric learning tools and resources for sharing
25 in the state's open educational resource repository and facilitate
26 a user network that assists educators in using the content creation
27 platform and state repository for open educational resources. As
28 part of this initiative, the Michigan Virtual University shall work
29 collaboratively with districts and intermediate districts to



1 establish a plan to make available virtual resources that align to
2 Michigan's K-12 curriculum standards for use by students,
3 educators, and parents.

4 (x) Create and maintain a public statewide catalog of virtual
5 learning courses being offered by all public schools and community
6 colleges in this state. The Michigan Virtual Learning Research
7 Institute shall identify and develop a list of nationally
8 recognized best practices for virtual learning and use this list to
9 support reviews of virtual course vendors, courses, and
10 instructional practices. The Michigan Virtual Learning Research
11 Institute shall also provide a mechanism for intermediate districts
12 to use the identified best practices to review content offered by
13 constituent districts. The Michigan Virtual Learning Research
14 Institute shall review the virtual course offerings of the Michigan
15 Virtual University, and make the results from these reviews
16 available to the public as part of the statewide catalog. The
17 Michigan Virtual Learning Research Institute shall ensure that the
18 statewide catalog is made available to the public on the Michigan
19 Virtual University website and shall allow the ability to link it
20 to each district's website as provided for in section 21f. The
21 statewide catalog must also contain all of the following:

22 (A) The number of enrollments in each virtual course in the
23 immediately preceding school year.

24 (B) The number of enrollments that earned 60% or more of the
25 total course points for each virtual course in the immediately
26 preceding school year.

27 (C) The pass rate for each virtual course.

28 (xi) Support registration, payment services, and transcript
29 functionality for the statewide catalog and train key stakeholders



1 on how to use new features.

2 (xii) Collaborate with key stakeholders to examine district
3 level accountability and teacher effectiveness issues related to
4 virtual learning under section 21f and make findings and
5 recommendations publicly available.

6 (xiii) Provide a report on the activities of the Michigan
7 Virtual Learning Research Institute.

8 (3) To further enhance its expertise and leadership in virtual
9 learning, the Michigan Virtual University shall continue to operate
10 the Michigan Virtual School as a statewide laboratory and quality
11 model of instruction by implementing virtual and blended learning
12 solutions for Michigan schools in accordance with the following
13 parameters:

14 (a) The Michigan Virtual School must maintain its
15 accreditation status from recognized national and international
16 accrediting entities.

17 (b) The Michigan Virtual University shall use no more than
18 \$1,000,000.00 of the amount allocated under this section to
19 subsidize the cost paid by districts for virtual courses.

20 (c) In providing educators responsible for the teaching of
21 virtual courses as provided for in this section, the Michigan
22 Virtual School shall follow the requirements to request and assess,
23 and the department of state police shall provide, a criminal
24 history check and criminal records check under sections 1230 and
25 1230a of the revised school code, MCL 380.1230 and 380.1230a, in
26 the same manner as if the Michigan Virtual School were a school
27 district under those sections.

28 (4) From the funds allocated under subsection (1), the
29 Michigan Virtual University shall allocate up to \$500,000.00 to



1 support the expansion of new online and blended educator
2 professional development programs.

3 (5) If the course offerings are included in the statewide
4 catalog of virtual courses under subsection (2)(b)(x), the Michigan
5 Virtual School operated by the Michigan Virtual University may
6 offer virtual course offerings, including, but not limited to, all
7 of the following:

8 (a) Information technology courses.

9 (b) College level equivalent courses, as that term is defined
10 in section 1471 of the revised school code, MCL 380.1471.

11 (c) Courses and dual enrollment opportunities.

12 (d) Programs and services for at-risk pupils.

13 (e) High school equivalency test preparation courses for
14 adjudicated youth.

15 (f) Special interest courses.

16 (g) Professional development programs for teachers, school
17 administrators, other school employees, and school board members.

18 (6) If a home-schooled or nonpublic school student is a
19 resident of a district that subscribes to services provided by the
20 Michigan Virtual School, the student may use the services provided
21 by the Michigan Virtual School to the district without charge to
22 the student beyond what is charged to a district pupil using the
23 same services.

24 (7) Not later than December 1 of each fiscal year **for which**
25 **funding is allocated under this section**, the Michigan Virtual
26 University shall provide a report to the house and senate
27 appropriations subcommittees on school aid, the state budget
28 director, the house and senate fiscal agencies, and the department
29 that includes at least all of the following information related to



1 the Michigan Virtual School for the preceding ~~state~~-fiscal year:

2 (a) A list of the districts served by the Michigan Virtual
3 School.

4 (b) A list of virtual course titles available to districts.

5 (c) The total number of virtual course enrollments and
6 information on registrations and completions by course.

7 (d) The overall course completion rate percentage.

8 (8) In addition to the information listed in subsection (7),
9 the report under subsection (7) must also include a plan to serve
10 at least 600 schools with courses from the Michigan Virtual School
11 or with content available through the internet-based platform
12 identified in subsection (2) (b) *(ix)*.

13 (9) The governor may appoint an advisory group for the
14 Michigan Virtual Learning Research Institute established under
15 subsection (2). The members of the advisory group serve at the
16 pleasure of the governor and without compensation. The purpose of
17 the advisory group is to make recommendations to the governor, the
18 legislature, and the president and board of the Michigan Virtual
19 University that will accelerate innovation in this state's
20 education system in a manner that will prepare elementary and
21 secondary students to be career and college ready and that will
22 promote the goal of increasing the percentage of residents of this
23 state with high-quality degrees and credentials to at least 60% by
24 2025.

25 (10) Not later than November 1 of each ~~year~~, **fiscal year for**
26 **which funding is allocated under this section**, the Michigan Virtual
27 University shall submit to the house and senate appropriations
28 subcommittees on school aid, the state budget director, and the
29 house and senate fiscal agencies a detailed budget for that fiscal



1 year that includes a breakdown on its projected costs to deliver
 2 virtual educational services to districts and a summary of the
 3 anticipated fees to be paid by districts for those services. Not
 4 later than March 1 each ~~year,~~ **fiscal year for which funding is**
 5 **allocated under this section,** the Michigan Virtual University shall
 6 submit to the house and senate appropriations subcommittees on
 7 school aid, the state budget director, and the house and senate
 8 fiscal agencies a breakdown on its actual costs to deliver virtual
 9 educational services to districts and a summary of the actual fees
 10 paid by districts for those services based on audited financial
 11 statements for the immediately preceding fiscal year.

12 (11) As used in this section:

13 (a) "Blended learning" means a hybrid instructional delivery
 14 model where pupils are provided content, instruction, and
 15 assessment, in part at a supervised educational facility away from
 16 home where the pupil and a teacher with a valid Michigan teaching
 17 certificate are in the same physical location and in part through
 18 internet-connected learning environments with some degree of pupil
 19 control over time, location, and pace of instruction.

20 (b) "Cyber school" means a full-time instructional program of
 21 virtual courses for pupils that may or may not require attendance
 22 at a physical school location.

23 (c) "Virtual course" means a course of study that is capable
 24 of generating a credit or a grade and that is provided in an
 25 interactive learning environment in which the majority of the
 26 curriculum is delivered using the internet and in which pupils are
 27 separated from their instructor or teacher of record by time or
 28 location, or both.

29 Sec. 98b. (1) In order to receive state aid under this article



1 for ~~2021-2022, 2022-2023~~, a district must do all of the following:

2 (a) By not later than the first meeting of the board that
 3 occurs in February of ~~2022~~ **the fiscal year referenced in subsection**
 4 **(1)** and by not later than the last day of the ~~2021-2022~~ school year
 5 **that falls within the fiscal year referenced in subsection (1)**, the
 6 district superintendent or chief administrator of the district, as
 7 applicable, shall present both of the following at a public meeting
 8 of the board:

9 (i) Subject to state and federal privacy laws, the results from
 10 benchmark assessments and local benchmark assessments, as
 11 applicable, administered under section ~~104a~~ **104h or 104i, as**
 12 **applicable.**

13 (ii) For each school operated by the district, each school's
 14 progress toward meeting the educational goals described in
 15 subdivision (d).

16 (b) The district shall ensure that the information presented
 17 under subdivision (a) is disaggregated by grade level, by student
 18 demographics, and by the mode of instruction received by the pupils
 19 to which the information applies.

20 (c) The information presented under subdivision (a) must also
 21 be compiled into a report that the district shall make available
 22 through the transparency reporting link located on the district's
 23 website.

24 (d) The district shall ensure that, by not later than
 25 September 15 ~~, 2021,~~ **of the fiscal year immediately preceding the**
 26 **fiscal year referenced in subsection (1)**, each school building
 27 leader of each school operated by the district, in conjunction with
 28 all teachers and school administrators of the school, establishes
 29 educational goals expected to be achieved for the ~~2021-2022~~ school



1 year **that falls within the fiscal year referenced in subsection (1)**
 2 for the school. The goals described in this subdivision must
 3 specify which educational goals are expected to be achieved by not
 4 later than the middle of the school year and which goals are
 5 expected to be achieved by not later than the last day of the ~~2021-~~
 6 ~~2022~~-school year. All the following apply to the educational goals
 7 described in this subdivision:

8 (i) The goals must include increased pupil achievement or, if
 9 growth can be validly and reliably measured using a benchmark
 10 assessment or benchmark assessments or a local benchmark
 11 assessment, growth on a benchmark assessment or benchmark
 12 assessments or a local benchmark assessment described in
 13 subparagraph (ii) in the aggregate and for all subgroups of pupils
 14 broken down by grade level, student demographics, and mode of
 15 instruction.

16 (ii) The goals must include an assurance that the district
 17 shall select a benchmark assessment or benchmark assessments or a
 18 local benchmark assessment that are aligned to state standards and
 19 an assurance that the district shall administer the benchmark
 20 assessment or benchmark assessments or local benchmark assessment
 21 to all pupils as prescribed under section ~~104a-104h~~ **or 104i, as**
 22 **applicable**, to determine whether pupils are making meaningful
 23 progress toward mastery of these standards.

24 (iii) The goals must be measurable through a benchmark
 25 assessment or benchmark assessments or a local benchmark assessment
 26 described in subparagraph (ii).

27 ~~(iv) For districts that provided instruction under an approved~~
 28 ~~extended COVID-19 learning plan under section 98a, the goals must~~
 29 ~~correlate to the educational goals that were included in the~~



1 ~~district's COVID-19 learning plan under section 98a for the 2020-~~
 2 ~~2021 school year.~~

3 (e) In implementing a benchmark assessment system under
 4 section ~~104a, 104h or 104i, as applicable,~~ the district ensures
 5 that it is in compliance with section ~~104a(1)(f).~~ **104h(1)(f) or**
 6 **104i(1)(f), as applicable.**

7 (2) The department shall create a statewide uniform template
 8 for districts to utilize in the development of educational goals
 9 under subsection (1)(d) and shall make this template available to
 10 all districts by not later than June 30 ~~, 2022.~~ **of the fiscal year**
 11 **referenced in subsection (1).**

12 (3) By not later than June 15 ~~, 2022,~~ **of the fiscal year**
 13 **referenced in subsection (1),** subject to state and federal privacy
 14 laws, the superintendent of public instruction shall submit a
 15 report to the house and senate appropriations subcommittees on
 16 school aid and the house and senate standing committees on
 17 education that includes the results of benchmark assessments
 18 administered under section ~~104a 104h or 104i, as applicable,~~ that
 19 the superintendent of public instruction has received from
 20 districts. All of the following apply to the data included in the
 21 report described in this subsection:

22 (a) It must be disaggregated by grade level, student
 23 demographics, and the modes of instruction received by pupils.

24 (b) It must be broken down so as to show a comparison of
 25 growth among pupils within a grade level, within certain student
 26 demographics, and based on the modes of instruction received by the
 27 pupils.

28 (4) If requested to do so by the chairs of the house and
 29 senate appropriations subcommittees on school aid and the chairs of



1 the house and senate standing committees on education, the
2 superintendent of public instruction shall present his or her
3 report submitted under subsection (3) in person to the house and
4 senate appropriations subcommittees on school aid and the house and
5 senate standing committees on education.

6 **Sec. 98c. (1) Subject to subsection (3), from the federal**
7 **funding appropriated in section 11 from funds awarded to this state**
8 **from the governor's emergency education relief (GEER) fund under**
9 **the coronavirus response and relief supplemental appropriations**
10 **act, 2021, division M of Public Law 116-260, there is allocated the**
11 **amount available, estimated at \$6,618,200.00 for 2021-2022 only,**
12 **and, from funds awarded to this state from the elementary and**
13 **secondary school emergency relief (ESSER) fund under the**
14 **coronavirus response and relief supplemental appropriations act,**
15 **2021, division M of Public Law 116-260, there is allocated the**
16 **amount available, estimated at \$45,437,800.00 for 2021-2022 only,**
17 **to provide per-pupil payments to eligible districts to address**
18 **learning loss.**

19 (2) A district that meets all of the following is an eligible
20 district under this section:

21 (a) By not later than October 30, 2022, at a public meeting of
22 the board of the district, the board of the district ensures that a
23 presentation is provided to the board, to the parents and legal
24 guardians of pupils enrolled in the district, and to other members
25 of the community. The presentation must include a plan on how
26 funding received under this section will be used to address
27 learning loss.

28 (b) The board of the district posts the plan described in
29 subdivision (a) on the district's website.



1 (c) The board of the district posts any updates to the plan
 2 described in subdivision (a), as applicable, on the district's
 3 website.

4 (3) The amount of funding provided to each eligible district
 5 under this section must be an equal amount per pupil in membership.

6 (4) By not later than August 15, 2023, an eligible district
 7 that has received funding under this section shall provide a report
 8 to the chairs of the house and senate appropriations subcommittees
 9 on school aid, to the house and senate fiscal agencies, and to the
 10 state budget director indicating how funds received under this
 11 section were spent, detailing the amounts spent, the services
 12 provided with the funding, students reached with the funding, and
 13 any outcomes that measure how the funds that were used to address
 14 learning loss impacted student achievement.

15 (5) If funds received under this section were not used to
 16 address learning loss in accordance with an eligible district's
 17 plan as described in subsection (2)(a), including any updates to
 18 the plan, as applicable, as evidenced by findings in the report
 19 described in subsection (4), by not later than September 30, 2023,
 20 the eligible district shall remit to the department the amount of
 21 funds received under this section that were not used to address
 22 learning loss.

23 Sec. 99h. (1) From the state school aid fund money
 24 appropriated in section 11, there is allocated an amount not to
 25 exceed ~~\$4,723,200.00~~ **\$5,223,200.00** for ~~2021-2022~~ **2022-2023** for
 26 competitive grants to districts and intermediate districts, and
 27 from the general fund money appropriated in section 11, there is
 28 allocated \$600,000.00 for ~~2021-2022~~ **2022-2023** for competitive
 29 grants to nonpublic schools, that provide pupils in grades pre-K to



1 12 with expanded opportunities to improve mathematics, science, and
 2 technology skills by participating in ~~events~~ **competitions** hosted by
 3 a science and technology development program known as FIRST (for
 4 inspiration and recognition of science and technology) Robotics,
 5 including JR FIRST Lego League, FIRST Lego League, FIRST Tech
 6 challenge, and FIRST Robotics competition, or other competitive
 7 robotics programs **or equipment vendors**, including VEX, Square One,
 8 and those hosted by the Robotics Education and Competition (REC)
 9 Foundation. **It is the intent of the legislature that, for 2023-**
 10 **2024, the allocation from the state school aid fund money**
 11 **appropriated in section 11 for purposes described in this section**
 12 **will be \$4,723,200.00.** Programs funded under this section are
 13 intended to increase the number of pupils demonstrating proficiency
 14 in science and mathematics on the state assessments and to increase
 15 the number of pupils who are college- and career-ready upon high
 16 school graduation. Notwithstanding section 17b, the department
 17 shall make grant payments to districts, nonpublic schools, and
 18 intermediate districts under this section on a schedule determined
 19 by the department. The department shall set maximum grant awards
 20 for each different level of programming and competition in a manner
 21 that both maximizes the number of teams that will be able to
 22 receive funds and expands the geographical distribution of teams.

23 **(2) The department shall do all of the following for purposes**
 24 **of this section:**

25 **(a) Both of the following by not later than 60 days after the**
 26 **K to 12 appropriations bill for the current fiscal year is enacted**
 27 **into law or October 1 of the current fiscal year, whichever is**
 28 **later:**

29 **(i) Open applications for funding under this section to all**



1 districts, nonpublic schools, and intermediate districts.

2 (ii) Publish a list of approved programs and vendors for
3 purposes of this section in a manner that is accessible to all
4 applicants. To obtain approval under this subparagraph, a program
5 or vendor must do both of the following:

6 (A) Submit to the department registration information,
7 including any fees; pledge that it will post this information on
8 its website; and, by not later than January 1, 2023, and January 1
9 each year thereafter, submit this information to the department for
10 publication on the department's website.

11 (B) Pledge that it will not require a payment of any team
12 described in this section, including, but not limited to,
13 registration fees, if the team does not receive a grant under this
14 section.

15 (b) By not later than 30 days after applications are opened as
16 described in subdivision (a), close applications under this
17 section.

18 (c) By not later than 60 days after applications are closed as
19 described in subdivision (b), make all determinations concerning
20 funding under this section.

21 (d) By not later than July 1, 2023, and by not later than July
22 1 each year thereafter, publish a document listing the requirements
23 for becoming an approved program or vendor under subdivision (a).

24 (3) Except as otherwise provided under this subsection, if
25 funding under this section is insufficient to fulfill all funding
26 requests by qualified applicants under this section, the department
27 shall prorate the total funding allocated under this section
28 equally among all qualified applicants. However, for funding under
29 this section toward grants under subsection (5) (b), in its



1 proration under this subsection, the department shall ensure that
 2 each district is paid in an amount equal to the percentage the
 3 department would have paid the district in grant funding under
 4 subsection (5) (b), but for proration under this subsection, with no
 5 district receiving a grant under subsection (5) (b) in an amount
 6 that is greater than the district's total accrued costs under
 7 subsection (5) (b).

8 (4) ~~(2)~~—A district, nonpublic school, or intermediate district
 9 applying for a grant under this section ~~shall~~**must** submit an
 10 application in a form and manner prescribed by the department. To
 11 be eligible for a grant, a district, nonpublic school, or
 12 intermediate district must demonstrate in its application that the
 13 district, nonpublic school, or intermediate district has
 14 established a partnership for the purposes of the robotics program
 15 with at least 1 sponsor, business entity, higher education
 16 institution, or technical school, shall submit a spending plan, and
 17 shall provide a local in-kind or cash match from other private or
 18 local funds of at least 25% of the cost of the robotics program
 19 award.

20 (5) ~~(3)~~—The department shall distribute the grant funding
 21 under this section for the following purposes:

22 (a) Grants to districts, nonpublic schools, or intermediate
 23 districts to pay for stipends not to exceed \$1,500.00 per building
 24 for coaching.

25 (b) Grants to districts, nonpublic schools, or intermediate
 26 districts for event registrations, materials, travel costs, and
 27 other expenses associated with the preparation for and attendance
 28 at robotics events and competitions.

29 (c) Grants to districts, nonpublic schools, or intermediate



1 districts for awards to teams that advance to the next levels of
 2 competition as determined by the department. The department shall
 3 determine an equal amount per team for those teams that advance.

4 **(6)** ~~(4)~~—The funds allocated under this section for ~~2021-2022~~
 5 **2022-2023** are a work project appropriation, and any unexpended
 6 funds for ~~2021-2022-2022-2023~~ are carried forward into ~~2022-2023.~~
 7 **2023-2024**. The purpose of the work project is to continue support
 8 of ~~FIRST Robotics and must not be used to support other robotics~~
 9 ~~competitions.~~ **programs under this section.** The estimated completion
 10 date of the work project is September 30, ~~2023-2024~~.

11 **(7)** ~~(5)~~—A nonpublic school that receives a grant under this
 12 section may use the funds for either robotics or Science Olympiad
 13 programs.

14 **(8)** ~~(6)~~—To be eligible to receive funds under this section, a
 15 nonpublic school must be a nonpublic school registered with the
 16 department and must meet all applicable state reporting
 17 requirements for nonpublic schools.

18 **(9)** **For purposes of this section, an approved program or**
 19 **vendor under this section that provides a program under this**
 20 **section shall not work with the department to set prices or**
 21 **policies for the program.**

22 **(10)** **As used in this section, "current fiscal year" means the**
 23 **fiscal year for which an allocation is made under this section.**

24 Sec. 99i. From the general fund money appropriated in section
 25 11, there is allocated for ~~2021-2022-2022-2023~~ **only** an amount not
 26 to exceed ~~\$150,000.00~~ **\$500,000.00** to support the Michigan council
 27 of women in technology foundation. The funds awarded under this
 28 section must be used to support the girls-exploring-together-
 29 information-technology clubs for middle and high school girls that



1 provide structured hands-on learning activities through a
 2 comprehensive technology-focused curriculum.

3 Sec. 99s. (1) From ~~the funds~~ **state school aid fund money**
 4 appropriated under section 11, there is allocated for ~~2021-2022~~
 5 **2022-2023** an amount not to exceed \$7,634,300.00 ~~from the state~~
 6 ~~school aid fund appropriation and an amount not to exceed~~
 7 ~~\$300,000.00 from the general fund appropriation~~ for Michigan
 8 science, technology, engineering, and mathematics (MiSTEM)
 9 programs. ~~In addition, from the federal funds appropriated in~~
 10 ~~section 11, there is allocated to the department for 2021-2022 an~~
 11 ~~amount estimated at \$235,000.00 from DED-OESE, title II,~~
 12 ~~mathematics and science partnership grants.~~ The MiSTEM network may
 13 receive funds from private sources. If the MiSTEM network receives
 14 funds from private sources, the MiSTEM network shall expend those
 15 funds in alignment with the statewide STEM strategy. Programs
 16 funded under this section are intended to increase the number of
 17 pupils demonstrating proficiency in science and mathematics on the
 18 state assessments, to increase the number of pupils who are
 19 college- and career-ready upon high school graduation, and to
 20 promote certificate and degree attainment in STEM fields.
 21 Notwithstanding section 17b, the department shall make payments
 22 under this section on a schedule determined by the department.

23 (2) The MiSTEM council annually shall review and make
 24 recommendations to the governor, the legislature, and the
 25 department concerning changes to the statewide strategy adopted by
 26 the council for delivering STEM education-related opportunities to
 27 pupils. The MiSTEM council shall use funds received under this
 28 subsection to ensure that its members or their designees are
 29 trained in the Change the Equation STEMworks rating system program



1 for the purpose of rating STEM programs.

2 (3) The MiSTEM council shall make specific funding
3 recommendations for the funds allocated under subsection (4) by
4 December 15 of each fiscal year. Each specific funding
5 recommendation must be for a program approved by the MiSTEM
6 council. All of the following apply:

7 (a) To be eligible for MiSTEM council approval as described in
8 this subsection, a program must satisfy all of the following:

9 (i) Align with this state's academic standards.

10 (ii) Have STEMworks certification.

11 (iii) Provide project-based experiential learning, student
12 programming, or educator professional learning experiences.

13 (iv) Focus predominantly on classroom-based STEM experiences or
14 professional learning experiences.

15 (b) The MiSTEM council shall approve programs that represent
16 all network regions and include a diverse array of options for
17 students and educators and at least 1 program in each of the
18 following areas:

19 (i) Robotics.

20 (ii) Computer science or coding.

21 (iii) Engineering or bioscience.

22 (c) The MiSTEM council is encouraged to work with the MiSTEM
23 network to develop locally and regionally developed programs and
24 professional learning experiences for the programs on the list of
25 approved programs.

26 (d) If the MiSTEM council is unable to make specific funding
27 recommendations by December 15 of a fiscal year, the department
28 shall award and distribute the funds allocated under subsection (4)
29 on a competitive grant basis that at least follows the statewide



1 STEM strategy plan and rating system recommended by the MiSTEM
 2 council. Each grant must provide STEM education-related
 3 opportunities for pupils.

4 (e) The MiSTEM council shall work with the department of labor
 5 and economic opportunity to implement the statewide STEM strategy
 6 adopted by the MiSTEM council.

7 (4) ~~Except as otherwise provided in this subsection, from~~ **From**
 8 the state school aid fund money allocated under subsection (1),
 9 there is allocated for ~~2021-2022~~ **2022-2023** an amount not to exceed
 10 \$3,050,000.00 for the purpose of funding programs under this
 11 section for ~~2021-2022~~ **2022-2023** as recommended by the MiSTEM
 12 council. ~~However, from the allocation under this subsection, the~~
 13 ~~MiSTEM council shall recommend and the department shall award~~
 14 ~~\$350,000.00 in grants to intermediate districts to implement~~
 15 ~~fabrication laboratories (Fab Labs). The MiSTEM council shall~~
 16 ~~recommend and the department shall only award 10 grants described~~
 17 ~~in the immediately preceding sentence in an amount not to exceed~~
 18 ~~\$35,000.00 each.~~

19 (5) From the state school aid fund money allocated under
 20 subsection (1), there is allocated an amount not to exceed
 21 \$3,834,300.00 for ~~2021-2022~~ **2022-2023** to support the activities and
 22 programs of the MiSTEM network regions. ~~In addition, from the~~
 23 ~~federal funds allocated under subsection (1), there is allocated~~
 24 ~~for 2021-2022 an amount estimated at \$235,000.00 from DED-OESE,~~
 25 ~~title II, mathematics and science partnership grants, for the~~
 26 ~~purposes of this subsection.~~ From the money allocated under this
 27 subsection, the department shall award the fiscal agent for each
 28 MiSTEM network region \$200,000.00 for the base operations of each
 29 region. The department shall distribute the remaining funds to each



1 fiscal agent in an equal amount per pupil, based on the number of K
2 to 12 pupils enrolled in districts within each region in the
3 immediately preceding fiscal year.

4 (6) A MiSTEM network region shall do all of the following:

5 (a) Collaborate with the career and educational advisory
6 council that is located in the MiSTEM region to develop a regional
7 strategic plan for STEM education that creates a robust regional
8 STEM culture, that empowers STEM teachers, that integrates business
9 and education into the STEM network, and that ensures high-quality
10 STEM experiences for pupils. At a minimum, a regional STEM
11 strategic plan should do all of the following:

12 (i) Identify regional employer need for STEM.

13 (ii) Identify processes for regional employers and educators to
14 create guided pathways for STEM careers that include internships or
15 externships, apprenticeships, and other experiential engagements
16 for pupils.

17 (iii) Identify educator professional learning opportunities,
18 including internships or externships and apprenticeships, that
19 integrate this state's science standards into high-quality STEM
20 experiences that engage pupils.

21 (b) Facilitate regional STEM events such as educator and
22 employer networking and STEM career fairs to raise STEM awareness.

23 (c) Contribute to the MiSTEM website and engage in other
24 MiSTEM network functions to further the mission of STEM in this
25 state in coordination with the MiSTEM council and the department of
26 labor and economic opportunity.

27 (d) Facilitate application and implementation of state and
28 federal funds under this subsection and any other grants or funds
29 for the MiSTEM network region.



1 (e) Work with districts to provide STEM programming and
2 professional learning.

3 (f) Coordinate recurring discussions and work with the career
4 and educational advisory council to ensure that feedback and best
5 practices are being shared, including funding, program,
6 professional learning opportunities, and regional strategic plans.

7 (7) From the state school aid fund money allocated under
8 subsection (1), the department shall distribute for ~~2021-2022-2022-~~
9 **2023** an amount not to exceed \$750,000.00, in a form and manner
10 determined by the department, to those network regions able to
11 further the statewide STEM strategy recommended by the MiSTEM
12 council.

13 (8) In order to receive state or federal funds under
14 subsection (5) or (7), or to receive funds from private sources as
15 authorized under subsection (1), a grant recipient must allow
16 access for the department or the department's designee to audit all
17 records related to the program for which it receives those funds.
18 The grant recipient shall reimburse the state for all disallowances
19 found in the audit.

20 (9) In order to receive state funds under subsection (5) or
21 (7), a grant recipient must provide at least a 10% local match from
22 local public or private resources for the funds received under this
23 subsection.

24 (10) Not later than July 1 of each ~~year,~~ **fiscal year for which**
25 **funding is allocated under this section,** a MiSTEM network region
26 that receives funds under subsection (5) shall report to the
27 executive director of the MiSTEM network in a form and manner
28 prescribed by the executive director on performance measures
29 developed by the MiSTEM network regions and approved by the



1 executive director. The performance measures must be designed to
 2 ensure that the activities of the MiSTEM network are improving
 3 student academic outcomes.

4 (11) Not more than 5% of a MiSTEM network region grant under
 5 subsection (5) or (7) may be retained by a fiscal agent for serving
 6 as the fiscal agent of a MiSTEM network region.

7 ~~(12) From the general fund money allocated under subsection~~
 8 ~~(1), there is allocated an amount not to exceed \$300,000.00 to the~~
 9 ~~department of labor and economic opportunity to support the staff~~
 10 ~~for the MiSTEM network, and for administrative, training, and~~
 11 ~~travel costs related to the MiSTEM council. The staff for the~~
 12 ~~MiSTEM network shall do all of the following:~~

13 ~~(a) Serve as a liaison among and between the department, the~~
 14 ~~department of labor and economic opportunity, the MiSTEM council,~~
 15 ~~the governor's workforce development board, the MiSTEM regions, and~~
 16 ~~any other relevant organization or entity in a manner that creates~~
 17 ~~a robust statewide STEM culture, that empowers STEM teachers, that~~
 18 ~~integrates business and education into the STEM network, and that~~
 19 ~~ensures high-quality STEM experiences for pupils.~~

20 ~~(b) Coordinate the implementation of a marketing campaign,~~
 21 ~~including, but not limited to, a website that includes dashboards~~
 22 ~~of outcomes, to build STEM awareness and communicate STEM needs and~~
 23 ~~opportunities to pupils, parents, educators, and the business~~
 24 ~~community.~~

25 ~~(c) Work with the department and the MiSTEM council to~~
 26 ~~coordinate, award, and monitor MiSTEM state and federal grants to~~
 27 ~~the MiSTEM network regions and conduct reviews of grant recipients,~~
 28 ~~including, but not limited to, pupil experience and feedback.~~

29 ~~(d) Report to the governor, the legislature, the department,~~



1 and the MiSTEM council annually on the activities and performance
2 of the MiSTEM network regions.

3 ~~(e) Coordinate recurring discussions and work with regional~~
4 ~~staff to ensure that a network or loop of feedback and best~~
5 ~~practices are shared, including funding, programming, professional~~
6 ~~learning opportunities, discussion of MiSTEM strategic vision, and~~
7 ~~regional objectives.~~

8 ~~(f) Coordinate major grant application efforts with the MiSTEM~~
9 ~~council to assist regional staff with grant applications on a local~~
10 ~~level. The MiSTEM council shall leverage private and nonprofit~~
11 ~~relationships to coordinate and align private funds in addition to~~
12 ~~funds appropriated under this section.~~

13 ~~(g) Train state and regional staff in the STEMworks rating~~
14 ~~system, in collaboration with the MiSTEM council and the~~
15 ~~department.~~

16 ~~(h) Hire MiSTEM network region staff in collaboration with the~~
17 ~~network region fiscal agent.~~

18 **(12)** ~~(13)~~ As used in this section:

19 (a) "Career and educational advisory council" means an
20 advisory council to the local workforce development boards located
21 in a prosperity region consisting of educational, employer, labor,
22 and parent representatives.

23 (b) "DED" means the United States Department of Education.

24 (c) "DED-OESE" means the DED Office of Elementary and
25 Secondary Education.

26 (d) "MiSTEM Council" means the Michigan Science, Technology,
27 Engineering, and Mathematics Education Advisory Council created as
28 an advisory body within the department of labor and economic
29 opportunity by Executive Reorganization Order No. 2019-3, MCL



1 125.1998.

2 (e) "STEM" means science, technology, engineering, and
 3 mathematics delivered in an integrated fashion using cross-
 4 disciplinary learning experiences that can include language arts,
 5 performing and fine arts, and career and technical education.

6 Sec. 99t. (1) From the general fund appropriation under
 7 section 11, there is allocated an amount not to exceed
 8 ~~\$2,000,000.00~~ **\$3,000,000.00** for ~~2021-2022~~ **2022-2023 only** to
 9 purchase statewide access to an online algebra tool that meets all
 10 of the following:

11 (a) Provides students statewide with complete access to videos
 12 aligned with state standards including study guides and workbooks
 13 that are aligned with the videos.

14 (b) Provides students statewide with access to a personalized
 15 online algebra learning tool including adaptive diagnostics.

16 (c) Provides students statewide with dynamic algebra practice
 17 assessments that emulate the state assessment with immediate
 18 feedback and help solving problems.

19 (d) Provides students statewide with online access to algebra
 20 help 24 hours a day and 7 days a week from study experts, teachers,
 21 and peers on a moderated social networking platform.

22 (e) Provides an online algebra professional development
 23 network for teachers.

24 (f) Is already provided under a statewide contract in at least
 25 1 other state that has a population of at least 18,000,000 but not
 26 more than 19,000,000 according to the most recent decennial census
 27 and is offered in that state in partnership with a public
 28 university.

29 (2) The department shall purchase the online algebra tool that



1 was chosen under this section in 2016-2017.

2 (3) A grantee receiving funding under this section shall
3 comply with the requirements of section 19b.

4 Sec. 99u. (1) From the general fund money appropriated under
5 section 11, there is allocated for ~~2021-2022~~**2022-2023 only** an
6 amount not to exceed \$6,000,000.00 to a provider that is a provider
7 of both of the following:

8 (a) An online mathematics tool that meets all of the
9 following:

10 (i) Provides students statewide with complete access to
11 mathematics support aligned with state standards through a program
12 that has all of the following elements:

13 (A) Student motivation.

14 (B) Valid and reliable assessments.

15 (C) Personalized learning pathways.

16 (D) Highly qualified, live teachers available all day and all
17 year.

18 (E) Twenty-four-hour reporting.

19 (F) Content built for rigorous mathematics.

20 (ii) Has a record of improving student mathematics scores in at
21 least 5 other states.

22 (iii) Received funding under this section in 2017-2018.

23 (b) A program that provides explicit, targeted literacy
24 instruction within an individualized learning path that continually
25 adjusts to a pupil's needs. A program described in this subdivision
26 that is funded under this subsection must be funded through a grant
27 to a provider described in this subsection that also promotes
28 literacy through the teaching of critical language and literacy
29 concepts, such as reading and listening comprehension, basic



1 vocabulary, academic language, grammar, phonological awareness,
2 phonics, and fluency.

3 (2) A grantee that receives funding under this section shall
4 comply with the requirements of section 19b.

5 (3) Notwithstanding section 17b, the department shall make
6 payments under this section by not later than December 1 ~~, 2021.~~**of**
7 **each fiscal year for which funding is allocated under this section.**

8 Sec. 99x. (1) From the ~~general fund money~~**federal funding**
9 appropriated under section 11, there is allocated for ~~2021-2022~~
10 **2022-2023 only** an amount not to exceed ~~\$1,000,000.00~~**\$20,000,000.00**
11 **from the federal funding awarded to this state from the coronavirus**
12 **state fiscal recovery fund under the American rescue plan act of**
13 **2021, title IX, subtitle M of Public Law 117-2, for, subject to**
14 **subsection (2), Teach for America to** ~~host a summer training~~
15 ~~institute in the city of Detroit, recruit teachers into a master~~
16 ~~teacher fellowship, and retain a committed alumni community. A~~
17 ~~program funded under this section must provide coaching and~~
18 ~~professional development, with the goal to produce highly effective~~
19 ~~teachers that move pupils beyond their growth benchmarks.~~**lead and**
20 **support teacher recruitment, training, development, and retention**
21 **efforts for high-performing educators in at-risk schools in this**
22 **state, which includes, but is not limited to, the operation of**
23 **educator fellowship programs in at least 3 regions in this state,**
24 **including rural regions; the provision of support to educator-led**
25 **innovation in this state; and investment in a broad educator**
26 **workforce campaign to recruit and retain high-performing educators**
27 **and educator candidates in this state.**

28 (2) Teach for America must have recruited or invested in the
29 retention and development of 100 teachers in this state in



1 fulfilling the purposes under subsection (1) since December 15,
2 2021 to be eligible for the first \$10,000,000.00 of the funding
3 allocated under this section. Teach for America must have recruited
4 or invested in the retention and development of a total of 450
5 teachers in this state in fulfilling the purposes under subsection
6 (1) since December 15, 2021 to be eligible for the remaining
7 \$10,000,000.00 of the funding allocated under this section.

8 (3) Teach for America shall engage with an external evaluator
9 and produce semi-annual reports to the legislature that provide
10 information concerning the recruitment, development, and retention
11 of high-performing educators that can be scaled or shared with
12 other similar programs.

13 (4) ~~(2)~~ Notwithstanding section 17b, the department shall make
14 payments under this section by ~~not later than December 1, 2021.~~ on a
15 schedule determined by the department.

16 (5) The department shall not make payments under this section
17 on a reimbursement basis.

18 (6) The funds allocated under this section for 2022-2023 are a
19 work project appropriation, and any unexpended funds for 2022-2023
20 are carried forward into 2023-2024. The purpose of the work project
21 is to continue to provide support to Teach for America as
22 prescribed in this section. The estimated completion date of the
23 work project is December 31, 2026.

24 (7) The federal funding allocated under this section is
25 intended to respond to the COVID-19 public health emergency and its
26 negative impacts.

27 Sec. 99aa. (1) From the state school aid fund money
28 appropriated in section 11, there is allocated an amount not to
29 exceed \$1,500,000.00 for ~~2021-2022~~ **2022-2023 only** to 1 eligible



1 intermediate district to provide opportunities for high school
2 students with disabilities to train for, gain, and maintain
3 competitive employment.

4 (2) An intermediate district that has partnered with Project
5 SEARCH to provide the opportunities described in subsection (1) is
6 an eligible intermediate district under this section.

7 (3) The funds allocated under this section for ~~2021-2022-2022-~~
8 ~~2023~~ are a work project appropriation, and any unexpended funds for
9 ~~2021-2022-2023-2024~~ are carried forward into ~~2022-2023-~~~~2023-2024~~.
10 The purpose of the work project is to provide for the continuation
11 of opportunities for high school students with disabilities as
12 described in subsection (1). The estimated completion date of the
13 work project is September 30, ~~2023-~~~~2024~~.

14 **Sec. 99cc. (1) From the state school aid fund money**
15 **appropriated in section 11, there is allocated for 2022-2023 only**
16 **an amount not to exceed \$253,000.00 for competitive grants to**
17 **eligible districts and eligible intermediate districts to provide**
18 **pupils in grades 9 to 12 with expanded opportunities through**
19 **programs for work-based learning that are hosted in partnership**
20 **with NAF. It is the intent of the legislature that the programs**
21 **described in this subsection increase the number of pupils who are**
22 **college- and career-ready after high school graduation.**

23 (2) To receive grant funding under this section, a district or
24 intermediate district must apply for the grant in a form and manner
25 prescribed by the department.

26 (3) A district or intermediate district that meets all of the
27 following is an eligible district or eligible intermediate district
28 under this section:

29 (a) It has an established partnership with NAF.



1 (b) As part of its partnership described in subdivision (a),
2 it implements an advisory board that includes at least 1 business
3 entity.

4 (c) As part of its partnership described in subdivision (a),
5 it implements an advisory board that includes an institution of
6 higher education or a technical school.

7 (d) In its application described in subsection (2), it submits
8 a spending plan for its intended spending of funding under this
9 section.

10 (4) The department shall prioritize awarding grant funding
11 under this section to eligible districts and eligible intermediate
12 districts that demonstrate partnership with local businesses that
13 target disciplines that have been identified as critical shortage
14 disciplines by the superintendent of public instruction under
15 section 61 of the public school employees retirement act of 1979,
16 1980 PA 300, MCL 38.1361.

17 (5) The department shall award grant funding under this
18 section as follows:

19 (a) In an amount not to exceed \$12,000.00 to each eligible
20 district or eligible intermediate district to be used for purposes
21 of planning in carrying out the programs described in subsection
22 (1).

23 (b) An amount not to exceed \$3,500.00 to each eligible
24 district or eligible intermediate district to be used toward
25 expenses related to the partnership described in subsection (3)(a).

26 (6) Notwithstanding section 17b, the department shall make
27 payments under this section on a schedule determined by the
28 department.

29 Sec. 99dd. (1) From the general fund money appropriated in



1 section 11, there is allocated an amount not to exceed
 2 \$2,000,000.00 for 2022-2023 only to a 501(c)(3) nonprofit
 3 organization located in a city with a population greater than
 4 600,000 in a county with a population greater than 1,700,000. Funds
 5 under this section must be used by the recipient to expand the
 6 recipient's mission of providing opportunities for students to
 7 discover, explore, and appreciate science, technology, engineering,
 8 and mathematics in a creative, dynamic learning environment.

9 (2) Notwithstanding section 17b, the department shall make
 10 payments under this section on a schedule determined by the
 11 department.

12 Sec. 99ee. (1) From the general fund money appropriated in
 13 section 11, there is allocated an amount not to exceed
 14 \$1,500,000.00 for 2022-2023 only for programming at a nonprofit
 15 that teaches, mentors, and supports academically ambitious first-
 16 generation Hispanic high school and college students in under-
 17 resourced Hispanic communities in this state. A recipient of funds
 18 under this section must have received state funds for this purpose
 19 in the immediately preceding fiscal year.

20 (2) Notwithstanding section 17b, the department shall make
 21 payments under this section on a schedule determined by the
 22 department.

23 Sec. 101. (1) To be eligible to receive state aid under this
 24 article, not later than the fifth Wednesday after the pupil
 25 membership count day and not later than the fifth Wednesday after
 26 the supplemental count day, each district superintendent shall
 27 submit and certify to the center and the intermediate
 28 superintendent, in the form and manner prescribed by the center,
 29 the number of pupils enrolled and in regular daily attendance,



1 including identification of tuition-paying pupils, in the district
 2 as of the pupil membership count day and as of the supplemental
 3 count day, as applicable, for the current school year. In addition,
 4 a district maintaining school during the entire year shall submit
 5 and certify to the center and the intermediate superintendent, in
 6 the form and manner prescribed by the center, the number of pupils
 7 enrolled and in regular daily attendance in the district for the
 8 current school year pursuant to rules promulgated by the
 9 superintendent. Not later than the sixth Wednesday after the pupil
 10 membership count day and not later than the sixth Wednesday after
 11 the supplemental count day, the district shall resolve any pupil
 12 membership conflicts with another district, correct any data
 13 issues, and recertify the data in a form and manner prescribed by
 14 the center and file the certified data with the intermediate
 15 superintendent. If a district fails to submit and certify the
 16 attendance data, as required under this subsection, the center
 17 shall notify the department and the department shall withhold state
 18 aid due to be distributed under this article from the defaulting
 19 district immediately, beginning with the next payment after the
 20 failure and continuing with each payment until the district
 21 complies with this subsection. If a district does not comply with
 22 this subsection by the end of the fiscal year, the district
 23 forfeits the amount withheld. A person who willfully falsifies a
 24 figure or statement in the certified and sworn copy of enrollment
 25 is subject to penalty as prescribed by section 161.

26 (2) To be eligible to receive state aid under this article,
 27 not later than the twenty-fourth Wednesday after the pupil
 28 membership count day and not later than the twenty-fourth Wednesday
 29 after the supplemental count day, an intermediate district shall



1 submit to the center, in a form and manner prescribed by the
2 center, the audited enrollment and attendance data as described in
3 subsection (1) for the pupils of its constituent districts and of
4 the intermediate district. If an intermediate district fails to
5 submit the audited data as required under this subsection, the
6 department shall withhold state aid due to be distributed under
7 this article from the defaulting intermediate district immediately,
8 beginning with the next payment after the failure and continuing
9 with each payment until the intermediate district complies with
10 this subsection. If an intermediate district does not comply with
11 this subsection by the end of the fiscal year, the intermediate
12 district forfeits the amount withheld.

13 (3) Except as otherwise provided in subsections (11) and (12)
14 all of the following apply to the provision of pupil instruction:

15 (a) Except as otherwise provided in this section, each
16 district shall provide at least 1,098 hours and 180 days of pupil
17 instruction. If a collective bargaining agreement that provides a
18 complete school calendar was in effect for employees of a district
19 as of June 24, 2014, and if that school calendar is not in
20 compliance with this subdivision, then this subdivision does not
21 apply to that district until after the expiration of that
22 collective bargaining agreement. A district may apply for a waiver
23 under subsection (9) from the requirements of this subdivision.

24 (b) Except as otherwise provided in this article, a district
25 failing to comply with the required minimum hours and days of pupil
26 instruction under this subsection forfeits from its total state aid
27 allocation an amount determined by applying a ratio of the number
28 of hours or days the district was in noncompliance in relation to
29 the required minimum number of hours and days under this



1 subsection. Not later than the first business day in August, the
2 board of each district shall either certify to the department that
3 the district was in full compliance with this section regarding the
4 number of hours and days of pupil instruction in the previous
5 school year, or report to the department, in a form and manner
6 prescribed by the center, each instance of noncompliance. If the
7 district did not provide at least the required minimum number of
8 hours and days of pupil instruction under this subsection, the
9 department shall make the deduction of state aid in the following
10 fiscal year from the first payment of state school aid. A district
11 is not subject to forfeiture of funds under this subsection for a
12 fiscal year in which a forfeiture was already imposed under
13 subsection (6).

14 (c) Hours or days lost because of strikes or teachers'
15 conferences are not counted as hours or days of pupil instruction.

16 (d) Except as otherwise provided in subdivisions (e) and (f),
17 if a district does not have at least 75% of the district's
18 membership in attendance on any day of pupil instruction, the
19 department shall pay the district state aid in that proportion of
20 1/180 that the actual percent of attendance bears to 75%.

21 (e) If a district adds 1 or more days of pupil instruction to
22 the end of its instructional calendar for a school year to comply
23 with subdivision (a) because the district otherwise would fail to
24 provide the required minimum number of days of pupil instruction
25 even after the operation of subsection (4) due to conditions not
26 within the control of school authorities, then subdivision (d) does
27 not apply for any day of pupil instruction that is added to the end
28 of the instructional calendar. Instead, for any of those days, if
29 the district does not have at least 60% of the district's



1 membership in attendance on that day, the department shall pay the
2 district state aid in that proportion of 1/180 that the actual
3 percentage of attendance bears to 60%. For any day of pupil
4 instruction added to the instructional calendar as described in
5 this subdivision, the district shall report to the department the
6 percentage of the district's membership that is in attendance, in
7 the form and manner prescribed by the department.

8 (f) At the request of a district that operates a department-
9 approved alternative education program and that does not provide
10 instruction for pupils in all of grades K to 12, the superintendent
11 shall grant a waiver from the requirements of subdivision (d). The
12 waiver must provide that an eligible district is subject to the
13 proration provisions of subdivision (d) only if the district does
14 not have at least 50% of the district's membership in attendance on
15 any day of pupil instruction. In order to be eligible for this
16 waiver, a district must maintain records to substantiate its
17 compliance with the following requirements:

18 (i) The district offers the minimum hours of pupil instruction
19 as required under this section.

20 (ii) For each enrolled pupil, the district uses appropriate
21 academic assessments to develop an individual education plan that
22 leads to a high school diploma.

23 (iii) The district tests each pupil to determine academic
24 progress at regular intervals and records the results of those
25 tests in that pupil's individual education plan.

26 (g) All of the following apply to a waiver granted under
27 subdivision (f):

28 (i) If the waiver is for a blended model of delivery, a waiver
29 that is granted for the 2011-2012 fiscal year or a subsequent



1 fiscal year remains in effect unless it is revoked by the
2 superintendent.

3 (ii) If the waiver is for a 100% online model of delivery and
4 the educational program for which the waiver is granted makes
5 educational services available to pupils for a minimum of at least
6 1,098 hours during a school year and ensures that each pupil
7 participates in the educational program for at least 1,098 hours
8 during a school year, a waiver that is granted for the 2011-2012
9 fiscal year or a subsequent fiscal year remains in effect unless it
10 is revoked by the superintendent.

11 (iii) A waiver that is not a waiver described in subparagraph
12 (i) or (ii) is valid for 3 fiscal years, unless it is revoked by the
13 superintendent, and must be renewed at the end of the 3-year period
14 to remain in effect.

15 (h) The superintendent shall promulgate rules for the
16 implementation of this subsection.

17 (4) Except as otherwise provided in this subsection, the first
18 6 days or the equivalent number of hours for which pupil
19 instruction is not provided because of conditions not within the
20 control of school authorities, such as severe storms, fires,
21 epidemics, utility power unavailability, water or sewer failure, or
22 health conditions as defined by the city, county, or state health
23 authorities, are counted as hours and days of pupil instruction.
24 With the approval of the superintendent of public instruction, the
25 department shall count as hours and days of pupil instruction for a
26 fiscal year not more than 3 additional days or the equivalent
27 number of additional hours for which pupil instruction is not
28 provided in a district due to unusual and extenuating occurrences
29 resulting from conditions not within the control of school



1 authorities such as those conditions described in this subsection.
2 Subsequent such hours or days are not counted as hours or days of
3 pupil instruction.

4 (5) A district does not forfeit part of its state aid
5 appropriation because it adopts or has in existence an alternative
6 scheduling program for pupils in kindergarten if the program
7 provides at least the number of hours required under subsection (3)
8 for a full-time equated membership for a pupil in kindergarten as
9 provided under section 6(4).

10 (6) In addition to any other penalty or forfeiture under this
11 section, if at any time the department determines that 1 or more of
12 the following have occurred in a district, the district forfeits in
13 the current fiscal year beginning in the next payment to be
14 calculated by the department a proportion of the funds due to the
15 district under this article that is equal to the proportion below
16 the required minimum number of hours and days of pupil instruction
17 under subsection (3), as specified in the following:

18 (a) The district fails to operate its schools for at least the
19 required minimum number of hours and days of pupil instruction
20 under subsection (3) in a school year, including hours and days
21 counted under subsection (4).

22 (b) The board of the district takes formal action not to
23 operate its schools for at least the required minimum number of
24 hours and days of pupil instruction under subsection (3) in a
25 school year, including hours and days counted under subsection (4).

26 (7) In providing the minimum number of hours and days of pupil
27 instruction required under subsection (3), a district shall use the
28 following guidelines, and a district shall maintain records to
29 substantiate its compliance with the following guidelines:



1 (a) Except as otherwise provided in this subsection, a pupil
2 must be scheduled for at least the required minimum number of hours
3 of instruction, excluding study halls, or at least the sum of 90
4 hours plus the required minimum number of hours of instruction,
5 including up to 2 study halls.

6 (b) The time a pupil is assigned to any tutorial activity in a
7 block schedule may be considered instructional time, unless that
8 time is determined in an audit to be a study hall period.

9 (c) Except as otherwise provided in this subdivision, a pupil
10 in grades 9 to 12 for whom a reduced schedule is determined to be
11 in the individual pupil's best educational interest must be
12 scheduled for a number of hours equal to at least 80% of the
13 required minimum number of hours of pupil instruction to be
14 considered a full-time equivalent pupil. A pupil in grades 9 to 12
15 who is scheduled in a 4-block schedule may receive a reduced
16 schedule under this subsection if the pupil is scheduled for a
17 number of hours equal to at least 75% of the required minimum
18 number of hours of pupil instruction to be considered a full-time
19 equivalent pupil.

20 (d) If a pupil in grades 9 to 12 who is enrolled in a
21 cooperative education program or a special education pupil cannot
22 receive the required minimum number of hours of pupil instruction
23 solely because of travel time between instructional sites during
24 the school day, that travel time, up to a maximum of 3 hours per
25 school week, is considered to be pupil instruction time for the
26 purpose of determining whether the pupil is receiving the required
27 minimum number of hours of pupil instruction. However, if a
28 district demonstrates to the satisfaction of the department that
29 the travel time limitation under this subdivision would create



1 undue costs or hardship to the district, the department may
2 consider more travel time to be pupil instruction time for this
3 purpose.

4 (e) In grades 7 through 12, instructional time that is part of
5 a Junior Reserve Officer Training Corps (JROTC) program is
6 considered to be pupil instruction time regardless of whether the
7 instructor is a certificated teacher if all of the following are
8 met:

9 (i) The instructor has met all of the requirements established
10 by the United States Department of Defense and the applicable
11 branch of the armed services for serving as an instructor in the
12 Junior Reserve Officer Training Corps program.

13 (ii) The board of the district or intermediate district
14 employing or assigning the instructor complies with the
15 requirements of sections 1230 and 1230a of the revised school code,
16 MCL 380.1230 and 380.1230a, with respect to the instructor to the
17 same extent as if employing the instructor as a regular classroom
18 teacher.

19 (8) Except as otherwise provided in subsections (11) and (12),
20 the department shall apply the guidelines under subsection (7) in
21 calculating the full-time equivalency of pupils.

22 (9) Upon application by the district for a particular fiscal
23 year, the superintendent shall waive for a district the minimum
24 number of hours and days of pupil instruction requirement of
25 subsection (3) for a department-approved alternative education
26 program or another innovative program approved by the department,
27 including a 4-day school week. If a district applies for and
28 receives a waiver under this subsection and complies with the terms
29 of the waiver, the district is not subject to forfeiture under this



1 section for the specific program covered by the waiver. If the
2 district does not comply with the terms of the waiver, the amount
3 of the forfeiture is calculated based upon a comparison of the
4 number of hours and days of pupil instruction actually provided to
5 the minimum number of hours and days of pupil instruction required
6 under subsection (3). A district shall report pupils enrolled in a
7 department-approved alternative education program under this
8 subsection to the center in a form and manner determined by the
9 center. All of the following apply to a waiver granted under this
10 subsection:

11 (a) If the waiver is for a blended model of delivery, a waiver
12 that is granted for the 2011-2012 fiscal year or a subsequent
13 fiscal year remains in effect unless it is revoked by the
14 superintendent.

15 (b) If the waiver is for a 100% online model of delivery and
16 the educational program for which the waiver is granted makes
17 educational services available to pupils for a minimum of at least
18 1,098 hours during a school year and ensures that each pupil is on
19 track for course completion at proficiency level, a waiver that is
20 granted for the 2011-2012 fiscal year or a subsequent fiscal year
21 remains in effect unless it is revoked by the superintendent.

22 (c) A waiver that is not a waiver described in subdivision (a)
23 or (b) is valid for 3 fiscal years, unless it is revoked by the
24 superintendent, and must be renewed at the end of the 3-year period
25 to remain in effect.

26 (10) A district may count up to 38 hours of professional
27 development for teachers as hours of pupil instruction. All of the
28 following apply to the counting of professional development as
29 pupil instruction under this subsection:



1 (a) If the professional development exceeds 5 hours in a
2 single day, that day may be counted as a day of pupil instruction.

3 (b) At least 8 hours of the professional development counted
4 as hours of pupil instruction under this subsection must be
5 recommended by a districtwide professional development advisory
6 committee appointed by the district board. The advisory committee
7 must be composed of teachers employed by the district who represent
8 a variety of grades and subject matter specializations, including
9 special education; nonteaching staff; parents; and administrators.
10 The majority membership of the committee must be composed of
11 teaching staff.

12 (c) Professional development provided online is allowable and
13 encouraged, as long as the instruction has been approved by the
14 district. The department shall issue a list of approved online
15 professional development providers that must include the Michigan
16 Virtual School.

17 (d) Professional development may only be counted as hours of
18 pupil instruction under this subsection for the pupils of those
19 teachers scheduled to participate in the professional development.

20 (e) The professional development must meet all of the
21 following to be counted as pupil instruction under this subsection:

22 (i) Be aligned to the school or district improvement plan for
23 the school or district in which the professional development is
24 being provided.

25 (ii) Be linked to 1 or more criteria in the evaluation tool
26 developed or adopted by the district or intermediate district under
27 section 1249 of the revised school code, MCL 380.1249.

28 (iii) Has been approved by the department as counting for state
29 continuing education clock hours. The number of hours of



1 professional development counted as hours of pupil instruction
2 under this subsection may not exceed the number of state continuing
3 education clock hours for which the professional development was
4 approved.

5 (iv) Not more than a combined total of 10 hours of the
6 professional development takes place before the first scheduled day
7 of school for the school year ending in the fiscal year and after
8 the last scheduled day of school for that school year.

9 (v) Not more than 10 hours of the professional development
10 takes place in a single month.

11 (vi) At least 75% of teachers scheduled to participate in the
12 professional development are in attendance.

13 (11) Subsections (3) and (8) do not apply to a school of
14 excellence that is a cyber school, as that term is defined in
15 section 551 of the revised school code, MCL 380.551, and is in
16 compliance with section 553a of the revised school code, MCL
17 380.553a. **Beginning July 1, 2021, this subsection is subject to**
18 **section 8c. It is the intent of the legislature that the**
19 **immediately preceding sentence apply retroactively and is effective**
20 **July 1, 2021.**

21 (12) Subsections (3) and (8) do not apply to eligible pupils
22 enrolled in a dropout recovery program that meets the requirements
23 of section 23a. As used in this subsection, "eligible pupil" means
24 that term as defined in section 23a.

25 (13) At least every 2 years the superintendent shall review
26 the waiver standards set forth in the pupil accounting and auditing
27 manuals to ensure that the waiver standards and waiver process
28 continue to be appropriate and responsive to changing trends in
29 online learning. The superintendent shall solicit and consider



1 input from stakeholders as part of this review.

2 Sec. 104. (1) In order to receive state aid under this
 3 article, a district shall comply with sections 1249, 1278a, 1278b,
 4 1279g, and 1280b of the revised school code, MCL 380.1249,
 5 380.1278a, 380.1278b, 380.1279g, and 380.1280b, and 1970 PA 38, MCL
 6 388.1081 to 388.1086. Subject to subsection (2), from the state
 7 school aid fund money appropriated in section 11, there is
 8 allocated for ~~2021-2022~~**2022-2023** an amount not to exceed
 9 ~~\$29,509,400.00~~**\$37,509,400.00** for payments on behalf of districts
 10 for costs associated with complying with those provisions of law.
 11 In addition, from the federal funds appropriated in section 11,
 12 there is allocated for ~~2021-2022~~**2022-2023** an amount estimated at
 13 \$6,250,000.00 funded from DED-OESE, title VI, state assessment
 14 funds, and from DED-OSERS, part B of the individuals with
 15 disabilities education act, 20 USC 1411 to 1419, plus any carryover
 16 federal funds from previous year appropriations, for the purposes
 17 of complying with the every student succeeds act, Public Law 114-
 18 95.

19 (2) The results of each test administered as part of the
 20 Michigan student test of educational progress (M-STEP), including
 21 tests administered to high school students, must include an item
 22 analysis that lists all items that are counted for individual pupil
 23 scores and the percentage of pupils choosing each possible
 24 response. The department shall work with the center to identify the
 25 number of students enrolled at the time assessments are given by
 26 each district. In calculating the percentage of pupils assessed for
 27 a district's scorecard, the department shall use only the number of
 28 pupils enrolled in the district at the time the district
 29 administers the assessments and shall exclude pupils who enroll in



1 the district after the district administers the assessments.

2 (3) The department shall distribute federal funds allocated
3 under this section in accordance with federal law and with
4 flexibility provisions outlined in Public Law 107-116, and in the
5 education flexibility partnership act of 1999, Public Law 106-25.

6 (4) The department may recommend, but may not require,
7 districts to allow pupils to use an external keyboard with tablet
8 devices for online M-STEP testing, including, but not limited to,
9 open-ended test items such as constructed response or equation
10 builder items.

11 (5) Notwithstanding section 17b, the department shall make
12 payments on behalf of districts, intermediate districts, and other
13 eligible entities under this section on a schedule determined by
14 the department.

15 (6) From the allocation in subsection (1), there is allocated
16 an amount not to exceed \$500,000.00 for ~~2021-2022~~**2022-2023** for the
17 operation of an online reporting tool to provide student-level
18 assessment data in a secure environment to educators, parents, and
19 pupils immediately after assessments are scored. The department and
20 the center shall ensure that any data collected by the online
21 reporting tool do not provide individually identifiable student
22 data to the federal government.

23 (7) As used in this section:

24 (a) "DED" means the United States Department of Education.

25 (b) "DED-OESE" means the DED Office of Elementary and
26 Secondary Education.

27 (c) "DED-OSERS" means the DED Office of Special Education and
28 Rehabilitative Services.

29 Sec. 104f. (1) From the state school aid fund money



1 appropriated under section 11, there is allocated an amount not to
 2 exceed ~~\$500,000.00~~ **\$150,000.00** to a district for the implementation
 3 of an assessment digital literacy preparation program for pupils
 4 enrolled in grades K to 8 for ~~2021-2022.~~ **2022-2023 only**. The
 5 department shall ensure that a program funded under this subsection
 6 satisfies all of the following:

7 (a) Is available to districts in the ~~2021-2022~~ **2022-2023**
 8 school year.

9 (b) Focuses on ensuring pupils have the necessary skills
 10 required for state online assessments by assessing pupil digital
 11 literacy skill levels and providing teachers with a digital
 12 curriculum targeted at areas of determined weakness.

13 (c) Allows pupils to engage with the digital curriculum in an
 14 independent or teacher-facilitated modality.

15 (d) Includes training and professional development for
 16 teachers.

17 (e) Is implemented in at least ~~100~~ **50** districts that operate
 18 grades K to 8 and that represent a diverse geography and socio-
 19 economic demographic.

20 (2) Funding under subsection (1) must be allocated to a
 21 district ~~that did not receive funding under former section 104e for~~
 22 ~~2017-2018 and~~ that operates at least grades K to 8 and has a
 23 partnership with a third party that is experienced in the
 24 assessment of digital literacy and the preparation of digital
 25 literacy skills and has demonstrable experience serving districts
 26 in this state and local education agencies in 10 other states. The
 27 district, along with its third-party partner, shall provide a
 28 report to the house and senate appropriations subcommittees on
 29 school aid and the house and senate fiscal agencies on the efficacy



1 and usefulness of the assessment digital literacy preparation
 2 program no later than July 1 ~~7-2022~~ **of each fiscal year for which**
 3 **funding is allocated under this section.**

4 (3) Notwithstanding section 17b, the department shall make
 5 payments under subsection (1) by not later than December 1 ~~7~~
 6 ~~2021~~ **of each fiscal year for which funding is allocated under this**
 7 **section.**

8 Sec. 104h. (1) From the state school aid fund money
 9 appropriated under section 11, there is allocated for 2021-2022 an
 10 amount not to exceed \$11,500,000.00 to districts to begin
 11 implementation of a benchmark assessment system for the 2022-2023
 12 school year. All of the following apply to the benchmark assessment
 13 system described in this subsection:

14 (a) The system must provide for all of the following:

15 (i) That, within the first 9 weeks of the 2022-2023 school
 16 year, the district shall administer 1 or more benchmark assessments
 17 provided by a provider approved under subsection (6), benchmark
 18 assessments described in subdivision (b), or local benchmark
 19 assessments, or any combination thereof, to all pupils in grades K
 20 to 8 to measure proficiency in reading and mathematics.

21 (ii) That, in addition to the benchmark assessment or benchmark
 22 assessments administered under subparagraph (i), by not later than
 23 the last day of the 2022-2023 school year, the district shall
 24 administer 1 or more benchmark assessments provided by a provider
 25 approved under subsection (6), benchmark assessments described in
 26 subdivision (b), or local benchmark assessments, or any combination
 27 thereof, to all pupils in grades K to 8 to measure proficiency in
 28 reading and mathematics.

29 (b) A district may administer 1 or more of the following



1 benchmark assessments toward meeting the requirements under
2 subdivision (a):

3 (i) A benchmark assessment in reading for students in grades K
4 to 9 that contains progress monitoring tools and enhanced
5 diagnostic assessments.

6 (ii) A benchmark assessment in math for students in grades K to
7 8 that contains progress monitoring tools.

8 (c) The system must provide that, to the extent practicable,
9 if a district administers a benchmark assessment or benchmark
10 assessments under this section, the district shall administer the
11 same benchmark assessment or benchmark assessments provided by a
12 provider approved under subsection (6), benchmark assessment or
13 benchmark assessments described in subdivision (b), or local
14 benchmark assessment or local benchmark assessments that it
15 administered to pupils in previous school years, as applicable.

16 (d) The system must provide that, if a district administers a
17 benchmark assessment or benchmark assessments under this section,
18 the district shall provide each pupil's data from the benchmark
19 assessment or benchmark assessments, as available, to the pupil's
20 parent or legal guardian within 30 days of administering the
21 benchmark assessment or benchmark assessments.

22 (e) The system must provide that, if a local benchmark
23 assessment or local benchmark assessments are administered under
24 subdivision (a), the district shall report to the department and
25 the center, in a form and manner prescribed by the center, the
26 local benchmark assessment or local benchmark assessments that were
27 administered and how that assessment or those assessments measure
28 changes, including any losses, as applicable, in learning, and the
29 district's plan for addressing any losses in learning.



1 (f) The system must provide that, by not later than 30 days
 2 after a benchmark assessment or benchmark assessments are
 3 administered under ~~subparagraph (1) (a) (ii)~~, **subdivision (a) (ii)**, or
 4 **within a time frame specified by the department**, the district shall
 5 send benchmark assessment data, **including grade level, student**
 6 **demographics, and mode of instruction, to the department in a form**
 7 **and manner prescribed by the department**, from all benchmark
 8 assessments administered in the 2022-2023 school year, excluding
 9 data from a local benchmark assessment, as applicable. ~~aggregated~~
 10 ~~by grade level, student demographic subgroups, and mode of~~
 11 ~~instruction to the department.~~ If available, the data described in
 12 this subdivision must include information concerning pupil growth
 13 from fall 2022 to spring 2023.

14 (2) To receive funding under this section, a district must
 15 apply for the funding in a form and manner prescribed by the
 16 department.

17 (3) The department shall pay an amount equal to \$12.50 per
 18 membership pupil in grades K to 8 in the district to each district
 19 that applies for funding under this section.

20 (4) The department shall make 1 of the benchmark assessments
 21 provided by a provider approved under subsection (6) available to
 22 districts at no cost to the districts for purposes of meeting the
 23 requirements under this section. The benchmark assessment described
 24 in this subsection must meet all of the following:

25 (a) Be aligned to the content standards of this state.

26 (b) Complement the state's summative assessment system.

27 (c) Be internet-delivered and include a standards-based
 28 assessment.

29 (d) Provide information on pupil achievement with regard to



1 learning content required in a given year or grade span.

2 (e) Provide timely feedback to pupils and teachers.

3 (f) Be nationally normed.

4 (g) Provide information to educators about student growth and
5 allow for multiple testing opportunities.

6 (5) By not later than ~~June 15, 2023~~, **September 30, 2023**, the
7 department shall submit a report to the house and senate
8 appropriations committees, the house and senate appropriations
9 subcommittees on school aid, and the house and senate fiscal
10 agencies regarding the benchmark assessment data received under
11 this section, disaggregated by grade level and demographic subgroup
12 for each district. If information concerning pupil growth is
13 included in the data described in this subsection, it must be
14 incorporated in the report described in this subsection.

15 (6) The department shall approve at least 4 but not more than
16 6 providers of benchmark assessments for the purposes of this
17 section. The department shall inform districts of all of the
18 providers approved under this subsection in an equitable manner.
19 The benchmark assessments, with the exclusion of the benchmark
20 assessment described in subsection (4), provided by approved
21 providers under this subsection must meet all of the following:

22 (a) Be aligned to the content standards of this state.

23 (b) Complement the state's summative assessment system.

24 (c) Be internet-delivered and include a standards-based
25 remote, in-person, or both remote and in-person assessment using a
26 computer-adaptive model to target the instructional level of each
27 pupil.

28 (d) Provide information on pupil achievement with regard to
29 learning content required in a given year or grade span.



1 (e) Provide immediate feedback to pupils and teachers.

2 (f) Be nationally normed.

3 (g) Provide multiple measures of growth and provide for
4 multiple testing opportunities.

5 **Sec. 104i. (1) From the state school aid fund money**
6 **appropriated under section 11, there is allocated for 2022-2023 an**
7 **amount not to exceed \$11,500,000.00 to districts and intermediate**
8 **districts with enrolled K to 8 pupils to begin implementation of a**
9 **benchmark assessment system for the 2023-2024 school year. All of**
10 **the following apply to the benchmark assessment system described in**
11 **this subsection:**

12 (a) The system must provide for all of the following:

13 (i) That, within the first 9 weeks of the 2023-2024 school
14 year, the district or intermediate district shall administer 1 or
15 more benchmark assessments provided by a provider approved under
16 subsection (6), benchmark assessments described in subdivision (b),
17 or local benchmark assessments, or any combination thereof, to all
18 pupils in grades K to 8 to measure proficiency in reading and
19 mathematics.

20 (ii) That, in addition to the benchmark assessment or benchmark
21 assessments administered under subparagraph (i), by not later than
22 the last day of the 2023-2024 school year, the district or
23 intermediate district shall administer 1 or more benchmark
24 assessments provided by a provider approved under subsection (6),
25 benchmark assessments described in subdivision (b), or local
26 benchmark assessments, or any combination thereof, to all pupils in
27 grades K to 8 to measure proficiency in reading and mathematics.

28 (b) A district or intermediate district may administer 1 or
29 more of the following benchmark assessments toward meeting the



1 requirements under subdivision (a):

2 (i) A benchmark assessment in reading for students in grades K
3 to 9 that contains progress monitoring tools and enhanced
4 diagnostic assessments.

5 (ii) A benchmark assessment in math for students in grades K to
6 8 that contains progress monitoring tools.

7 (c) The system must provide that, to the extent practicable,
8 if a district or intermediate district administers a benchmark
9 assessment or benchmark assessments under this section, the
10 district or intermediate district shall administer the same
11 benchmark assessment or benchmark assessments provided by a
12 provider approved under subsection (6), benchmark assessment or
13 benchmark assessments described in subdivision (b), or local
14 benchmark assessment or local benchmark assessments that it
15 administered to pupils in previous school years, as applicable.

16 (d) The system must provide that, if a district or
17 intermediate district administers a benchmark assessment or
18 benchmark assessments under this section, the district or
19 intermediate district shall provide each pupil's data from the
20 benchmark assessment or benchmark assessments, as available, to the
21 pupil's parent or legal guardian within 30 days of administering
22 the benchmark assessment or benchmark assessments.

23 (e) The system must provide that, if a local benchmark
24 assessment or local benchmark assessments are administered under
25 subdivision (a), the district or intermediate district shall report
26 to the department and the center, in a form and manner prescribed
27 by the center, the local benchmark assessment or local benchmark
28 assessments that were administered and how that assessment or those
29 assessments measure changes, including any losses, as applicable,



1 in learning, and the district's or intermediate district's plan for
2 addressing any losses in learning.

3 (f) The system must provide that, by not later than 30 days
4 after a benchmark assessment or benchmark assessments are
5 administered under subdivision (a) (ii), or within a time frame
6 specified by the department, the district or intermediate district
7 shall send benchmark assessment data, including grade level,
8 student demographics, and mode of instruction, to the department in
9 a form and manner prescribed by the department, from all benchmark
10 assessments administered in the 2023-2024 school year, excluding
11 data from a local benchmark assessment, as applicable. If
12 available, the data described in this subdivision must include
13 information concerning pupil growth from fall 2023 to spring 2024.

14 (2) To receive funding under this section, a district or
15 intermediate district must apply for the funding in a form and
16 manner prescribed by the department.

17 (3) The department shall pay an amount equal to \$12.50 per
18 membership pupil in grades K to 8 in the district or intermediate
19 district to each district or intermediate district that applies for
20 funding under this section.

21 (4) The department shall make 1 of the benchmark assessments
22 provided by a provider approved under subsection (6) available to
23 districts and intermediate districts at no cost to the districts
24 and intermediate districts for purposes of meeting the requirements
25 under this section. The benchmark assessment described in this
26 subsection must meet all of the following:

- 27 (a) Be aligned to the content standards of this state.
28 (b) Complement the state's summative assessment system.
29 (c) Be internet-delivered and include a standards-based



1 assessment.

2 (d) Provide information on pupil achievement with regard to
3 learning content required in a given year or grade span.

4 (e) Provide timely feedback to pupils and teachers.

5 (f) Be nationally normed.

6 (g) Provide information to educators about student growth and
7 allow for multiple testing opportunities.

8 (5) By not later than September 25, 2024, the department shall
9 submit a report to the house and senate appropriations committees,
10 the house and senate appropriations subcommittees on school aid,
11 and the house and senate fiscal agencies regarding the benchmark
12 assessment data received under this section, disaggregated by grade
13 level and demographic subgroup for each district and intermediate
14 district. If information concerning pupil growth is included in the
15 data described in this subsection, it must be incorporated in the
16 report described in this subsection.

17 (6) The department shall approve at least 4 but not more than
18 6 providers of benchmark assessments for the purposes of this
19 section. The department shall inform districts and intermediate
20 districts of all of the providers approved under this subsection in
21 an equitable manner. The benchmark assessments, with the exclusion
22 of the benchmark assessment described in subsection (4), provided
23 by approved providers under this subsection must meet all of the
24 following:

25 (a) Be aligned to the content standards of this state.

26 (b) Complement the state's summative assessment system.

27 (c) Be internet-delivered and include a standards-based
28 remote, in-person, or both remote and in-person assessment using a
29 computer-adaptive model to target the instructional level of each



1 pupil.

2 (d) Provide information on pupil achievement with regard to
3 learning content required in a given year or grade span.

4 (e) Provide immediate feedback to pupils and teachers.

5 (f) Be nationally normed.

6 (g) Provide multiple measures of growth and provide for
7 multiple testing opportunities.

8 Sec. 107. (1) From the appropriation in section 11, there is
9 allocated an amount not to exceed \$30,000,000.00 for ~~2021-2022~~
10 **2022-2023** for adult education programs authorized under this
11 section. Except as otherwise provided under subsections (14) and
12 (15), funds allocated under this section are restricted for adult
13 education programs as authorized under this section only. A
14 recipient of funds under this section shall not use those funds for
15 any other purpose.

16 (2) To be eligible for funding under this section, an eligible
17 adult education provider shall employ certificated teachers and
18 qualified administrative staff and shall offer continuing education
19 opportunities for teachers to allow them to maintain certification.

20 (3) To be eligible to be a participant funded under this
21 section, an individual must be enrolled in an adult basic education
22 program, an adult secondary education program, an adult English as
23 a second language program, a high school equivalency test
24 preparation program, or a high school completion program, that
25 meets the requirements of this section, and for which instruction
26 is provided, and the individual must be at least 18 years of age by
27 July 1 of the program year and the individual's graduating class
28 must have graduated.

29 (4) By April 1 of each fiscal year **for which funding is**



1 **allocated under this section,** the intermediate districts within a
 2 prosperity region or subregion shall determine which intermediate
 3 district will serve as the prosperity region's or subregion's
 4 fiscal agent for the next fiscal year and shall notify the
 5 department in a form and manner determined by the department. The
 6 department shall approve or disapprove of the prosperity region's
 7 or subregion's selected fiscal agent. From the funds allocated
 8 under subsection (1), an amount as determined under this subsection
 9 is allocated to each intermediate district serving as a fiscal
 10 agent for adult education programs in each of the prosperity
 11 regions or subregions identified by the department. An intermediate
 12 district shall not use more than 5% of the funds allocated under
 13 this subsection for administration costs for serving as the fiscal
 14 agent. The allocation provided to each intermediate district
 15 serving as a fiscal agent must be calculated as follows:

16 (a) Sixty percent of this portion of the funding must be
 17 distributed based upon the proportion of the state population of
 18 individuals between the ages of 18 and 24 that are not high school
 19 graduates that resides in each of the prosperity regions or
 20 subregions located within the intermediate district, as reported by
 21 the most recent 5-year estimates from the American Community Survey
 22 (ACS) from the United States Census Bureau.

23 (b) Thirty-five percent of this portion of the funding must be
 24 distributed based upon the proportion of the state population of
 25 individuals age 25 or older who are not high school graduates that
 26 resides in each of the prosperity regions or subregions located
 27 within the intermediate district, as reported by the most recent 5-
 28 year estimates from the ACS from the United States Census Bureau.

29 (c) Five percent of this portion of the funding must be



1 distributed based upon the proportion of the state population of
2 individuals age 18 or older who lack basic English language
3 proficiency that resides in each of the prosperity regions or
4 subregions located within the intermediate district, as reported by
5 the most recent 5-year estimates from the ACS from the United
6 States Census Bureau.

7 (5) To be an eligible fiscal agent, an intermediate district
8 must agree to do the following in a form and manner determined by
9 the department:

10 (a) Distribute funds to adult education programs in a
11 prosperity region or subregion as described in this section.

12 (b) Collaborate with the career and educational advisory
13 council, which is an advisory council of the workforce development
14 boards located in the prosperity region or subregion, or its
15 successor, to develop a regional strategy that aligns adult
16 education programs and services into an efficient and effective
17 delivery system for adult education learners, with special
18 consideration for providing contextualized learning and career
19 pathways and addressing barriers to education and employment.

20 (c) Collaborate with the career and educational advisory
21 council, which is an advisory council of the workforce development
22 boards located in the prosperity region or subregion, or its
23 successor, to create a local process and criteria that will
24 identify eligible adult education providers to receive funds
25 allocated under this section based on location, demand for
26 services, past performance, quality indicators as identified by the
27 department, and cost to provide instructional services. The fiscal
28 agent shall determine all local processes, criteria, and provider
29 determinations. However, the local processes, criteria, and



1 provider services must be approved by the department before funds
2 may be distributed to the fiscal agent.

3 (d) Provide oversight to its adult education providers
4 throughout the program year to ensure compliance with the
5 requirements of this section.

6 (e) Report adult education program and participant data and
7 information as prescribed by the department.

8 (6) An adult basic education program, an adult secondary
9 education program, or an adult English as a second language program
10 operated on a year-round or school year basis may be funded under
11 this section, subject to all of the following:

12 (a) The program enrolls adults who are determined by a
13 department-approved assessment, in a form and manner prescribed by
14 the department, to be below twelfth grade level in reading or
15 mathematics, or both, or to lack basic English proficiency.

16 (b) The program tests individuals for eligibility under
17 subdivision (a) before enrollment and upon completion of the
18 program in compliance with the state-approved assessment policy.

19 (c) A participant in an adult basic education program is
20 eligible for reimbursement until 1 of the following occurs:

21 (i) The participant's reading and mathematics proficiency are
22 assessed at or above the ninth grade level.

23 (ii) The participant fails to show progress on 2 successive
24 assessments after having completed at least 450 hours of
25 instruction.

26 (d) A participant in an adult secondary education program is
27 eligible for reimbursement until 1 of the following occurs:

28 (i) The participant's reading and mathematics proficiency are
29 assessed above the twelfth grade level.



1 (ii) The participant fails to show progress on 2 successive
2 assessments after having at least 450 hours of instruction.

3 (e) A funding recipient enrolling a participant in an English
4 as a second language program is eligible for funding according to
5 subsection (9) until the participant meets 1 of the following:

6 (i) The participant is assessed as having attained basic
7 English proficiency as determined by a department-approved
8 assessment.

9 (ii) The participant fails to show progress on 2 successive
10 department-approved assessments after having completed at least 450
11 hours of instruction. The department shall provide information to a
12 funding recipient regarding appropriate assessment instruments for
13 this program.

14 (7) A high school equivalency test preparation program
15 operated on a year-round or school year basis may be funded under
16 this section, subject to all of the following:

17 (a) The program enrolls adults who do not have a high school
18 diploma or a high school equivalency certificate.

19 (b) The program administers a pre-test approved by the
20 department before enrolling an individual to determine the
21 individual's literacy levels, administers a high school equivalency
22 practice test to determine the individual's potential for success
23 on the high school equivalency test, and administers a post-test
24 upon completion of the program in compliance with the state-
25 approved assessment policy.

26 (c) A funding recipient receives funding according to
27 subsection (9) for a participant, and a participant may be enrolled
28 in the program until 1 of the following occurs:

29 (i) The participant achieves a high school equivalency



1 certificate.

2 (ii) The participant fails to show progress on 2 successive
3 department-approved assessments used to determine readiness to take
4 a high school equivalency test after having completed at least 450
5 hours of instruction.

6 (8) A high school completion program operated on a year-round
7 or school year basis may be funded under this section, subject to
8 all of the following:

9 (a) The program enrolls adults who do not have a high school
10 diploma.

11 (b) The program tests participants described in subdivision
12 (a) before enrollment and upon completion of the program in
13 compliance with the state-approved assessment policy.

14 (c) A funding recipient receives funding according to
15 subsection (9) for a participant in a course offered under this
16 subsection until 1 of the following occurs:

17 (i) The participant passes the course and earns a high school
18 diploma.

19 (ii) The participant fails to earn credit in 2 successive
20 semesters or terms in which the participant is enrolled after
21 having completed at least 900 hours of instruction.

22 (9) The department shall make payments to a funding recipient
23 under this section in accordance with all of the following:

24 (a) Statewide allocation criteria, including 3-year average
25 enrollments, census data, and local needs.

26 (b) Participant completion of the adult basic education
27 objectives by achieving an educational gain as determined by the
28 national reporting system levels; for achieving basic English
29 proficiency, as determined by the department; for achieving a high



1 school equivalency certificate or passage of 1 or more individual
 2 high school equivalency tests; for attainment of a high school
 3 diploma or passage of a course required for a participant to attain
 4 a high school diploma; for enrollment in a postsecondary
 5 institution, or for entry into or retention of employment, as
 6 applicable.

7 (c) Participant completion of core indicators as identified in
 8 the innovation and opportunity act.

9 (d) Allowable expenditures.

10 (10) ~~A person~~ **An individual** who is not eligible to be a
 11 participant funded under this section may receive adult education
 12 services upon the payment of tuition. In addition, ~~a person~~ **an**
 13 **individual** who is not eligible to be served in a program under this
 14 section due to the program limitations specified in subsection (6),
 15 (7), or (8) may continue to receive adult education services in
 16 that program upon the payment of tuition. The local or intermediate
 17 district conducting the program shall determine the tuition amount.

18 (11) An individual who is an inmate in a state correctional
 19 facility is not counted as a participant under this section.

20 (12) A funding recipient shall not commingle money received
 21 under this section or from another source for adult education
 22 purposes with any other funds and shall establish a separate ledger
 23 account for funds received under this section. This subsection does
 24 not prohibit a district from using general funds of the district to
 25 support an adult education or community education program.

26 (13) A funding recipient receiving funds under this section
 27 may establish a sliding scale of tuition rates based upon a
 28 participant's family income. A funding recipient may charge a
 29 participant tuition to receive adult education services under this



1 section from that sliding scale of tuition rates on a uniform
2 basis. The amount of tuition charged per participant must not
3 exceed the actual operating cost per participant minus any funds
4 received under this section per participant. A funding recipient
5 may not charge a participant tuition under this section if the
6 participant's income is at or below 200% of the federal poverty
7 guidelines published by the United States Department of Health and
8 Human Services.

9 (14) In order to receive funds under this section, a funding
10 recipient shall furnish to the department, in a form and manner
11 determined by the department, all information needed to administer
12 this program and meet federal reporting requirements; shall allow
13 the department or the department's designee to review all records
14 related to the program for which it receives funds; and shall
15 reimburse the state for all disallowances found in the review, as
16 determined by the department. In addition, a funding recipient
17 shall agree to pay to a career and technical education program
18 under section 61a the amount of funding received under this section
19 in the proportion of career and technical education coursework used
20 to satisfy adult basic education programming, as billed to the
21 funding recipient by programs operating under section 61a. In
22 addition to the funding allocated under subsection (1), there is
23 allocated for ~~2021-2022~~**2022-2023** an amount not to exceed
24 \$500,000.00 to reimburse funding recipients for administrative and
25 instructional expenses associated with commingling programming
26 under this section and section 61a. The department shall make
27 payments under this subsection to each funding recipient in the
28 same proportion as funding calculated and allocated under
29 subsection (4).



1 (15) From the amount appropriated in subsection (1), an amount
2 not to exceed \$4,000,000.00 is allocated for ~~2021-2022-2022-2023~~
3 for grants to adult education or state-approved career technical
4 center programs that connect adult education participants with
5 employers as provided under this subsection. The department shall
6 determine the amount of the grant to each program under this
7 subsection, not to exceed \$350,000.00. To be eligible for funding
8 under this subsection, a program must provide a collaboration
9 linking adult education programs within the county, the area career
10 technical center, and local employers. To receive funding under
11 this subsection, an eligible program must satisfy all of the
12 following:

13 (a) Connect adult education participants directly with
14 employers by linking adult education, career and technical skills,
15 and workforce development.

16 (b) Require adult education staff to work with Michigan Works!
17 agency to identify a cohort of participants who are most prepared
18 to successfully enter the workforce. Except as otherwise provided
19 under this subdivision, participants identified under this
20 subsection must be dually enrolled in adult education programming
21 and in at least 1 state-approved technical course at the area
22 career and technical center. A program that links participants
23 identified under this subsection with adult education programming
24 and commercial driver license courses does not need to enroll the
25 participants in at least 1 state-approved technical course at the
26 area career and technical center to be considered an eligible
27 program under this subsection.

28 (c) Employ an individual staffed as an adult education
29 navigator who will serve as a caseworker for each participant



1 identified under subdivision (b). The navigator shall work with
 2 adult education staff and potential employers to design an
 3 educational program best suited to the personal and employment
 4 needs of the participant and shall work with human service agencies
 5 or other entities to address any barrier in the way of participant
 6 access.

7 (16) Each program funded under subsection (15) will receive
 8 funding for 3 years. After 3 years of operations and funding, a
 9 program must reapply for funding.

10 (17) Not later than December 1 of each year, a program funded
 11 under subsection (15) shall provide a report to the senate and
 12 house appropriations subcommittees on school aid, to the senate and
 13 house fiscal agencies, and to the state budget director identifying
 14 the number of participants, graduation rates, and a measure of
 15 transition to employment.

16 (18) Except as otherwise provided in this subsection,
 17 participants under subsection (15) must be concurrently enrolled
 18 and actively working toward obtaining a high school diploma or a
 19 high school equivalency certificate. Concurrent enrollment is not
 20 required under this subsection for a participant that was enrolled
 21 in adult education during the same program year and obtained a high
 22 school diploma or a high school equivalency certificate prior to
 23 enrollment in an eligible career and technical skills program under
 24 subsection (15). Up to ~~25%~~ **15%** of adult education participants
 25 served under subsection (15) may already have a high school diploma
 26 or a high school equivalency certificate at the time of enrollment
 27 in an eligible career and technical skills program under subsection
 28 (15) and receive remediation services. It is intended that the cap
 29 described in the immediately preceding sentence is continually



1 lowered on an annual basis until it eventually is 0%.

2 (19) The department shall approve at least 3 high school
3 equivalency tests and determine whether a high school equivalency
4 certificate meets the requisite standards for high school
5 equivalency in this state.

6 (20) As used in this section:

7 (a) "Career and educational advisory council" means an
8 advisory council to the local workforce development boards located
9 in a prosperity region consisting of educational, employer, labor,
10 and parent representatives.

11 (b) "Career pathway" means a combination of rigorous and high-
12 quality education, training, and other services that comply with
13 all of the following:

14 (i) Aligns with the skill needs of industries in the economy of
15 this state or in the regional economy involved.

16 (ii) Prepares an individual to be successful in any of a full
17 range of secondary or postsecondary education options, including
18 apprenticeships registered under the act of August 16, 1937,
19 commonly referred to as the national apprenticeship act, 29 USC 50
20 et seq.

21 (iii) Includes counseling to support an individual in achieving
22 the individual's education and career goals.

23 (iv) Includes, as appropriate, education offered concurrently
24 with and in the same context as workforce preparation activities
25 and training for a specific occupation or occupational cluster.

26 (v) Organizes education, training, and other services to meet
27 the particular needs of an individual in a manner that accelerates
28 the educational and career advancement of the individual to the
29 extent practicable.



1 (vi) Enables an individual to attain a secondary school diploma
 2 or its recognized equivalent, and at least 1 recognized
 3 postsecondary credential.

4 (vii) Helps an individual enter or advance within a specific
 5 occupation or occupational cluster.

6 (c) "Department" means the department of labor and economic
 7 opportunity.

8 (d) "Eligible adult education provider" means a district,
 9 intermediate district, a consortium of districts, a consortium of
 10 intermediate districts, or a consortium of districts and
 11 intermediate districts that is identified as part of the local
 12 process described in subsection (5)(c) and approved by the
 13 department.

14 Sec. 147. (1) The allocation for ~~2021-2022~~**2022-2023** for the
 15 public school employees' retirement system pursuant to the public
 16 school employees retirement act of 1979, 1980 PA 300, MCL 38.1301
 17 to 38.1437, is made using the individual projected benefit entry
 18 age normal cost method of valuation and risk assumptions adopted by
 19 the public school employees retirement board and the department of
 20 technology, management, and budget.

21 (2) The annual level percentage of payroll contribution rates
 22 for the ~~2021-2022~~**2022-2023** fiscal year, as determined by the
 23 retirement system, are estimated as follows:

24 (a) ~~Except as otherwise provided in this subdivision, for~~**For**
 25 public school employees who first worked for a public school
 26 reporting unit before July 1, 2010 and who are enrolled in the
 27 health premium subsidy, the annual level percentage of payroll
 28 contribution rate is estimated at ~~43.28%~~**44.88%** with 28.23% paid
 29 directly by the employer. ~~For 2021-2022, if the retirement system~~



1 ~~determines that the annual level percentage of payroll contribution~~
 2 ~~rate estimated in the immediately preceding sentence needs to be~~
 3 ~~adjusted, the annual level percentage of payroll contribution rate~~
 4 ~~estimations under this subdivision are the estimations determined~~
 5 ~~by the retirement system. If the retirement system makes a~~
 6 ~~determination as described in the immediately preceding sentence,~~
 7 ~~it shall issue its estimations publicly and describe the need for~~
 8 ~~the adjustment described in the immediately preceding sentence.~~

9 (b) ~~Except as otherwise provided in this subdivision, for **For**~~
 10 public school employees who first worked for a public school
 11 reporting unit on or after July 1, 2010 and who are enrolled in the
 12 health premium subsidy, the annual level percentage of payroll
 13 contribution rate is estimated at ~~40.36%~~ **41.96%** with 25.31% paid
 14 directly by the employer. ~~For 2021-2022, if the retirement system~~
 15 ~~determines that the annual level percentage of payroll contribution~~
 16 ~~rate estimated in the immediately preceding sentence needs to be~~
 17 ~~adjusted, the annual level percentage of payroll contribution rate~~
 18 ~~estimations under this subdivision are the estimations determined~~
 19 ~~by the retirement system. If the retirement system makes a~~
 20 ~~determination as described in the immediately preceding sentence,~~
 21 ~~it shall issue its estimations publicly and describe the need for~~
 22 ~~the adjustment described in the immediately preceding sentence.~~

23 (c) ~~Except as otherwise provided in this subdivision, for **For**~~
 24 public school employees who first worked for a public school
 25 reporting unit on or after July 1, 2010 and who participate in the
 26 personal healthcare fund, the annual level percentage of payroll
 27 contribution rate is estimated at ~~39.50%~~ **41.10%** with 24.45% paid
 28 directly by the employer. ~~For 2021-2022, if the retirement system~~
 29 ~~determines that the annual level percentage of payroll contribution~~



1 ~~rate estimated in the immediately preceding sentence needs to be~~
 2 ~~adjusted, the annual level percentage of payroll contribution rate~~
 3 ~~estimations under this subdivision are the estimations determined~~
 4 ~~by the retirement system. If the retirement system makes a~~
 5 ~~determination as described in the immediately preceding sentence,~~
 6 ~~it shall issue its estimations publicly and describe the need for~~
 7 ~~the adjustment described in the immediately preceding sentence.~~

8 ~~(d) Except as otherwise provided in this subdivision, for **For**~~
 9 ~~public school employees who first worked for a public school~~
 10 ~~reporting unit on or after September 4, 2012, who elect defined~~
 11 ~~contribution, and who participate in the personal healthcare fund,~~
 12 ~~the annual level percentage of payroll contribution rate is~~
 13 ~~estimated at ~~36.01%~~ **37.61%** with 20.96% paid directly by the~~
 14 ~~employer. For 2021-2022, if the retirement system determines that~~
 15 ~~the annual level percentage of payroll contribution rate estimated~~
 16 ~~in the immediately preceding sentence needs to be adjusted, the~~
 17 ~~annual level percentage of payroll contribution rate estimations~~
 18 ~~under this subdivision are the estimations determined by the~~
 19 ~~retirement system. If the retirement system makes a determination~~
 20 ~~as described in the immediately preceding sentence, it shall issue~~
 21 ~~its estimations publicly and describe the need for the adjustment~~
 22 ~~described in the immediately preceding sentence.~~

23 ~~(e) Except as otherwise provided in this subdivision, for **For**~~
 24 ~~public school employees who first worked for a public school~~
 25 ~~reporting unit before July 1, 2010, who elect defined contribution,~~
 26 ~~and who are enrolled in the health premium subsidy, the annual~~
 27 ~~level percentage of payroll contribution rate is estimated at~~
 28 ~~~~36.87%~~ **38.47%** with 21.82% paid directly by the employer. For 2021-~~
 29 ~~2022, if the retirement system determines that the annual level~~



1 ~~percentage of payroll contribution rate estimated in the~~
 2 ~~immediately preceding sentence needs to be adjusted, the annual~~
 3 ~~level percentage of payroll contribution rate estimations under~~
 4 ~~this subdivision are the estimations determined by the retirement~~
 5 ~~system. If the retirement system makes a determination as described~~
 6 ~~in the immediately preceding sentence, it shall issue its~~
 7 ~~estimations publicly and describe the need for the adjustment~~
 8 ~~described in the immediately preceding sentence.~~

9 (f) ~~Except as otherwise provided in this subdivision, for~~ **For**
 10 public school employees who first worked for a public school
 11 reporting unit before July 1, 2010, who elect defined contribution,
 12 and who participate in the personal healthcare fund, the annual
 13 level percentage of payroll contribution rate is estimated at
 14 ~~36.01%~~ **37.61%** with 20.96% paid directly by the employer. ~~For 2021-~~
 15 ~~2022, if the retirement system determines that the annual level~~
 16 ~~percentage of payroll contribution rate estimated in the~~
 17 ~~immediately preceding sentence needs to be adjusted, the annual~~
 18 ~~level percentage of payroll contribution rate estimations under~~
 19 ~~this subdivision are the estimations determined by the retirement~~
 20 ~~system. If the retirement system makes a determination as described~~
 21 ~~in the immediately preceding sentence, it shall issue its~~
 22 ~~estimations publicly and describe the need for the adjustment~~
 23 ~~described in the immediately preceding sentence.~~

24 (g) ~~Except as otherwise provided in this subdivision, for~~ **For**
 25 public school employees who first worked for a public school
 26 reporting unit before July 1, 2010 and who participate in the
 27 personal healthcare fund, the annual level percentage of payroll
 28 contribution rate is estimated at ~~42.42%~~ **44.02%** with 27.37% paid
 29 directly by the employer. ~~For 2021-2022, if the retirement system~~



1 ~~determines that the annual level percentage of payroll contribution~~
 2 ~~rate estimated in the immediately preceding sentence needs to be~~
 3 ~~adjusted, the annual level percentage of payroll contribution rate~~
 4 ~~estimations under this subdivision are the estimations determined~~
 5 ~~by the retirement system. If the retirement system makes a~~
 6 ~~determination as described in the immediately preceding sentence,~~
 7 ~~it shall issue its estimations publicly and describe the need for~~
 8 ~~the adjustment described in the immediately preceding sentence.~~

9 (h) ~~Except as otherwise provided in this subdivision, for **For**~~
 10 public school employees who first worked for a public school
 11 reporting unit after January 31, 2018 and who elect to become
 12 members of the MPSERS plan, the annual level percentage of payroll
 13 contribution rate is estimated at ~~42.21%~~ **43.81%** with 27.16% paid
 14 directly by the employer. ~~For 2021-2022, if the retirement system~~
 15 ~~determines that the annual level percentage of payroll contribution~~
 16 ~~rate estimated in the immediately preceding sentence needs to be~~
 17 ~~adjusted, the annual level percentage of payroll contribution rate~~
 18 ~~estimations under this subdivision are the estimations determined~~
 19 ~~by the retirement system. If the retirement system makes a~~
 20 ~~determination as described in the immediately preceding sentence,~~
 21 ~~it shall issue its estimations publicly and describe the need for~~
 22 ~~the adjustment described in the immediately preceding sentence.~~

23 (3) In addition to the employer payments described in
 24 subsection (2), the employer shall pay the applicable contributions
 25 to the Tier 2 plan, as determined by the public school employees
 26 retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

27 (4) The contribution rates in subsection (2) reflect an
 28 amortization period of ~~17~~ **16** years for ~~2021-2022.~~ **2022-2023**. The
 29 public school employees' retirement system board shall notify each



1 district and intermediate district by February 28 of each fiscal
 2 year of the estimated contribution rate for the next fiscal year.

3 Sec. 147a. (1) From the ~~appropriation~~ **state school aid fund**
 4 **money appropriated** in section 11, there is allocated for ~~2020-2021~~
 5 **2021-2022** an amount not to exceed \$100,000,000.00 and for ~~2021-2022~~
 6 **2022-2023** an amount not to exceed \$100,000,000.00 for payments to
 7 participating districts. A participating district that receives
 8 money under this subsection shall use that money solely for the
 9 purpose of offsetting a portion of the retirement contributions
 10 owed by the district for the fiscal year in which it is received.
 11 The amount allocated to each participating district under this
 12 subsection is based on each participating district's percentage of
 13 the total statewide payroll for all participating districts for the
 14 immediately preceding fiscal year. As used in this subsection,
 15 "participating district" means a district that is a reporting unit
 16 of the Michigan public school employees' retirement system under
 17 the public school employees retirement act of 1979, 1980 PA 300,
 18 MCL 38.1301 to 38.1437, and that reports employees to the Michigan
 19 public school employees' retirement system for the applicable
 20 fiscal year.

21 (2) In addition to the allocation under subsection (1), from
 22 the state school aid fund money appropriated under section 11,
 23 there is allocated an amount not to exceed ~~\$190,430,000.00~~
 24 **\$197,000,000.00** for ~~2020-2021-2021-2022~~ and an amount not to exceed
 25 ~~\$177,400,000.00~~ **\$191,700,000.00** for ~~2021-2022-2022-2023~~ for
 26 payments to participating districts and intermediate districts and
 27 from the general fund money appropriated under section 11, there is
 28 allocated an amount not to exceed ~~\$70,000.00~~ **\$60,000.00** for ~~2020-~~
 29 ~~2021-2021-2022~~ and an amount not to exceed ~~\$60,000.00~~ **\$50,000.00**



1 for ~~2021-2022~~**2022-2023** for payments to participating district
 2 libraries. The amount allocated to each participating entity under
 3 this subsection is based on each participating entity's reported
 4 quarterly payroll for members that became tier 1 prior to February
 5 1, 2018 for the current fiscal year. A participating entity that
 6 receives money under this subsection shall use that money solely
 7 for the purpose of offsetting a portion of the normal cost
 8 contribution rate. As used in this subsection:

9 (a) "District library" means a district library established
 10 under the district library establishment act, 1989 PA 24, MCL
 11 397.171 to 397.196.

12 (b) "Participating entity" means a district, intermediate
 13 district, or district library that is a reporting unit of the
 14 Michigan public school employees' retirement system under the
 15 public school employees retirement act of 1979, 1980 PA 300, MCL
 16 38.1301 to 38.1437, and that reports employees to the Michigan
 17 public school employees' retirement system for the applicable
 18 fiscal year.

19 Sec. 147b. (1) The MPERS retirement obligation reform reserve
 20 fund is created as a separate account within the state school aid
 21 fund.

22 (2) The state treasurer may receive money or other assets from
 23 any source for deposit into the MPERS retirement obligation reform
 24 reserve fund. The state treasurer shall direct the investment of
 25 the MPERS retirement obligation reform reserve fund. The state
 26 treasurer shall credit to the MPERS retirement obligation reform
 27 reserve fund interest and earnings from the MPERS retirement
 28 obligation reform reserve fund.

29 (3) Money available in the MPERS retirement obligation reform



1 reserve fund must not be expended without a specific appropriation.

2 (4) Money in the MPSERS retirement obligation reform reserve
3 fund at the close of the fiscal year remains in the MPSERS
4 retirement obligation reform reserve fund and does not lapse to the
5 state school aid fund or to the general fund. The department of
6 treasury is the administrator of the MPSERS retirement obligation
7 reform reserve fund for auditing purposes.

8 (5) For 2022-2023, \$425,000,000.00 from the state school aid
9 fund is deposited into the MPSERS retirement obligation reform
10 reserve fund. It is the intent of the legislature that funds
11 deposited under this subsection are used to offset costs associated
12 with accelerating the reduction of the payroll growth assumption
13 for reporting units that are not university reporting units until
14 that rate is zero by October 1, 2026.

15 Sec. 147c. (1) From the state school aid fund money
16 appropriated in section 11, there is allocated for ~~2021-2022-2022-~~
17 ~~2023~~ an amount not to exceed ~~\$1,468,500,000.00~~ **\$1,478,000,000.00**,
18 and from the MPSERS retirement obligation reform reserve fund money
19 appropriated in section 11, there is allocated for 2022-2023 only
20 an amount needed, estimated at \$140,400,000.00, for payments to
21 districts and intermediate districts that are participating
22 entities of the Michigan public school employees' retirement
23 system. In addition, from the general fund money appropriated in
24 section 11, there is allocated for ~~2021-2022-2022-2023~~ an amount
25 not to exceed \$500,000.00 for payments to district libraries that
26 are participating entities of the Michigan public school employees'
27 retirement system. **It is the intent of the legislature that money**
28 **allocated from the MPSERS retirement obligation reform reserve fund**
29 **under this section for 2022-2023 represents the amount necessary to**



1 **reduce the payroll growth assumption to 1.75%.** All of the following
 2 apply to funding under this section:

3 (a) Except as otherwise provided in this subdivision, for
 4 ~~2021-2022, 2022-2023~~, the amounts allocated under this section are
 5 estimated to provide an average MPSERS rate cap per pupil amount of
 6 ~~\$911.00~~ **\$1,042.00** and are estimated to provide a rate cap per pupil
 7 for districts ranging between \$5.00 and ~~\$4,200.00~~ **\$3,700.00**. For
 8 ~~2021-2022, 2022-2023~~, if the retirement system determines the
 9 average MPSERS rate cap per pupil amount and rate cap per pupil for
 10 districts estimated in the immediately preceding sentence need to
 11 be adjusted, the estimated average MPSERS rate cap per pupil amount
 12 and estimated rate cap per pupil for districts under this
 13 subdivision are the estimations determined by the retirement
 14 system. If the retirement system makes a determination as described
 15 in the immediately preceding sentence, it shall issue its
 16 estimations publicly and describe the need for the adjustment
 17 described in the immediately preceding sentence.

18 (b) Payments made under this section are equal to the
 19 difference between the unfunded actuarial accrued liability
 20 contribution rate as calculated pursuant to section 41 of the
 21 public school employees retirement act of 1979, 1980 PA 300, MCL
 22 38.1341, as calculated without taking into account the maximum
 23 employer rate of 20.96% included in section 41 of the public school
 24 employees retirement act of 1979, 1980 PA 300, MCL 38.1341, and the
 25 maximum employer rate of 20.96% included in section 41 of the
 26 public school employees retirement act of 1979, 1980 PA 300, MCL
 27 38.1341.

28 (c) The amount allocated to each participating entity under
 29 this section is based on each participating entity's proportion of



1 the total covered payroll for the immediately preceding fiscal year
 2 for the same type of participating entities. A participating entity
 3 that receives funds under this section shall use the funds solely
 4 for the purpose of retirement contributions as specified in
 5 subdivision (d).

6 (d) Each participating entity receiving funds under this
 7 section shall forward an amount equal to the amount allocated under
 8 subdivision (c) to the retirement system in a form, manner, and
 9 time frame determined by the retirement system.

10 (e) Funds allocated under this section should be considered
 11 when comparing a district's growth in total state aid funding from
 12 1 fiscal year to the next.

13 (f) Not later than December 20 ~~, 2021,~~ **of each fiscal year for**
 14 **which funding is allocated under this section,** the department shall
 15 publish and post on its website an estimated MPSERS rate cap per
 16 pupil for each district.

17 (g) The office of retirement services shall first apply funds
 18 allocated under this section to pension contributions and, if any
 19 funds remain after that payment, shall apply those remaining funds
 20 to other postemployment benefit contributions.

21 **(2) In addition to the funds allocated under subsection (1),**
 22 **from the state school aid fund money appropriated in section 11,**
 23 **there is allocated for 2022-2023 only \$1,000,000,000.00 for**
 24 **payments to districts and intermediate districts that are**
 25 **participating entities of the Michigan public school employees'**
 26 **retirement system. The amount allocated to each participating**
 27 **entity under this subsection must be based on each participating**
 28 **entity's proportion of the total covered payroll for the**
 29 **immediately preceding fiscal year. A participating entity that**



1 receives funds under this subsection shall use the funds solely for
 2 purposes of this subsection. Each participating entity receiving
 3 funds under this subsection shall forward an amount equal to the
 4 amount allocated under this subsection to the retirement system in
 5 a form, manner, and time frame determined by the retirement system.
 6 The retirement system shall recognize funds received under this
 7 subsection as additional assets being contributed to the system and
 8 shall not categorize them as unfunded actuarial liability
 9 contributions or normal cost contributions.

10 (3) ~~(h)~~—As used in this section:

11 (a) ~~(i)~~—"District library" means a district library established
 12 under the district library establishment act, 1989 PA 24, MCL
 13 397.171 to 397.196.

14 (b) ~~(ii)~~—"MPSERS rate cap per pupil" means an amount equal to
 15 the quotient of the district's payment under this section divided
 16 by the district's pupils in membership.

17 (c) ~~(iii)~~—"Participating entity" means a district, intermediate
 18 district, or district library that is a reporting unit of the
 19 Michigan public school employees' retirement system under the
 20 public school employees retirement act of 1979, 1980 PA 300, MCL
 21 38.1301 to 38.1437, and that reports employees to the Michigan
 22 public school employees' retirement system for the applicable
 23 fiscal year.

24 ~~(iv)~~—"Retirement board" means the board that administers the
 25 retirement system under the public school employees retirement act
 26 of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

27 (d) ~~(v)~~—"Retirement system" means the Michigan public school
 28 employees' retirement system under the public school employees
 29 retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.



1 Sec. 147e. (1) From the state school aid fund money
 2 appropriated in section 11, there is allocated for ~~2020-2021-2021-~~
 3 **2022** an amount not to exceed ~~\$33,800,000.00~~ **\$50,000,000.00** and
 4 there is allocated for ~~2021-2022-2022-2023~~ an amount not to exceed
 5 ~~\$65,300,000.00~~ **\$54,000,000.00** for payments to participating
 6 entities.

7 (2) The payment to each participating entity under this
 8 section is the sum of the amounts under this subsection as follows:

9 (a) An amount equal to the contributions made by a
 10 participating entity for the additional contribution made to a
 11 qualified participant's Tier 2 account in an amount equal to the
 12 contribution made by the qualified participant not to exceed 3% of
 13 the qualified participant's compensation as provided for under
 14 section 131(6) of the public school employees retirement act of
 15 1979, 1980 PA 300, MCL 38.1431.

16 (b) Beginning October 1, 2017, an amount equal to the
 17 contributions made by a participating entity for a qualified
 18 participant who is only a Tier 2 qualified participant under
 19 section 81d of the public school employees retirement act of 1979,
 20 1980 PA 300, MCL 38.1381d, not to exceed 4%, and, beginning
 21 February 1, 2018, not to exceed 1%, of the qualified participant's
 22 compensation.

23 (c) An amount equal to the increase in employer normal cost
 24 contributions under section 41b(2) of the public school employees
 25 retirement act of 1979, 1980 PA 300, MCL 38.1341b, for a member
 26 that was hired after February 1, 2018 and chose to participate in
 27 Tier 1, compared to the employer normal cost contribution for a
 28 member under section 41b(1) of the public school employees
 29 retirement act of 1979, 1980 PA 300, MCL 38.1341b.



1 (3) As used in this section:

2 (a) "Member" means that term as defined under the public
3 school employees retirement act of 1979, 1980 PA 300, MCL 38.1301
4 to 38.1437.

5 (b) "Participating entity" means a district, intermediate
6 district, or community college that is a reporting unit of the
7 Michigan public school employees' retirement system under the
8 public school employees retirement act of 1979, 1980 PA 300, MCL
9 38.1301 to 38.1437, and that reports employees to the Michigan
10 public school employees' retirement system for the applicable
11 fiscal year.

12 (c) "Qualified participant" means that term as defined under
13 section 124 of the public school employees retirement act of 1979,
14 1980 PA 300, MCL 38.1424.

15 Sec. 152a. (1) As required by the court in the consolidated
16 cases known as *Adair v State of Michigan*, 486 Mich 468 (2010), from
17 the state school aid fund money appropriated in section 11, there
18 is allocated for ~~2021-2022~~**2022-2023** an amount not to exceed
19 \$38,000,500.00 to be used solely for the purpose of paying
20 necessary costs related to the state-mandated collection,
21 maintenance, and reporting of data to this state.

22 (2) From the allocation in subsection (1), the department
23 shall make payments to districts and intermediate districts in an
24 equal amount per pupil based on the total number of pupils in
25 membership in each district and intermediate district. The
26 department shall not make any adjustment to these payments after
27 the final installment payment under section 17b is made.

28 Sec. 152b. (1) From the general fund money appropriated under
29 section 11, there is allocated an amount not to exceed



1 \$1,000,000.00 for ~~2021-2022~~**2022-2023** to reimburse actual costs
2 incurred by nonpublic schools in complying with a health, safety,
3 or welfare requirement mandated by a law or administrative rule of
4 this state.

5 (2) By January 1 of each applicable fiscal year, the
6 department shall publish a form for reporting actual costs incurred
7 by a nonpublic school in complying with a health, safety, or
8 welfare requirement mandated under state law containing each
9 health, safety, or welfare requirement mandated by a law or
10 administrative rule of this state applicable to a nonpublic school
11 and with a reference to each relevant provision of law or
12 administrative rule for the requirement. The form ~~shall~~**must** be
13 posted on the department's website in electronic form.

14 (3) By June 30 of each applicable fiscal year, a nonpublic
15 school seeking reimbursement for actual costs incurred in complying
16 with a health, safety, or welfare requirement under a law or
17 administrative rule of this state during each applicable school
18 year ~~shall~~**must** submit a completed form described in subsection (2)
19 to the department. This section does not require a nonpublic school
20 to submit a form described in subsection (2). A nonpublic school is
21 not eligible for reimbursement under this section if the nonpublic
22 school does not submit the form described in subsection (2) in a
23 timely manner.

24 (4) By August 15 of each applicable fiscal year, the
25 department shall distribute funds to each nonpublic school that
26 submits a completed form described under subsection (2) in a timely
27 manner. The superintendent shall determine the amount of funds to
28 be paid to each nonpublic school in an amount that does not exceed
29 the nonpublic school's actual costs in complying with a health,



1 safety, or welfare requirement under a law or administrative rule
2 of this state. The superintendent shall calculate a nonpublic
3 school's actual cost in accordance with this section.

4 (5) If the funds allocated under this section are insufficient
5 to fully fund payments as otherwise calculated under this section,
6 the department shall distribute funds under this section on a
7 prorated or other equitable basis as determined by the
8 superintendent.

9 (6) The department may review the records of a nonpublic
10 school submitting a form described in subsection (2) only for the
11 limited purpose of verifying the nonpublic school's compliance with
12 this section. If a nonpublic school does not allow the department
13 to review records under this subsection, the nonpublic school is
14 not eligible for reimbursement under this section.

15 (7) The funds appropriated under this section ~~are for purposes~~
16 ~~related to education, are considered to be incidental to the~~
17 ~~operation of a nonpublic school, are noninstructional in character,~~
18 **are for purposes that are incidental to teaching and the provision**
19 **of educational services to nonpublic school students; that are**
20 **noninstructional in nature; that do not constitute a primary**
21 **function or element necessary for a nonpublic school's existence,**
22 **operation, and survival; that do not involve or result in excessive**
23 **religious entanglement; and that** are intended for the public
24 purpose of ensuring the health, safety, and welfare of the children
25 in nonpublic schools and to reimburse nonpublic schools for costs
26 described in this section.

27 (8) Funds allocated under this section are not intended to aid
28 or maintain any nonpublic school, support the attendance of any
29 student at a nonpublic school, employ any person at a nonpublic



1 school, support the attendance of any student at any location where
 2 instruction is offered to a nonpublic school student, or support
 3 the employment of any person at any location where instruction is
 4 offered to a nonpublic school student.

5 (9) For purposes of this section, "actual cost" means the
 6 hourly wage for the employee or employees performing a task or
 7 tasks required to comply with a health, safety, or welfare
 8 requirement under a law or administrative rule of this state
 9 identified by the department under subsection (2) and is to be
 10 calculated in accordance with the form published by the department
 11 under subsection (2), which ~~shall~~**must** include a detailed
 12 itemization of costs. The nonpublic school shall not charge more
 13 than the hourly wage of its lowest-paid employee capable of
 14 performing a specific task regardless of whether that individual is
 15 available and regardless of who actually performs a specific task.
 16 Labor costs under this subsection ~~shall~~**must** be estimated and
 17 charged in increments of 15 minutes or more, with all partial time
 18 increments rounded down. When calculating costs under subsection
 19 (4), fee components ~~shall~~**must** be itemized in a manner that
 20 expresses both the hourly wage and the number of hours charged. The
 21 nonpublic school may not charge any applicable labor charge amount
 22 to cover or partially cover the cost of health or fringe benefits.
 23 A nonpublic school shall not charge any overtime wages in the
 24 calculation of labor costs.

25 ~~(10) For the purposes of this section, the actual cost~~
 26 ~~incurred by a nonpublic school for taking daily student attendance~~
 27 ~~shall be considered an actual cost in complying with a health,~~
 28 ~~safety, or welfare requirement under a law or administrative rule~~
 29 ~~of this state. Training fees, inspection fees, and criminal~~



1 background check fees are considered actual costs in complying with
 2 a health, safety, or welfare requirement under a law or
 3 administrative rule of this state.

4 ~~(11) The funds allocated under this section for 2017-2018 are~~
 5 ~~a work project appropriation, and any unexpended funds for 2017-~~
 6 ~~2018 are carried forward into 2018-2019. The purpose of the work~~
 7 ~~project is to continue to reimburse nonpublic schools for actual~~
 8 ~~costs incurred in complying with a health, safety, or welfare~~
 9 ~~requirement mandated by a law or administrative rule of this state.~~
 10 ~~The estimated completion date of the work project is September 30,~~
 11 ~~2022.~~

12 ~~(12) The funds allocated under this section for 2018-2019 are~~
 13 ~~a work project appropriation, and any unexpended funds for 2018-~~
 14 ~~2019 are carried forward into 2019-2020. The purpose of the work~~
 15 ~~project is to continue to reimburse nonpublic schools for actual~~
 16 ~~costs incurred in complying with a health, safety, or welfare~~
 17 ~~requirement mandated by a law or administrative rule of this state.~~
 18 ~~The estimated completion date of the work project is September 30,~~
 19 ~~2022.~~

20 **(11)** ~~(13)~~The funds allocated under this section for 2021-2022
 21 are a work project appropriation, and any unexpended funds for
 22 2021-2022 are carried forward into 2022-2023. The purpose of the
 23 work project is to continue to reimburse nonpublic schools for
 24 actual costs incurred in complying with a health, safety, or
 25 welfare requirement mandated by a law or administrative rule of
 26 this state. The estimated completion date of the work project is
 27 September 30, 2023.

28 **(12) The funds allocated under this section for 2022-2023 are**
 29 **a work project appropriation, and any unexpended funds for 2022-**



1 2023 are carried forward into 2023-2024. The purpose of the work
 2 project is to continue to reimburse nonpublic schools for actual
 3 costs incurred in complying with a health, safety, or welfare
 4 requirement mandated by a law or administrative rule of this state.
 5 The estimated completion date of the work project is September 30,
 6 2024.

7 (13) ~~(14)~~—The department shall reimburse nonpublic schools for
 8 actual costs incurred in complying with health, safety, or welfare
 9 requirements under a law or administrative rule of this state from
 10 ~~2018-2019-2017-2018~~ through ~~2020-2021-2021-2022~~ using work project
 11 funds or, if those funds are insufficient to fund reimbursements
 12 under this subsection, from the allocation under subsection (1).

13 Sec. 201. (1) Subject to the conditions set forth in this
 14 article, the amounts listed in this section are appropriated for
 15 community colleges for the fiscal year ending September 30, ~~2022,~~
 16 **2023**, from the funds indicated in this section. The following is a
 17 summary of the appropriations in this section:

18 (a) The gross appropriation is ~~\$431,917,000.00.~~
 19 **\$530,258,000.00.** After deducting total interdepartmental grants and
 20 intradepartmental transfers in the amount of \$0.00, the adjusted
 21 gross appropriation is ~~\$431,917,000.00.~~ **\$530,258,000.00.**

22 (b) The sources of the adjusted gross appropriation described
 23 in subdivision (a) are as follows:

24 (i) Total federal revenues, ~~\$0.00.~~ **\$81,200,000.00.**

25 (ii) Total local revenues, \$0.00.

26 (iii) Total private revenues, \$0.00.

27 (iv) Total other state restricted revenues,

28 ~~\$431,917,000.00.~~ **\$449,058,000.00.**

29 (v) State general fund/general purpose money, \$0.00.



1 (2) Subject to subsection (3), the amount appropriated for
 2 community college operations is ~~\$328,583,400.00,~~ **\$341,224,400.00,**
 3 allocated as follows:

4 (a) The appropriation for Alpena Community College is
 5 ~~\$5,830,600.00, \$5,753,300.00 for operations, \$53,400.00 for 1-time~~
 6 ~~performance funding, and \$23,900.00 for costs incurred under the~~
 7 ~~North American Indian tuition waiver.~~ **\$6,040,500.00, \$5,753,300.00**
 8 **for operations, \$273,500.00 for performance funding, and \$13,700.00**
 9 **for costs incurred under the North American Indian tuition waiver.**

10 (b) The appropriation for Bay de Noc Community College is
 11 ~~\$5,772,400.00, \$5,602,800.00 for operations, \$58,000.00 for 1-time~~
 12 ~~performance funding, and \$111,600.00 for costs incurred under the~~
 13 ~~North American Indian tuition waiver.~~ **\$5,986,700.00, \$5,602,800.00**
 14 **for operations, \$274,200.00 for performance funding, and**
 15 **\$109,700.00 for costs incurred under the North American Indian**
 16 **tuition waiver.**

17 (c) The appropriation for Delta College is ~~\$15,364,000.00,~~
 18 ~~\$15,160,500.00 for operations, \$143,400.00 for 1-time performance~~
 19 ~~funding, and \$60,100.00 for costs incurred under the North American~~
 20 ~~Indian tuition waiver.~~ **\$15,928,400.00, \$15,160,500.00 for**
 21 **operations, \$727,700.00 for performance funding, and \$40,200.00 for**
 22 **costs incurred under the North American Indian tuition waiver.**

23 (d) The appropriation for Glen Oaks Community College is
 24 ~~\$2,684,500.00, \$2,651,200.00 for operations, \$33,300.00 for 1-time~~
 25 ~~performance funding, and \$0.00 for costs incurred under the North~~
 26 ~~American Indian tuition waiver.~~ **\$2,802,100.00, \$2,651,200.00 for**
 27 **operations, \$150,900.00 for performance funding, and \$0.00 for**
 28 **costs incurred under the North American Indian tuition waiver.**

29 (e) The appropriation for Gogebic Community College is



1 ~~\$4,968,100.00, \$4,873,700.00 for operations, \$42,400.00 for 1-time~~
 2 ~~performance funding, and \$52,000.00 for costs incurred under the~~
 3 ~~North American Indian tuition waiver.~~ **\$5,145,800.00, \$4,873,700.00**
 4 **for operations, \$229,600.00 for performance funding, and \$42,500.00**
 5 **for costs incurred under the North American Indian tuition waiver.**

6 (f) The appropriation for Grand Rapids Community College is
 7 ~~\$19,193,200.00, \$18,773,100.00 for operations, \$221,500.00 for 1-~~
 8 ~~time performance funding, and \$198,600.00 for costs incurred under~~
 9 ~~the North American Indian tuition waiver.~~ **\$19,950,600.00,**
 10 **\$18,773,100.00 for operations, \$993,100.00 for performance funding,**
 11 **and \$184,400.00 for costs incurred under the North American Indian**
 12 **tuition waiver.**

13 (g) The appropriation for Henry Ford College is
 14 ~~\$22,753,900.00, \$22,533,100.00 for operations, \$205,800.00 for 1-~~
 15 ~~time performance funding, and \$15,000.00 for costs incurred under~~
 16 ~~the North American Indian tuition waiver.~~ **\$23,731,400.00,**
 17 **\$22,533,100.00 for operations, \$1,167,000.00 for performance**
 18 **funding, and \$31,300.00 for costs incurred under the North American**
 19 **Indian tuition waiver.**

20 (h) The appropriation for Jackson College is ~~\$12,912,300.00,~~
 21 ~~\$12,756,200.00 for operations, \$109,900.00 for 1-time performance~~
 22 ~~funding, and \$46,200.00 for costs incurred under the North American~~
 23 ~~Indian tuition waiver.~~ **\$13,337,700.00, \$12,756,200.00 for**
 24 **operations, \$538,900.00 for performance funding, and \$42,600.00 for**
 25 **costs incurred under the North American Indian tuition waiver.**

26 (i) The appropriation for Kalamazoo Valley Community College
 27 is ~~\$13,320,400.00, \$13,099,900.00 for operations, \$134,400.00 for~~
 28 ~~1-time performance funding, and \$86,100.00 for costs incurred under~~
 29 ~~the North American Indian tuition waiver.~~ **\$13,832,700.00,**



1 \$13,099,900.00 for operations, \$676,200.00 for performance funding,
 2 and \$56,600.00 for costs incurred under the North American Indian
 3 tuition waiver.

4 (j) The appropriation for Kellogg Community College is
 5 ~~\$10,419,200.00, \$10,267,100.00 for operations, \$100,800.00 for 1-~~
 6 ~~time performance funding, and \$51,300.00 for costs incurred under~~
 7 ~~the North American Indian tuition waiver.~~ \$10,781,400.00,
 8 \$10,267,100.00 for operations, \$487,300.00 for performance funding,
 9 and \$27,000.00 for costs incurred under the North American Indian
 10 tuition waiver.

11 (k) The appropriation for Kirtland Community College is
 12 ~~\$3,404,000.00, \$3,358,400.00 for operations, \$39,100.00 for 1-time~~
 13 ~~performance funding, and \$6,500.00 for costs incurred under the~~
 14 ~~North American Indian tuition waiver.~~ \$3,601,000.00, \$3,358,400.00
 15 for operations, \$219,500.00 for performance funding, and \$23,100.00
 16 for costs incurred under the North American Indian tuition waiver.

17 (l) The appropriation for Lake Michigan College is
 18 ~~\$5,768,200.00, \$5,702,700.00 for operations, \$52,400.00 for 1-time~~
 19 ~~performance funding, and \$13,100.00 for costs incurred under the~~
 20 ~~North American Indian tuition waiver.~~ \$5,990,800.00, \$5,702,700.00
 21 for operations, \$275,700.00 for performance funding, and \$12,400.00
 22 for costs incurred under the North American Indian tuition waiver.

23 (m) The appropriation for Lansing Community College is
 24 ~~\$33,255,300.00, \$32,852,000.00 for operations, \$280,600.00 for 1-~~
 25 ~~time performance funding, and \$122,700.00 for costs incurred under~~
 26 ~~the North American Indian tuition waiver.~~ \$34,339,200.00,
 27 \$32,852,000.00 for operations, \$1,376,900.00 for performance
 28 funding, and \$110,300.00 for costs incurred under the North
 29 American Indian tuition waiver.



1 (n) The appropriation for Macomb Community College is
 2 ~~\$34,629,700.00, \$34,276,100.00 for operations, \$330,300.00 for 1-~~
 3 ~~time performance funding, and \$23,300.00 for costs incurred under~~
 4 ~~the North American Indian tuition waiver.~~**\$35,950,400.00,**
 5 **\$34,276,100.00 for operations, \$1,635,800.00 for performance**
 6 **funding, and \$38,500.00 for costs incurred under the North American**
 7 **Indian tuition waiver.**

8 (o) The appropriation for Mid Michigan Community College is
 9 ~~\$5,396,300.00, \$5,184,400.00 for operations, \$58,000.00 for 1-time~~
 10 ~~performance funding, and \$153,900.00 for costs incurred under the~~
 11 ~~North American Indian tuition waiver.~~**\$5,555,700.00, \$5,184,400.00**
 12 **for operations, \$273,700.00 for performance funding, and \$97,600.00**
 13 **for costs incurred under the North American Indian tuition waiver.**

14 (p) The appropriation for Monroe County Community College is
 15 ~~\$4,798,100.00, \$4,746,200.00 for operations, \$51,200.00 for 1-time~~
 16 ~~performance funding, and \$700.00 for costs incurred under the North~~
 17 ~~American Indian tuition waiver.~~**\$5,005,000.00, \$4,746,200.00 for**
 18 **operations, \$257,400.00 for performance funding, and \$1,400.00 for**
 19 **costs incurred under the North American Indian tuition waiver.**

20 (q) The appropriation for Montcalm Community College is
 21 ~~\$3,612,600.00, \$3,570,600.00 for operations, \$37,200.00 for 1-time~~
 22 ~~performance funding, and \$4,800.00 for costs incurred under the~~
 23 ~~North American Indian tuition waiver.~~**\$3,767,400.00, \$3,570,600.00**
 24 **for operations, \$188,300.00 for performance funding, and \$8,500.00**
 25 **for costs incurred under the North American Indian tuition waiver.**

26 (r) The appropriation for C.S. Mott Community College is
 27 ~~\$16,623,500.00, \$16,440,000.00 for operations, \$142,500.00 for 1-~~
 28 ~~time performance funding, and \$41,000.00 for costs incurred under~~
 29 ~~the North American Indian tuition waiver.~~**\$17,127,100.00,**



1 \$16,440,000.00 for operations, \$658,300.00 for performance funding,
 2 and \$28,800.00 for costs incurred under the North American Indian
 3 tuition waiver.

4 (s) The appropriation for Muskegon Community College is
 5 ~~\$9,431,700.00, \$9,289,100.00 for operations, \$85,100.00 for 1-time~~
 6 ~~performance funding, and \$57,500.00 for costs incurred under the~~
 7 ~~North American Indian tuition waiver.~~**\$9,775,400.00, \$9,289,100.00**
 8 **for operations, \$444,300.00 for performance funding, and \$42,000.00**
 9 **for costs incurred under the North American Indian tuition waiver.**

10 (t) The appropriation for North Central Michigan College is
 11 ~~\$3,612,700.00, \$3,389,300.00 for operations, \$42,200.00 for 1-time~~
 12 ~~performance funding, and \$181,200.00 for costs incurred under the~~
 13 ~~North American Indian tuition waiver.~~**\$3,779,800.00, \$3,389,300.00**
 14 **for operations, \$226,600.00 for performance funding, and**
 15 **\$163,900.00 for costs incurred under the North American Indian**
 16 **tuition waiver.**

17 (u) The appropriation for Northwestern Michigan College is
 18 ~~\$9,906,900.00, \$9,567,100.00 for operations, \$88,600.00 for 1-time~~
 19 ~~performance funding, and \$251,200.00 for costs incurred under the~~
 20 ~~North American Indian tuition waiver.~~**\$10,162,300.00, \$9,567,100.00**
 21 **for operations, \$439,700.00 for performance funding, and**
 22 **\$155,500.00 for costs incurred under the North American Indian**
 23 **tuition waiver.**

24 (v) The appropriation for Oakland Community College is
 25 ~~\$22,485,200.00, \$22,211,700.00 for operations, \$240,000.00 for 1-~~
 26 ~~time performance funding, and \$33,500.00 for costs incurred under~~
 27 ~~the North American Indian tuition waiver.~~**\$23,505,300.00,**
 28 **\$22,211,700.00 for operations, \$1,257,800.00 for performance**
 29 **funding, and \$35,800.00 for costs incurred under the North American**



1 **Indian tuition waiver.**

2 (w) The appropriation for Schoolcraft College is
 3 ~~\$13,386,700.00, \$13,196,200.00 for operations, \$151,700.00 for 1-~~
 4 ~~time performance funding, and \$38,800.00 for costs incurred under~~
 5 ~~the North American Indian tuition waiver.~~**\$13,960,700.00,**
 6 **\$13,196,200.00 for operations, \$743,300.00 for performance funding,**
 7 **and \$21,200.00 for costs incurred under the North American Indian**
 8 **tuition waiver.**

9 (x) The appropriation for Southwestern Michigan College is
 10 ~~\$7,081,900.00, \$6,979,400.00 for operations, \$68,400.00 for 1-time~~
 11 ~~performance funding, and \$34,100.00 for costs incurred under the~~
 12 ~~North American Indian tuition waiver.~~**\$7,359,900.00, \$6,979,400.00**
 13 **for operations, \$353,400.00 for performance funding, and \$27,100.00**
 14 **for costs incurred under the North American Indian tuition waiver.**

15 (y) The appropriation for St. Clair County Community College
 16 is ~~\$7,478,700.00, \$7,385,200.00 for operations, \$78,400.00 for 1-~~
 17 ~~time performance funding, and \$15,100.00 for costs incurred under~~
 18 ~~the North American Indian tuition waiver.~~**\$7,805,200.00,**
 19 **\$7,385,200.00 for operations, \$401,400.00 for performance funding,**
 20 **and \$18,600.00 for costs incurred under the North American Indian**
 21 **tuition waiver.**

22 (z) The appropriation for Washtenaw Community College is
 23 ~~\$14,080,600.00, \$13,855,900.00 for operations, \$189,400.00 for 1-~~
 24 ~~time performance funding, and \$35,300.00 for costs incurred under~~
 25 ~~the North American Indian tuition waiver.~~**\$14,875,000.00,**
 26 **\$13,855,900.00 for operations, \$995,400.00 for performance funding,**
 27 **and \$23,700.00 for costs incurred under the North American Indian**
 28 **tuition waiver.**

29 (aa) The appropriation for Wayne County Community College is



1 ~~\$17,782,100.00, \$17,593,400.00 for operations, \$173,700.00 for 1-~~
 2 ~~time performance funding, and \$15,000.00 for costs incurred under~~
 3 ~~the North American Indian tuition waiver.~~ **\$18,384,700.00,**
 4 **\$17,593,400.00 for operations, \$782,700.00 for performance funding,**
 5 **and \$8,600.00 for costs incurred under the North American Indian**
 6 **tuition waiver.**

7 (bb) The appropriation for West Shore Community College is
 8 ~~\$2,630,600.00, \$2,585,600.00 for operations, \$24,800.00 for 1-time~~
 9 ~~performance funding, and \$20,200.00 for costs incurred under the~~
 10 ~~North American Indian tuition waiver.~~ **\$2,742,200.00, \$2,585,600.00**
 11 **for operations, \$135,400.00 for performance funding, and \$21,200.00**
 12 **for costs incurred under the North American Indian tuition waiver.**

13 (3) The amount appropriated in subsection (2) for community
 14 college operations is ~~\$328,583,400.00~~ **\$341,224,400.00** and is
 15 appropriated from the state school aid fund.

16 (4) From the appropriations described in subsection (1), both
 17 of the following apply:

18 (a) Subject to section 207a, the amount appropriated for
 19 fiscal year ~~2021-2022-2022-2023~~ to offset certain fiscal year ~~2021-~~
 20 ~~2022-2022-2023~~ retirement contributions is \$1,733,600.00,
 21 appropriated from the state school aid fund.

22 (b) For fiscal year ~~2021-2022, 2022-2023~~, there is allocated
 23 an amount not to exceed ~~\$11,700,000.00~~ **\$10,800,000.00** for payments
 24 to participating community colleges, appropriated from the state
 25 school aid fund. A community college that receives money under this
 26 subdivision shall use that money solely for the purpose of
 27 offsetting the normal cost contribution rate.

28 (5) From the appropriations described in subsection (1),
 29 subject to section 207b, the amount appropriated for payments to



1 community colleges that are participating entities of the
2 retirement system is ~~\$87,200,000.00~~ **\$92,600,000.00**, appropriated
3 from the state school aid fund.

4 (6) From the appropriations described in subsection (1),
5 subject to section 207c, the amount appropriated for renaissance
6 zone tax reimbursements is \$2,200,000.00, appropriated from the
7 state school aid fund. Each community college receiving funds in
8 this subsection shall accrue these payments to its institutional
9 fiscal year ending June 30, ~~2022~~ **2023**.

10 (7) From the appropriations described in subsection (1),
11 subject to section 216, the amount appropriated for the Michigan
12 reconnect grant program short-term training grants is
13 \$6,000,000.00, appropriated from the coronavirus state fiscal
14 recovery funds under the American rescue plan act of 2021, title
15 IX, subtitle M of Public Law 117-2.

16 (8) From the appropriations described in subsection (1), there
17 is appropriated \$9,200,000.00 from the coronavirus state fiscal
18 recovery funds under the American rescue plan act of 2021, title
19 IX, subtitle M of Public Law 117-2, for fiscal year 2022-2023 only,
20 to the nonprofit organization Talent 2025, for the creation and
21 operation of the Michigan center for adult college success to focus
22 on research, support models, and best practices on ensuring
23 enrollment and completion of college degrees and certificates among
24 adults returning to further their education due to being unemployed
25 or underemployed, including, but not limited to, those whose
26 employment opportunities have been adversely affected by the COVID-
27 19 pandemic. The goal of the research is to identify barriers that
28 prevent these individuals from completing degree and certificate
29 programs, create greater support systems within colleges and



1 universities for these students that address these barriers, and as
 2 a result increase the number of adults completing degree and
 3 certificate programs. This research is meant to serve the
 4 overarching aim of increasing the skills and training of
 5 Michiganders impacted by the COVID-19 pandemic. Talent 2025 shall
 6 provide information on request to the house and senate
 7 appropriations subcommittees on community colleges, the house and
 8 senate fiscal agencies, and the state budget director on the use of
 9 these funds until the project is completed.

10 (9) From the appropriations described in subsection (1),
 11 subject to section 216a, there is appropriated \$10,000,000.00, from
 12 the coronavirus state fiscal recovery funds under the American
 13 rescue plan act of 2021, title IX, subtitle M of Public Law 117-2,
 14 for fiscal year 2022-2023 only, to the Michigan Community College
 15 Association, for the community college academic catch-up program.

16 (10) The amount appropriated for pregnant and parenting
 17 student services is \$500,000.00, appropriated from the state school
 18 aid fund, and is subject to section 226f.

19 (11) From the appropriations described in subsection (1),
 20 subject to section 216b, the amount appropriated for the Michigan
 21 ADN to BSN completion grant program is \$56,000,000.00, appropriated
 22 from the coronavirus state fiscal recovery funds under the American
 23 rescue plan act of 2021, title IX, subtitle M of Public Law 117-2.

24 Sec. 202a. As used in this article:

25 (a) "ADN" means an associate of science degree in nursing, an
 26 associate of applied science in nursing, or a similar 2-year degree
 27 in nursing.

28 (b) "BSN" means a bachelor of science degree in nursing.

29 (c) ~~(a)~~ "Center" means the center for educational performance



1 and information created in section 94a.

2 (d) ~~(b) "Michigan renaissance zone act" means the Michigan~~
3 ~~renaissance zone act, 1996 PA 376, MCL 125.2681 to~~
4 ~~125.2696.~~ "College level equivalent credit examination" means an
5 examination that is administered by an independent testing service
6 and that is used by colleges and universities generally to award
7 postsecondary credit for achievement of a particular score, and
8 includes, but is not limited to, advanced placement examinations,
9 the DANTES Subject Standardized Test (DSST), and college-level
10 examination program (CLEP) examinations.

11 (e) ~~(e)~~ "Participating college" means a community college that
12 is a reporting unit of the retirement system and that reports
13 employees to the retirement system for the state fiscal year.

14 ~~(d) "Retirement board" means the board that administers the~~
15 ~~retirement system under the public school employees retirement act~~
16 ~~of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.~~

17 (f) ~~(e)~~ "Retirement system" means the Michigan public school
18 employees' retirement system under the public school employees
19 retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

20 Sec. 206. (1) Except for the funds appropriated in section
21 201(4)(b), the funds appropriated in section 201 are appropriated
22 for community colleges with fiscal years ending June 30, ~~2022-2023~~
23 and ~~shall~~ **must** be paid out of the state treasury and distributed by
24 the state treasurer to the respective community colleges in 11
25 monthly installments on the sixteenth of each month, or the next
26 succeeding business day, beginning with October 16, ~~2021-2022~~.
27 Each community college shall accrue its July and August ~~2022-2023~~
28 payments to its institutional fiscal year ending June 30,
29 ~~2022-2023~~.



1 (2) The funds appropriated in section 201(4) (b) are
2 appropriated for community colleges with fiscal years ending June
3 30, ~~2022-2023~~ and ~~shall~~**must** be distributed to the respective
4 community colleges in quarterly installments on the sixteenth of
5 each November, February, May, and August. Each community college
6 shall accrue its August ~~2022-2023~~ payments to its institutional
7 fiscal year ending June 30, ~~2022-2023~~.

8 (3) If the state budget director determines that a community
9 college failed to submit any of the following information in the
10 form and manner specified by the center, the state treasurer shall,
11 subject to subsection (4), withhold the monthly installments from
12 that community college until those data are submitted:

13 (a) The Michigan community colleges verified data inventory
14 data for the preceding academic year to the center by the first
15 business day of November of each year as specified in section 217.

16 (b) The college credit opportunity data set as specified in
17 section 209.

18 (c) The longitudinal data set for the preceding academic year
19 to the center as specified in section 219.

20 (d) The annual independent audit as specified in section 222.

21 (e) Tuition and mandatory fees information for the current
22 academic year as specified in section 225.

23 (f) The number and type of associate degrees and other
24 certificates awarded during the previous academic year as specified
25 in section 226.

26 (4) The state budget director shall notify the chairs of the
27 house and senate appropriations subcommittees on community colleges
28 at least 10 days before withholding funds from any community
29 college under subsection (3).



1 Sec. 207a. The following apply to the allocation of the fiscal
2 year ~~2021-2022-2022-2023~~ appropriations described in section
3 201(4):

4 (a) A community college that receives money under section
5 201(4) shall use that money solely for the purpose of offsetting a
6 portion of the retirement contributions owed by the college for
7 that fiscal year.

8 (b) The amount allocated to each participating community
9 college under section 201(4) (a) ~~shall~~**must** be based on each
10 college's percentage of the total covered payroll for all community
11 colleges that are participating colleges in the immediately
12 preceding fiscal year.

13 (c) The amount allocated to each participating community
14 college under section 201(4) (b) ~~shall~~**must** be based on each
15 college's reported quarterly payroll for members for the current
16 fiscal year.

17 Sec. 207b. All of the following apply to the allocation of the
18 fiscal year ~~2021-2022-2022-2023~~ appropriations described in section
19 201(5) for payments to community colleges that are participating
20 entities of the retirement system:

21 (a) The amount of a payment under section 201(5) ~~shall~~**must** be
22 the difference between the unfunded actuarial accrued liability
23 contribution rate as calculated under section 41 of the public
24 school employees retirement act of 1979, 1980 PA 300, MCL 38.1341,
25 as calculated without taking into account the maximum employer rate
26 of 20.96% included in section 41 of the public school employees
27 retirement act of 1979, 1980 PA 300, MCL 38.1341, and the maximum
28 employer rate of 20.96% under section 41 of the public school
29 employees retirement act of 1979, 1980 PA 300, MCL 38.1341.



1 (b) The amount allocated to each community college under
 2 section 201(5) ~~shall~~**must** be based on each community college's
 3 percentage of the total covered payroll for all community colleges
 4 that are participating colleges in the immediately preceding fiscal
 5 year. A community college that receives funds under this
 6 subdivision shall use the funds solely for the purpose of
 7 retirement contributions under section 201(5).

8 (c) Each participating college that receives funds under
 9 section 201(5) shall forward an amount equal to the amount
 10 allocated under subdivision (b) to the retirement system in a form
 11 and manner determined by the retirement system.

12 Sec. 207c. All of the following apply to the allocation of the
 13 appropriations described in section 201(6) to community colleges
 14 described in section 12(3) of the Michigan renaissance zone act,
 15 1996 PA 376, MCL 125.2692:

16 (a) The amount allocated to each community college under
 17 section 201(6) for fiscal year ~~2021-2022~~ **2022-2023 must** be
 18 based on that community college's proportion of total revenue lost
 19 by community colleges as a result of the exemption of property
 20 taxes levied in ~~2021-2022~~ under the Michigan renaissance zone act,
 21 1996 PA 376, MCL 125.2681 to 125.2696.

22 (b) The appropriations described in section 201(6) ~~shall~~**must**
 23 be made to each eligible community college within 60 days after the
 24 department of treasury certifies to the state budget director that
 25 it has received all necessary information to properly determine the
 26 amounts payable to each eligible community college under section 12
 27 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692.

28 Sec. 209. (1) Within 30 days after the board of a community
 29 college adopts its annual operating budget for the following fiscal



1 year, or after the board adopts a subsequent revision to that
2 budget, the community college shall make all of the following
3 information available through a link on its website homepage, and
4 shall also submit this information, and the information described
5 in subsections (4) and (5), to the state budget director, who will
6 compile the information it receives into a single report for all
7 community colleges and will submit the report to the house and
8 senate appropriations subcommittees on community colleges and the
9 house and senate fiscal agencies:

10 (a) The annual operating budget and subsequent budget
11 revisions.

12 (b) A link to the most recent "Michigan Community College Data
13 Inventory Report".

14 (c) General fund revenue and expenditure projections for the
15 current fiscal year and the next fiscal year.

16 (d) A listing of all debt service obligations, detailed by
17 project, anticipated payment of each project, and total outstanding
18 debt for the current fiscal year.

19 (e) Links to all of the following for the community college:

20 (i) The current collective bargaining agreement for each
21 bargaining unit.

22 (ii) Each health care benefits plan, including, but not limited
23 to, medical, dental, vision, disability, long-term care, or any
24 other type of benefits that would constitute health care services,
25 offered to any bargaining unit or employee of the community
26 college.

27 (iii) Audits and financial reports for the most recent fiscal
28 year for which they are available.

29 (iv) A copy of the board of trustees resolution regarding



1 compliance with best practices for the local strategic value
2 component described in section 230(2).

3 (f) A map that includes the boundaries of the community
4 college district.

5 (2) For statewide consistency and public visibility, community
6 colleges must use the icon badge provided by the department of
7 technology, management, and budget consistent with the icon badge
8 developed by the department of education for K-12 school districts.
9 It must appear on the front of each community college's homepage.
10 The size of the icon may be reduced to 150 x 150 pixels.

11 (3) The state budget director shall determine whether a
12 community college has complied with this section. The state budget
13 director may withhold a community college's monthly installments
14 described in section 206 until the community college complies with
15 this section. The state budget director shall notify the chairs of
16 the house and senate appropriations subcommittee on community
17 colleges at least 10 days before withholding funds from any
18 community college.

19 (4) Each community college shall report the following
20 information to the ~~senate and house~~ **and senate** appropriations
21 subcommittees on community colleges, the ~~senate and house~~ **and**
22 **senate** fiscal agencies, and the state budget office by November 15
23 and post that information on its website as required under
24 subsection (1):

25 (a) Budgeted current fiscal year general fund revenue from
26 tuition and fees.

27 (b) Budgeted current fiscal year general fund revenue from
28 state appropriations.

29 (c) Budgeted current fiscal year general fund revenue from



1 property taxes.

2 (d) Budgeted current fiscal year total general fund revenue.

3 (e) Budgeted current fiscal year total general fund
4 expenditures.

5 (5) By the first business day of November of each year, a
6 community college shall post the following information on its
7 website under the budget transparency icon badge:

8 (a) Opportunities for earning college credit through the
9 following programs:

10 (i) State approved career and technical education or a tech
11 prep articulated program of study.

12 (ii) Direct college credit or concurrent enrollment.

13 (iii) Dual enrollment.

14 (iv) An early college/middle college program.

15 (b) For each program described in subdivision (a) that the
16 community college offers, all of the following information:

17 (i) The number of high school students participating in the
18 program.

19 (ii) The number of school districts that participate in the
20 program with the community college.

21 (iii) Whether a college professor, qualified local school
22 district employee, or other individual teaches the course or
23 courses in the program.

24 (iv) The total cost to the community college to operate the
25 program.

26 (v) The cost per credit hour for the course or courses in the
27 program.

28 (vi) The location where the course or courses in the program
29 are held.



1 (vii) Instructional resources offered to the program
2 instructors.

3 (viii) Resources offered to the student in the program.

4 (ix) Transportation services provided to students in the
5 program.

6 Sec. 209a. (1) A public community college shall develop,
7 maintain, and update a "campus safety information and resources"
8 link, prominently displayed on the homepage of its website, to a
9 section of its website containing all of the information required
10 under subsection (2).

11 (2) The "campus safety information and resources" section of a
12 public community college's website ~~shall~~**must** include, but not be
13 limited to, all of the following information:

14 (a) Emergency contact numbers for police, fire, health, and
15 other services.

16 (b) Hours, locations, phone numbers, and ~~electronic mail~~**email**
17 contacts for campus public safety offices and title IX offices.

18 (c) A list of safety and security services provided by the
19 community college, including transportation, escort services,
20 building surveillance, anonymous tip lines, and other available
21 security services.

22 (d) A public community college's policies applicable to minors
23 on community college property.

24 (e) A directory of resources available at the community
25 college or surrounding community for students or employees who are
26 survivors of sexual assault or sexual abuse.

27 (f) An electronic copy of "A Resource Handbook for Campus
28 Sexual Assault Survivors, Friends and Family", published in 2018.

29 (g) Campus security policies and crime statistics pursuant to



1 the student right-to-know and campus security act, Public Law 101-
2 542, 104 Stat 2381. Information ~~shall~~**must** include all material
3 prepared pursuant to the public information reporting requirements
4 under the crime awareness and campus security act of 1990, title II
5 of the student right-to-know and campus security act, Public Law
6 101-542, 104 Stat 2381.

7 (3) A community college shall certify to the state budget
8 director by October 1, ~~2021~~**2022** that it is in compliance with this
9 section. The state budget director may withhold a public community
10 college's monthly installments described in section 206 until the
11 public community college complies with this section.

12 Sec. 210h. (1) If a community college that receives an
13 appropriation in section 201 establishes a mandatory COVID-19
14 vaccine policy, it shall provide exemptions to that policy to the
15 following students **and employees**:

16 (a) Any student **or employee** for whom a physician certifies
17 that a COVID-19 vaccine is or may be detrimental to the student's
18 **or employee's** health or is not appropriate.

19 (b) Any student **or employee** who provides a written statement
20 to the effect that the requirements of the COVID-19 vaccine policy
21 cannot be met because of religious convictions or other
22 consistently held objection to immunization.

23 (2) It must be presumed that a student **or employee** who
24 requests an exemption under subsection (1) is entitled to that
25 exemption. The community college shall grant that student's **or**
26 **employee's** request unless it determines by clear and convincing
27 evidence that the student **or employee** is not entitled to that
28 exemption. **A community college shall not deny an exemption solely**
29 **because the student or employee previously received another**



1 vaccine.

2 (3) A community college shall not deny a student's or
3 **employee's** request for an exemption until it has ~~exhausted~~**explored**
4 every reasonable accommodation. **An accommodation more burdensome or**
5 **stringent than relevant state or federal guidelines is**
6 **presumptively unreasonable.**

7 (4) If a community college denies a student's or **employee's**
8 request for an exemption, the community college shall issue a
9 **written** report fully explaining its reasons for the denial. That
10 report must describe all reasonable accommodations the community
11 college offered the student or **employee** and the student's or
12 **employee's** response.

13 (5) Every community college shall submit a written report
14 regarding its actions taken under this section no later than March
15 15 of each year to the ~~senate and house~~ **and senate** appropriations
16 subcommittees on community colleges, the ~~senate and house~~ **and**
17 **senate** fiscal agencies, and the state budget director. This annual
18 report must include the following information, which may be
19 obtained from any reliable source that complies with applicable
20 laws regarding student privacy:

21 (a) The number of students **and employees** who have requested an
22 exemption from the community college's COVID-19 vaccine policy.

23 (b) The number of students **and employees** who have been granted
24 an exemption.

25 (c) **The number of students and employees in noncompliance with**
26 **the community college's COVID-19 vaccine policy.**

27 (6) **No provision of this section is to be construed as**
28 **requiring a community college to violate any federal law.**

29 **Sec. 216. (1) The funds appropriated in section 201(7) for the**



1 Michigan reconnect grant program short-term training grants must be
2 used to expand the Michigan reconnect grant program short-term
3 training grants to include eligible students who are at least 21
4 years old. The funds appropriated in section 201(7) must be
5 expended to award grants, administer the program, and support the
6 duties outlined in section 21 of the Michigan reconnect grant
7 recipient act, 2020 PA 68, MCL 390.1721.

8 (2) Federal funds appropriated in section 201(7) must be
9 allocated and expended in a manner consistent with federal rules
10 and regulations.

11 (3) The department of labor and economic opportunity must
12 report on the status of funds appropriated in section 201(7), and
13 all funds appropriated related to the coronavirus relief effort, to
14 the house and senate appropriations subcommittees on community
15 colleges, the house and senate fiscal agencies, and the state
16 budget director on a quarterly basis until all funds are exhausted.

17 (4) Any unexpended and unencumbered funds remaining on
18 September 30, 2023 from the amounts appropriated in section 201(7)
19 for the Michigan reconnect grant program short-term training grants
20 for fiscal year 2022-2023 do not lapse on September 30, 2023 but
21 continue to be available for the purposes described in subsection
22 (1) in the 2023-2024 and 2024-2025 fiscal years under a work
23 project account. The use of these unexpended fiscal year 2022-2023
24 funds under this subsection terminates at the end of the 2024-2025
25 fiscal year.

26 Sec. 216a. (1) The funds appropriated in section 201(9) for
27 the community college academic catch-up program must be placed in a
28 fund administered by the Michigan Community College Association to
29 support each community college's efforts to combat learning loss



1 among recent high school graduates who experienced interruptions to
2 in-person learning due to the COVID-19 pandemic. The grant to any
3 given community college must not exceed \$1,000,000.00.

4 (2) The Michigan Community College Association shall do all of
5 the following:

6 (a) Establish an application process for community colleges to
7 receive academic catch-up program grant funding.

8 (b) Establish a group that reviews community college
9 applications and determines award funding. This group must include
10 the following members:

11 (i) The executive director of the Michigan Center for Student
12 Success or his or her designee.

13 (ii) The executive director of the Michigan College Access
14 Network or his or her designee.

15 (iii) One community college president representing a small
16 community college.

17 (iv) One community college president representing a medium
18 community college.

19 (v) One community college president representing a large
20 community college.

21 (c) Require community colleges awarded program funding to
22 submit a report on the use of program funds to the Michigan
23 Community College Association.

24 (d) Submit a report to the house and senate appropriations
25 subcommittees on community colleges, the house and senate fiscal
26 agencies, and the state budget director on the community colleges
27 awarded program funding and the amounts by September 30, 2023.

28 (e) Restrict the cost of program administration to no greater
29 than 2% of the total funds appropriated.



1 (3) Community colleges must do all of the following to be
2 considered eligible for the program:

3 (a) Submit an application to the group designated under
4 subsection (2)(b).

5 (b) Offer a summer educational program that is focused on
6 English and mathematics to any incoming college student enrolled in
7 a public in-state community college or university that is free of
8 charge to the student.

9 (c) Enroll students who complete the summer educational
10 program in college-level English or mathematics or co-requisite
11 courses in English or mathematics.

12 (d) Provide transportation support and classroom supplies to
13 students enrolled in the program. Classroom supplies must include
14 access to a laptop, wireless internet access, and technical support
15 during the program.

16 (e) Provide both in-person and online instruction options.

17 (f) Provide individualized support for career exploration,
18 admission, and financial aid.

19 (g) Provide support for student basic needs, including, but
20 not limited to, food assistance, during the program.

21 Sec. 216b. (1) The funds appropriated in section 201(11) must
22 be used for the creation of the Michigan ADN to BSN completion
23 grant program. The grant program, administered by the department of
24 labor and economic opportunity, will award each eligible community
25 college in this state a minimum of \$2,000,000.00 to support the
26 creation and execution of a program that allows individuals in this
27 state who have attained an associate degree in nursing to complete
28 a bachelor of science degree in nursing in partnership with a BSN-
29 granting Michigan public university or Michigan not-for-profit



1 independent 4-year college or university. This grant program will
2 directly impact the health care field, which has been adversely
3 affected by the COVID-19 pandemic, by increasing the training and
4 skills of health care professionals in this state.

5 (2) For purposes of this section, an eligible community
6 college must have both of the following:

7 (a) A signed agreement with a BSN-granting Michigan public
8 university or Michigan not-for-profit independent 4-year college or
9 university that provides for all of the following:

10 (i) A plan for the BSN-granting institution to design, deliver,
11 and maintain an ADN to BSN completion program, including
12 admissions, curriculum design, and accreditation, with strategic
13 input from employers and community colleges.

14 (ii) The utilization of existing ADN to BSN completion
15 programs, including 3+1 agreements, the Michigan Transfer
16 Agreement, credit for prior learning policies, and credit for
17 community college coursework, that meets BSN program requirements
18 at the BSN-granting institution.

19 (iii) BSN completion courses to be taught at least partially in
20 person on community college campuses with course delivery methods
21 informed by the expressed needs of the learners in that community.

22 (iv) To the greatest extent possible, opportunities for joint
23 faculty appointments for qualified community college faculty to
24 teach BSN completion courses as adjunct or part-time faculty at the
25 BSN-granting institution.

26 (v) A co-branding model to promote the BSN-granting
27 institution and community college as partners to students,
28 employers, and communities.

29 (vi) Adequate student supports, including academic advising,



1 career services, financial aid support, mental health counseling,
2 and other student basic needs services offered by the community
3 college or the BSN-granting institution, or both, to ensure that
4 students are likely to complete.

5 (vii) A minimum 5-year agreement duration, with adequate data
6 and evidence to support discontinuing the agreement before 5 years
7 have elapsed.

8 (b) Strategic input and engagement from local health care
9 employers and the local workforce development agency.

10 (3) Grant funding may be used to pay program expenses,
11 including, but not limited to, all of the following:

12 (a) Personnel costs associated with delivering BSN programs on
13 community college campuses.

14 (b) Investments in community college facilities to support
15 delivery of BSN programming.

16 (c) Outreach and recruitment of potential students.

17 (d) Student financial aid or financial assistance to reduce
18 the overall cost of completing a BSN program.

19 (e) Assessment of program success and the ability to recruit,
20 retain, train, and graduate more BSN-prepared nurses in this state.

21 (4) The Michigan ADN to BSN completion grant program must be
22 assessed annually for improvements in accessibility, affordability,
23 and growth of total BSN-prepared nurses in this state. The Michigan
24 Community College Association, Michigan Association of State
25 Universities, and Michigan Independent Colleges & Universities
26 Association shall submit this assessment to the house and senate
27 appropriations subcommittees on higher education and community
28 colleges, the house and senate fiscal agencies, and the state
29 budget director annually no later than September 30. The assessment



1 is to be completed with coordination among eligible community
 2 colleges and BSN-granting institutions that receive funding to
 3 support programs and the Michigan Health and Hospital Association
 4 through the Healthcare Workforce Information Collaborative.

5 (5) Unencumbered funds in section 201(11) appropriated for the
 6 Michigan ADN to BSN completion grant program are designated as a
 7 work project appropriation and must not lapse at the end of the
 8 fiscal year. Unencumbered and unallotted funds must be available
 9 for expenditures for grants under this section. The purpose of the
 10 work project is to increase access to BSN programs on community
 11 college campuses through collaborative partnership. The estimated
 12 completion date of this work project is September 30, 2026.

13 Sec. 226b. By September 30, ~~2022,~~ **2023**, each community college
 14 receiving an appropriation in section 201 shall do both of the
 15 following:

16 (a) Submit a report to the ~~senate and house~~ **and senate**
 17 appropriations subcommittees on community colleges, the ~~senate and~~
 18 **house and senate** fiscal agencies, and the state budget director
 19 describing all federal funds the community college received,
 20 including the amounts, related to the COVID-19 pandemic, including,
 21 but not limited to, any federal funds received from the coronavirus
 22 ~~relief fund under the coronavirus aid, relief, and economic~~
 23 ~~security act, Public Law 116-136,~~ **response and relief supplemental**
 24 **appropriations act, the American rescue plan act of 2021,** and
 25 similar federal relief packages.

26 (b) Post the information contained in the report described in
 27 subdivision (a) on the public transparency website described in
 28 section 209.

29 Sec. 226d. It is the intent of the legislature that by



1 February 1, ~~2022~~, **2023**, each community college ~~shall~~**will** submit to
 2 the ~~senate and house~~ **and senate** appropriations subcommittees on
 3 community colleges, the ~~senate and house~~ **and senate** fiscal
 4 agencies, and the state budget director a report on activities
 5 related to strategic planning and internal assessment or
 6 reassessment to best provide for open and free expression and
 7 speech, while protecting students from hate-speech, violence, and
 8 discrimination.

9 **Sec. 226e. It is the goal of the governor and legislature to**
 10 **ensure that 60% of Michigan's residents achieve a postsecondary**
 11 **credential, high-quality industry certification, associate degree,**
 12 **or bachelor's degree by 2030.**

13 **Sec. 226f. (1) From the funds appropriated in section 201(10),**
 14 **a community college may establish and operate a pregnant and**
 15 **parenting student services office. If established, an office shall**
 16 **meet all of the following:**

17 (a) Be located on the campus of the community college.

18 (b) Annually assess the performance of the community college
 19 and the office in meeting all of the following needs of students on
 20 campus who are pregnant or who are custodial parents or legal
 21 guardians of minors:

22 (i) Comprehensive student health care.

23 (ii) Family housing.

24 (iii) Child care.

25 (iv) Flexible or alternative academic scheduling.

26 (v) Education concerning responsible parenting for mothers and
 27 fathers.

28 (c) Identify public and private service providers qualified to
 29 meet the needs described in subdivision (b), both on campus and



1 within the local community, and establish programs with qualified
2 providers it selects to meet those needs.

3 (d) Assist students in locating and obtaining services that
4 meet 1 or more of the needs described in subdivision (b).

5 (e) If appropriate, provide referrals on prenatal care and
6 delivery, infant, or foster care, adoption, and family planning to
7 individual students who request that information. An office shall
8 not provide referrals for abortion services.

9 (2) By December 1, 2022, a community college that establishes
10 a pregnant and parenting student services office shall report to
11 the house and senate appropriations subcommittees on community
12 colleges, the house and senate fiscal agencies, and the state
13 budget director all of the following:

14 (a) An itemized list of office expenditures during the
15 preceding fiscal year.

16 (b) A review and evaluation of the performance of the office
17 in fulfilling its obligations under this section.

18 (c) The number of students served by the office.

19 Sec. 226g. (1) It is the intent of the legislature that each
20 community college adopt an advocacy policy applicable to faculty,
21 staff, students, student employees, visitors, and contractors by
22 January 1, ~~2022~~–2023 and comply with all other requirements of this
23 section.

24 (2) An advocacy policy established under subsection (1) should
25 include, but is not limited to, policies for distribution and self-
26 distribution of printed political or advocacy materials related to
27 First Amendment activities and political demonstrating. The policy
28 should include a process for filing a complaint or reporting a
29 violation of the advocacy policy and identify the community college



1 staff responsible for investigating complaints and violations. The
2 advocacy policy should include the effective date and be posted on
3 the community college's website.

4 **Sec. 227. (1) Each community college that receives an**
5 **appropriation in section 201 shall demonstrate the acceptance of**
6 **nationally recognized college level equivalent credit examination**
7 **opportunities by developing and implementing policies and**
8 **procedures for the awarding of academic credit through college**
9 **level equivalent credit examinations.**

10 (2) A community college shall not create policies or
11 procedures that prevent students from earning college credits
12 through college level equivalent credit examinations once enrolled
13 in the community college.

14 (3) Each community college shall make its credit policies and
15 opportunities for college level equivalent credit examinations
16 publicly available on the community college's website.

17 (4) If a community college requires scores above those
18 recommended by the American Council on Education to earn college
19 credit through college level equivalent credit examinations, that
20 community college shall submit to the house and senate
21 appropriations subcommittees on community colleges, the house and
22 senate fiscal agencies, and the state budget director a report on
23 the data and justifications for that decision by February 1, 2023.

24 **Sec. 227a. (1) Each community college that receives an**
25 **appropriation in section 201 shall provide all enrolled students**
26 **information on accelerated degree completion pathways and options**
27 **within the first semester of enrollment, and shall publicly post**
28 **this information on the community college's website by October 1,**
29 **2022.**



1 **(2) Each community college shall work to create accelerated**
 2 **degree completion pathways for enrolled students if such options do**
 3 **not already exist.**

4 Sec. 229. (1) Each community college that receives an
 5 appropriation in section 201 is expected to include in its
 6 admission application process a specific question as to whether an
 7 applicant for admission has ever served or is currently serving in
 8 the United States Armed Forces or is the spouse or dependent of an
 9 individual who has served or is currently serving in the United
 10 States Armed Forces, in order to more quickly identify potential
 11 educational assistance available to that applicant.

12 (2) It is expected that each community college that receives
 13 an appropriation in section 201 ~~shall~~**will** work with the house and
 14 senate **appropriations subcommittees on** community college
 15 ~~subcommittees, colleges,~~ the Michigan Community College
 16 Association, and veterans groups to review the issue of in-district
 17 tuition for veterans of this state when determining tuition rates
 18 and fees.

19 (3) Each community college that receives an appropriation in
 20 section 201 is expected to provide reasonable programming and
 21 scheduling accommodations necessary to facilitate a student's
 22 military, ~~national guard,~~ **National Guard**, or military reserves
 23 duties and training obligations.

24 (4) **Each community college that receives an appropriation in**
 25 **section 201 is expected to provide college level equivalent credit**
 26 **examination opportunities for veterans and active members of the**
 27 **military, National Guard, or military reserves within the first**
 28 **semester of enrollment.**

29 (5) **Each community college that receives an appropriation in**



1 section 201 is expected to do all of the following in its admission
 2 application process if it knows that an applicant for admission is
 3 currently serving, or has ever served, as a member of the military,
 4 the National Guard, or the military reserves:

5 (a) Inform the applicant that he or she may receive academic
 6 credit for college-level training and education he or she received
 7 while serving in the military.

8 (b) Inform the applicant that he or she may submit a
 9 transcript of his or her college-level military training and
 10 education to the community college.

11 (c) If the applicant submits a transcript described in
 12 subdivision (b), evaluate that transcript and notify the applicant
 13 of what transfer credits are available to the applicant from the
 14 community college for his or her college-level military training
 15 and education.

16 (6) ~~(4)~~As used in this section: ~~,"veteran"~~

17 (a) "Transcript" includes a joint services transcript prepared
 18 for the applicant under the American Council on Education registry
 19 of credit recommendations.

20 (b) "Veteran" means an honorably discharged veteran entitled
 21 to educational assistance under section 5003 of the post-911
 22 veterans educational assistance act of 2008, 38 USC 3301 to 3327.

23 Sec. 229a. Included in the fiscal year ~~2021-2022-2022-2023~~
 24 appropriations for the department of technology, management, and
 25 budget are appropriations totaling ~~\$32,681,600.00~~ **\$32,981,600.00** to
 26 provide funding for the state share of costs for previously
 27 constructed capital projects for community colleges. Those
 28 appropriations for state building authority rent represent
 29 additional state general fund support for community colleges, and



1 the following is an estimate of the amount of that support to each
2 community college:

- 3 (a) Alpena Community College, ~~\$933,000.00~~ **\$902,600.00**.
- 4 (b) Bay de Noc Community College, ~~\$538,000.00~~ **\$520,600.00**.
- 5 (c) Delta College, ~~\$2,706,700.00~~ **\$2,732,600.00**.
- 6 (d) Glen Oaks Community College, ~~\$128,500.00~~ **\$194,600.00**.
- 7 (e) Gogebic Community College, ~~\$58,500.00~~ **\$56,600.00**.
- 8 (f) Grand Rapids Community College,
9 ~~\$1,210,000.00~~ **\$1,097,700.00**.
- 10 (g) Henry Ford College, ~~\$1,073,900.00~~ **\$1,174,500.00**.
- 11 (h) Jackson College, ~~\$2,260,600.00~~ **\$2,187,400.00**.
- 12 (i) Kalamazoo Valley Community College,
13 ~~\$2,028,700.00~~ **\$1,963,000.00**.
- 14 (j) Kellogg Community College, ~~\$709,300.00~~ **\$686,300.00**.
- 15 (k) Kirtland Community College, ~~\$235,000.00~~ **\$227,400.00**.
- 16 (l) Lake Michigan College, ~~\$1,009,100.00~~ **\$976,400.00**.
- 17 (m) Lansing Community College, ~~\$1,191,900.00~~ **\$1,153,300.00**.
- 18 (n) Macomb Community College, ~~\$1,722,600.00~~ **\$1,966,900.00**.
- 19 (o) Mid Michigan Community College,
20 ~~\$1,687,100.00~~ **\$1,632,400.00**.
- 21 (p) Monroe County Community College,
22 ~~\$1,608,700.00~~ **\$1,556,600.00**.
- 23 (q) Montcalm Community College, ~~\$465,900.00~~ **\$450,800.00**.
- 24 (r) C.S. Mott Community College, ~~\$2,196,900.00~~ **\$2,125,700.00**.
- 25 (s) Muskegon Community College, ~~\$1,025,800.00~~ **\$992,600.00**.
- 26 (t) North Central Michigan College, ~~\$502,500.00~~ **\$692,400.00**.
- 27 (u) Northwestern Michigan College,
28 ~~\$1,866,800.00~~ **\$1,806,300.00**.
- 29 (v) Oakland Community College, ~~\$0.00~~ **\$0.00**.



- 1 (w) Schoolcraft College, ~~\$1,824,000.00~~ **\$2,371,300.00**.
- 2 (x) Southwestern Michigan College, ~~\$859,200.00~~ **\$831,400.00**.
- 3 (y) St. Clair County Community College,
- 4 ~~\$750,100.00~~ **\$725,800.00**.
- 5 (z) Washtenaw Community College, ~~\$1,792,600.00~~ **\$1,734,600.00**.
- 6 (aa) Wayne County Community College,
- 7 ~~\$1,527,300.00~~ **\$1,477,900.00**.
- 8 (bb) West Shore Community College, ~~\$768,900.00~~ **\$743,900.00**.

9 Sec. 230. (1) ~~With the exception of fiscal year 2020-2021, and~~
 10 ~~subject~~ **Subject** to subsection (4), money included in the
 11 appropriations for community college operations under section
 12 201(2) for performance funding is distributed based on the
 13 following formula:

14 (a) Allocated proportionate to fiscal year ~~2020-2021~~ **2021-2022**
 15 base appropriations, 30%.

16 (b) Based on a weighted student contact hour formula as
 17 provided for in the 2016 recommendations of the performance
 18 indicators task force, 30%.

19 (c) Based on the performance improvement as provided for in
 20 the 2016 recommendations of the performance indicators task force
 21 and based on data provided by the center, 10%.

22 (d) Based on the performance completion number as provided for
 23 in the 2016 recommendations of the performance indicators task
 24 force, 10%.

25 (e) Based on the performance completion rate as provided for
 26 in the 2016 recommendations of the performance indicators task
 27 force and based on data provided by the center, 10%.

28 (f) Based on administrative costs, 5%.

29 (g) Based on the local strategic value component, as developed



1 in cooperation with the Michigan Community College Association and
2 described in subsection (2), 5%.

3 (2) Money included in the appropriations for community college
4 operations under section 201(2) for local strategic value ~~shall be~~
5 **is** allocated **only** to each community college that certifies to the
6 state budget director, through a board of trustees resolution on or
7 before October 15, ~~2021, 2022~~, that the college has met 4 out of 5
8 best practices listed in each category described in subsection (3).
9 The resolution ~~shall~~**must** provide specifics as to how the community
10 college meets each best practice measure within each category. One-
11 third of funding available under the strategic value component
12 ~~shall be~~**is** allocated to each category described in subsection (3).
13 Amounts distributed under local strategic value ~~shall~~**must** be on a
14 proportionate basis to each college's fiscal year ~~2020-2021-2021-~~
15 **2022** operations funding. Payments to community colleges that
16 qualify for local strategic value funding ~~shall~~**must** be distributed
17 with the November installment payment described in section 206.

18 (3) For purposes of subsection (2), the following categories
19 of best practices reflect functional activities of community
20 colleges that have strategic value to the local communities and
21 regional economies:

22 (a) For Category A, economic development and business or
23 industry partnerships, the following:

24 (i) The community college has active partnerships with local
25 employers including hospitals and health care providers.

26 (ii) The community college provides customized on-site training
27 for area companies, employees, or both.

28 (iii) The community college supports entrepreneurship through a
29 small business assistance center or other training or consulting



1 activities targeted toward small businesses.

2 (iv) The community college supports technological advancement
3 through industry partnerships, incubation activities, or operation
4 of a Michigan technical education center or other advanced
5 technology center.

6 (v) The community college has active partnerships with local
7 or regional workforce and economic development agencies.

8 (b) For Category B, educational partnerships, the following:

9 (i) The community college has active partnerships with regional
10 high schools, intermediate school districts, and career-tech
11 centers to provide instruction through dual enrollment, concurrent
12 enrollment, direct credit, middle college, or academy programs.

13 (ii) The community college hosts, sponsors, or participates in
14 enrichment programs for area K-12 students, such as college days,
15 summer or after-school programming, or Science Olympiad.

16 (iii) The community college provides, supports, or participates
17 in programming to promote successful transitions to college for
18 traditional age students, including grant programs such as talent
19 search, upward bound, or other activities to promote college
20 readiness in area high schools and community centers.

21 (iv) The community college provides, supports, or participates
22 in programming to promote successful transitions to college for new
23 or reentering adult students, such as adult basic education, a high
24 school equivalency test preparation program and testing, or
25 recruiting, advising, or orientation activities specific to adults.
26 As used in this subparagraph, "high school equivalency test
27 preparation program" means that term as defined in section 4.

28 (v) The community college has active partnerships with
29 regional 4-year colleges and universities to promote successful



1 transfer, such as articulation, 2+2, or reverse transfer agreements
2 or operation of a university center.

3 (c) For Category C, community services, the following:

4 (i) The community college provides continuing education
5 programming for leisure, wellness, personal enrichment, or
6 professional development.

7 (ii) The community college operates or sponsors opportunities
8 for community members to engage in activities that promote leisure,
9 wellness, cultural or personal enrichment such as community sports
10 teams, theater or musical ensembles, or artist guilds.

11 (iii) The community college operates public facilities to
12 promote cultural, educational, or personal enrichment for community
13 members, such as libraries, computer labs, performing arts centers,
14 museums, art galleries, or television or radio stations.

15 (iv) The community college operates public facilities to
16 promote leisure or wellness activities for community members,
17 including gymnasiums, athletic fields, tennis courts, fitness
18 centers, hiking or biking trails, or natural areas.

19 (v) The community college promotes, sponsors, or hosts
20 community service activities for students, staff, or community
21 members.

22 (4) Payments for performance funding under section 201(2)
23 ~~shall~~**must** be made to a community college only if that community
24 college actively participates in the Michigan Transfer Network
25 sponsored by the Michigan Association of Collegiate Registrars and
26 Admissions Officers and submits timely updates, including updated
27 course equivalencies at least every 6 months, to the Michigan
28 transfer network. The state budget director shall determine if a
29 community college has not satisfied this requirement. The state



1 budget director may withhold payments for performance funding until
2 a community college is in compliance with this subsection.

3 (5) Payments under section 201 for performance funding for
4 fiscal year 2022-2023 must be made only to a public community
5 college that certifies to the state budget director by the last
6 business day of August that its board will not adopt an increase in
7 tuition and fee rates for in-district students for the 2022-2023
8 academic year that is greater than 5.0% or \$226.00, whichever is
9 greater. As used in this subsection:

10 (a) "Fee" means any board-authorized fee that will be paid by
11 more than 1/2 of all in-district students at least once during
12 their enrollment at a community college. A community college
13 increasing a fee that applies to a specific subset of students or
14 courses shall provide sufficient information to prove that the
15 increase applied to that subset will not cause the increase in the
16 average amount of board-authorized total tuition and fees paid by
17 in-district students in the 2022-2023 academic year to exceed the
18 limit established in this section.

19 (b) "Tuition and fee rate" means the average of full-time
20 rates paid by a majority of students in each class, based on an
21 unweighted average of the rates authorized by the community college
22 board and actually charged to students, deducting any uniformly
23 rebated or refunded amounts, for the 2 semesters with the highest
24 levels of full-time equated in-district enrollment during the
25 academic year.

26 (6) Community colleges that exceed the tuition and fee rate
27 cap described in subsection (5) must not receive a planning or
28 construction authorization for a state-funded capital outlay
29 project in fiscal year 2022-2023 or 2023-2024.



1 (7) Notwithstanding any other provision of this act, the
2 legislature may at any time adjust appropriations for a community
3 college that adopts an increase in tuition and fee rates for in-
4 district students that exceeds the rate cap established in
5 subsection (5).

6 (8) A task force must be formed by September 15, 2022 to
7 review, evaluate, discuss, and make recommendations regarding
8 community college operations funding, with a focus on addressing
9 disparities and ensuring that funding levels are equitable across
10 tuition, state support, and local tax revenue. All of the following
11 apply to this task force:

12 (a) The task force must consist of the following members:

13 (i) The chairs and minority vice chairs of the house and senate
14 appropriations subcommittees on higher education and community
15 colleges.

16 (ii) The state budget director or designee.

17 (iii) The director of the Michigan Community Colleges
18 Association.

19 (iv) Three members from Michigan public community colleges,
20 designated by the Michigan Community College Association, that
21 represent various-sized colleges and geographical distribution.

22 (b) The task force may engage legislative staff, the house and
23 senate fiscal agencies, the state budget office, the department of
24 treasury, former state officials, and other stakeholders with
25 relevant technical expertise to support its work.

26 (c) The task force shall review whether the current
27 performance metrics used for the performance funding formula are
28 the most appropriate and reliable performance indicators available
29 and determine the most efficient methodology for connecting state



1 funding to those indicators. The task force shall also review,
 2 examine, and suggest methodology concerning equitable and
 3 appropriate funding levels to community colleges.

4 (d) The task force shall publish a report containing its
 5 findings and recommendations by December 15, 2022.

6 Sec. 236. (1) Subject to the conditions set forth in this
 7 article, the amounts listed in this section are appropriated for
 8 higher education for the fiscal year ending September 30, ~~2022,~~
 9 **2023**, from the funds indicated in this section. The following is a
 10 summary of the appropriations in this section: ~~and section 236h:~~

11 (a) The gross appropriation is ~~\$1,808,251,200.00.~~
 12 **\$2,022,135,700.00**. After deducting total interdepartmental grants
 13 and intradepartmental transfers in the amount of \$0.00, the
 14 adjusted gross appropriation is
 15 ~~\$1,808,251,200.00.~~ **\$2,022,135,700.00.**

16 (b) The sources of the adjusted gross appropriation described
 17 in subdivision (a) are as follows:

18 (i) Total federal revenues, \$128,526,400.00.

19 (ii) Total local revenues, \$0.00.

20 (iii) Total private revenues, \$0.00.

21 (iv) Total other state restricted revenues,

22 ~~\$361,403,300.00.~~ **\$347,888,300.00.**

23 (v) State general fund/general purpose money,

24 ~~\$1,318,321,500.00.~~ **\$1,545,721,000.00.**

25 (2) Amounts appropriated for public universities are as
 26 follows:

27 (a) The appropriation for Central Michigan University is
 28 ~~\$90,440,500.00, \$87,600,000.00 for operations, \$876,000.00 for 1-~~
 29 ~~time supplemental funding, and \$1,964,500.00 for costs incurred~~



1 ~~under the North American Indian tuition waiver.~~ **\$91,145,100.00,**
 2 **\$87,600,000.00 for operations, \$0.00 for per-student floor funding,**
 3 **\$1,752,000.00 for operations increase, and \$1,793,100.00 for costs**
 4 **incurred under the North American Indian tuition waiver.**

5 (b) The appropriation for Eastern Michigan University is
 6 ~~\$78,305,900.00, \$77,253,700.00 for operations, \$772,500.00 for 1-~~
 7 ~~time supplemental funding, and \$279,700.00 for costs incurred under~~
 8 ~~the North American Indian tuition waiver.~~ **\$79,152,400.00,**
 9 **\$77,253,700.00 for operations, \$0.00 for per-student floor funding,**
 10 **\$1,545,100.00 for operations increase, and \$353,600.00 for costs**
 11 **incurred under the North American Indian tuition waiver.**

12 (c) The appropriation for Ferris State University is
 13 ~~\$56,541,600.00, \$55,025,500.00 for operations, \$550,300.00 for 1-~~
 14 ~~time supplemental funding, and \$965,800.00 for costs incurred under~~
 15 ~~the North American Indian tuition waiver.~~ **\$56,952,900.00,**
 16 **\$55,025,500.00 for operations, \$0.00 for per-student floor funding,**
 17 **\$1,100,500.00 for operations increase, and \$826,900.00 for costs**
 18 **incurred under the North American Indian tuition waiver.**

19 (d) The appropriation for Grand Valley State University is
 20 ~~\$74,213,800.00, \$72,313,500.00 for operations, \$723,100.00 for 1-~~
 21 ~~time supplemental funding, and \$1,177,200.00 for costs incurred~~
 22 ~~under the North American Indian tuition waiver.~~ **\$81,253,800.00,**
 23 **\$72,313,500.00 for operations, \$7,661,000.00 for per-student floor**
 24 **funding, \$0.00 for operations increase, and \$1,279,300.00 for costs**
 25 **incurred under the North American Indian tuition waiver.**

26 (e) The appropriation for Lake Superior State University is
 27 ~~\$14,366,600.00, \$13,307,000.00 for operations, \$133,100.00 for 1-~~
 28 ~~time supplemental funding, and \$926,500.00 for costs incurred under~~
 29 ~~the North American Indian tuition waiver.~~ **\$14,361,900.00,**



1 \$13,307,000.00 for operations, \$0.00 for per-student floor funding,
 2 \$266,100.00 for operations increase, and \$788,800.00 for costs
 3 incurred under the North American Indian tuition waiver.

4 (f) The appropriation for Michigan State University is
 5 ~~\$357,862,000.00, \$287,331,700.00 for operations, \$2,873,300.00 for~~
 6 ~~1-time supplemental funding, \$1,932,800.00 for costs incurred under~~
 7 ~~the North American Indian tuition waiver, \$35,286,700.00 for MSU~~
 8 ~~AgBioResearch, and \$30,437,500.00 for MSU~~
 9 ~~Extension.~~ \$372,054,800.00, \$287,331,700.00 for operations, \$0.00
 10 for per-student floor funding, \$14,349,600.00 for operations
 11 increase, \$2,046,400.00 for costs incurred under the North American
 12 Indian tuition waiver, \$36,684,200.00 for MSU AgBioResearch, and
 13 \$31,642,900.00 for MSU Extension.

14 (g) The appropriation for Michigan Technological University is
 15 ~~\$51,371,900.00, \$50,101,600.00 for operations, \$501,000.00 for 1-~~
 16 ~~time supplemental funding, and \$769,300.00 for costs incurred under~~
 17 ~~the North American Indian tuition waiver.~~ \$51,951,000.00,
 18 \$50,101,600.00 for operations, \$0.00 for per-student floor funding,
 19 \$1,002,000.00 for operations increase, and \$847,400.00 for costs
 20 incurred under the North American Indian tuition waiver.

21 (h) The appropriation for Northern Michigan University is
 22 ~~\$49,338,700.00, \$47,809,100.00 for operations, \$478,100.00 for 1-~~
 23 ~~time supplemental funding, and \$1,051,500.00 for costs incurred~~
 24 ~~under the North American Indian tuition waiver.~~ \$50,751,100.00,
 25 \$47,809,100.00 for operations, \$0.00 for per-student floor funding,
 26 \$1,780,700.00 for operations increase, and \$1,161,300.00 for costs
 27 incurred under the North American Indian tuition waiver.

28 (i) The appropriation for Oakland University is
 29 ~~\$54,012,900.00, \$53,147,400.00 for operations, \$531,500.00 for 1-~~



1 ~~time supplemental funding, and \$334,000.00 for costs incurred under~~
 2 ~~the North American Indian tuition waiver.~~**\$60,761,900.00,**
 3 **\$53,147,400.00 for operations, \$7,259,200.00 for per-student floor**
 4 **funding, \$0.00 for operations increase, and \$355,300.00 for costs**
 5 **incurred under the North American Indian tuition waiver.**

6 (j) The appropriation for Saginaw Valley State University is
 7 ~~\$31,043,500.00, \$30,583,800.00 for operations, \$305,800.00 for 1-~~
 8 ~~time supplemental funding, and \$153,900.00 for costs incurred under~~
 9 ~~the North American Indian tuition waiver.~~**\$32,274,600.00,**
 10 **\$30,583,800.00 for operations, \$132,900.00 for per-student floor**
 11 **funding, \$1,369,600.00 for operations increase, and \$188,300.00 for**
 12 **costs incurred under the North American Indian tuition waiver.**

13 (k) The appropriation for University of Michigan - Ann Arbor
 14 is ~~\$326,265,400.00, \$321,970,100.00 for operations, \$3,219,700.00~~
 15 ~~for 1-time supplemental funding, and \$1,075,600.00 for costs~~
 16 ~~incurred under the North American Indian tuition~~
 17 ~~waiver.~~**\$339,198,000.00, \$321,970,100.00 for operations, \$0.00 for**
 18 **per-student floor funding, \$16,390,200.00 for operations increase,**
 19 **and \$837,700.00 for costs incurred under the North American Indian**
 20 **tuition waiver.**

21 (l) The appropriation for University of Michigan - Dearborn is
 22 ~~\$26,593,700.00, \$26,167,000.00 for operations, \$261,700.00 for 1-~~
 23 ~~time supplemental funding, and \$165,000.00 for costs incurred under~~
 24 ~~the North American Indian tuition waiver.~~**\$28,115,900.00,**
 25 **\$26,167,000.00 for operations, \$1,702,700.00 for per-student floor**
 26 **funding, \$0.00 for operations increase, and \$246,200.00 for costs**
 27 **incurred under the North American Indian tuition waiver.**

28 (m) The appropriation for University of Michigan - Flint is
 29 ~~\$24,197,400.00, \$23,616,200.00 for operations, \$236,200.00 for 1-~~



1 ~~time supplemental funding, and \$345,000.00 for costs incurred under~~
 2 ~~the North American Indian tuition waiver.~~**\$25,159,200.00,**
 3 **\$23,616,200.00 for operations, \$953,900.00 for per-student floor**
 4 **funding, \$204,700.00 for operations increase, and \$384,400.00 for**
 5 **costs incurred under the North American Indian tuition waiver.**

6 (n) The appropriation for Wayne State University is
 7 ~~\$205,496,400.00, \$202,996,700.00 for operations, \$2,030,000.00 for~~
 8 ~~1-time supplemental funding, and \$469,700.00 for costs incurred~~
 9 ~~under the North American Indian tuition waiver.~~**\$213,639,700.00,**
 10 **\$202,996,700.00 for operations, \$0.00 for per-student floor**
 11 **funding, \$10,289,900.00 for operations increase, and \$353,100.00**
 12 **for costs incurred under the North American Indian tuition waiver.**

13 (o) The appropriation for Western Michigan University is
 14 ~~\$113,432,700.00, \$111,522,200.00 for operations, \$1,115,200.00 for~~
 15 ~~1-time supplemental funding, and \$795,300.00 for costs incurred~~
 16 ~~under the North American Indian tuition waiver.~~**\$114,351,900.00,**
 17 **\$111,522,200.00 for operations, \$0.00 for per-student floor**
 18 **funding, \$2,230,400.00 for operations increase, and \$599,300.00 for**
 19 **costs incurred under the North American Indian tuition waiver.**

20 (3) The amount appropriated in subsection (2) for public
 21 universities is ~~\$1,553,483,000.00,~~**\$1,611,124,200.00,** appropriated
 22 from the following:

23 (a) State school aid fund, \$343,168,300.00.

24 (b) State general fund/general purpose money,
 25 ~~\$1,210,314,700.00.~~**\$1,297,955,900.00.**

26 (4) The amount appropriated for Michigan public school
 27 employees' retirement system reimbursement is ~~\$13,495,000.00,~~
 28 **\$70,000.00,** appropriated from the state school aid fund.

29 (5) The amount appropriated for state and regional programs is



1 \$316,800.00, appropriated from general fund/general purpose money
2 and allocated as follows:

3 (a) Higher education database modernization and conversion,
4 \$200,000.00.

5 (b) Midwestern Higher Education Compact, \$116,800.00.

6 (6) The amount appropriated for the Martin Luther King, Jr. -
7 Cesar Chavez - Rosa Parks program is \$2,691,500.00, appropriated
8 from general fund/general purpose money and allocated as follows:

9 (a) Select student support services, \$1,956,100.00.

10 (b) Michigan college/university partnership program,
11 \$586,800.00.

12 (c) Morris Hood, Jr. educator development program,
13 \$148,600.00.

14 (7) Subject to subsection (8), the amount appropriated for
15 grants and financial aid is \$147,783,200.00, allocated as follows:

16 (a) State competitive scholarships, \$29,861,700.00.

17 (b) Tuition grants, \$42,021,500.00.

18 (c) Tuition incentive program, \$71,300,000.00.

19 (d) Children of veterans and officer's survivor tuition grant
20 programs, \$1,400,000.00.

21 (e) Project GEAR-UP, \$3,200,000.00.

22 (8) The money appropriated in subsection (7) for grants and
23 financial aid is appropriated from the following:

24 (a) Federal revenues under the United States Department of
25 Education, Office of Elementary and Secondary Education, GEAR-UP
26 program, \$3,200,000.00.

27 (b) Federal revenues under the social security act, temporary
28 assistance for needy families, \$125,326,400.00.

29 (c) State general fund/general purpose money, \$19,256,800.00.



1 (9) For fiscal year ~~2021-2022~~**2022-2023** only, in addition to
 2 the allocation under subsection (4), from the appropriations
 3 described in subsection (1), there is allocated an amount not to
 4 exceed ~~\$4,740,000.00~~**\$4,650,000.00** for payments to participating
 5 public universities, appropriated from the state school aid fund. A
 6 university that receives money under this subsection shall use that
 7 money solely for the purpose of offsetting the normal cost
 8 contribution rate. As used in this subsection, "participating
 9 public universities" means public universities that are a reporting
 10 unit of the Michigan public school employees' retirement system
 11 under the public school employees retirement act of 1979, 1980 PA
 12 300, MCL 38.1301 to 38.1437, and that pay contributions to the
 13 Michigan public school employees' retirement system for the state
 14 fiscal year.

15 ~~(11) The amount of one-time funding appropriated for the Japan
 16 Center for Michigan Universities is \$500,000.00, appropriated from
 17 the state general fund/general purpose money and allocated to
 18 support the operations of the Japan Center.~~

19 **(10) From the appropriations described in subsection (1),
 20 subject to section 274a, the amount appropriated for ethical stem
 21 cell/fetal tissue research is \$5,000,000.00, appropriated from the
 22 state general fund/general purpose money.**

23 **(11) The amount appropriated for pregnant and parenting
 24 student support services is \$500,000.00, appropriated from the
 25 state general fund/general purpose money, and is subject to section
 26 275k.**

27 Sec. 236b. In addition to the funds appropriated in section
 28 236, there is appropriated for grants and financial aid in fiscal
 29 year ~~2021-2022~~**2022-2023** an amount not to exceed \$6,000,000.00 for



1 federal contingency authorization. These funds are not available
 2 for expenditure until they have been transferred under section
 3 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393,
 4 for another purpose under this article.

5 Sec. 236c. In addition to the funds appropriated for fiscal
 6 year ~~2021-2022-2022-2023~~ in section 236, appropriations to the
 7 department of technology, management, and budget in the act
 8 providing general appropriations for fiscal year ~~2021-2022-2022-~~
 9 **2023** for state building authority rent, totaling an estimated
 10 ~~\$130,595,300.00~~ **\$132,295,300.00**, provide funding for the state
 11 share of costs for previously constructed capital projects for
 12 state universities. These appropriations for state building
 13 authority rent represent additional state general fund support
 14 provided to public universities, and the following is an estimate
 15 of the amount of that support to each university:

16 (a) Central Michigan University,

17 ~~\$13,227,700.00~~ **\$12,973,000.00**.

18 (b) Eastern Michigan University, ~~\$6,168,300.00~~ **\$6,049,500.00**.

19 (c) Ferris State University, ~~\$8,104,200.00~~ **\$8,392,700.00**.

20 (d) Grand Valley State University,

21 ~~\$7,380,000.00~~ **\$8,653,400.00**.

22 (e) Lake Superior State University,

23 ~~\$1,842,700.00~~ **\$2,340,600.00**.

24 (f) Michigan State University, ~~\$17,351,100.00~~ **\$16,673,800.00**.

25 (g) Michigan Technological University,

26 ~~\$3,488,700.00~~ **\$3,421,600.00**.

27 (h) Northern Michigan University, ~~\$7,486,500.00~~ **\$7,342,400.00**.

28 (i) Oakland University, ~~\$9,059,800.00~~ **\$9,488,200.00**.

29 (j) Saginaw Valley State University,



1 ~~\$8,009,900.00.~~ **\$7,855,700.00.**

2 (k) University of Michigan - Ann Arbor,
3 ~~\$10,459,000.00.~~ **\$12,065,900.00.**

4 (l) University of Michigan - Dearborn,
5 ~~\$11,336,800.00.~~ **\$10,774,000.00.**

6 (m) University of Michigan - Flint,
7 ~~\$6,546,200.00.~~ **\$6,084,700.00.**

8 (n) Wayne State University, ~~\$10,489,800.00.~~ **\$10,118,000.00.**

9 (o) Western Michigan University, ~~\$9,644,600.00.~~ **\$10,061,800.00.**

10 Sec. 236h. (1) For fiscal year 2021-2022 only, in addition to
11 the allocations under section 236(4) and (9), there is allocated an
12 amount not to exceed ~~\$84,741,700.00.~~ **\$384,741,700.00** for payments to
13 participating public universities, **\$84,741,700.00** appropriated from
14 the state general fund/general purpose money **and \$300,000,000.00**
15 **appropriated from the state school aid fund.** A university that
16 receives money under this subsection shall use that money solely
17 for the purpose of payments toward the pension and other
18 postemployment benefit unfunded actuarial accrued liabilities
19 associated with members and pension recipients of those
20 participating public universities. As used in this section,
21 "participating public universities" means public universities that
22 are reporting units of the Michigan public school employees'
23 retirement system under the public school employees retirement act
24 of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that pay
25 contributions to the Michigan public school employees' retirement
26 system for the state fiscal year.

27 (2) The amount allocated in subsection (1) ~~shall~~ **must** be
28 allocated to each participating public university based on each
29 participating public university's percentage of the total combined



1 payrolls of the universities' employees who are members of the
2 retirement system and who were hired before January 1, 1996 and the
3 universities' employees who would have been members of the
4 retirement system on or after January 1, 1996, but for the
5 enactment of 1995 PA 272 for all public universities that are
6 participating public universities for the immediately preceding
7 state fiscal year.

8 (3) Participating public universities receiving funds under
9 this section shall forward an amount equal to the amount allocated
10 under subsection (1) to the retirement system in a form, manner,
11 and time frame determined by the retirement system.

12 (4) Amounts allocated in subsection (1) ~~shall~~**must** be paid to
13 participating public universities in 1 ~~lump sum~~**lump-sum**
14 installment no later than ~~December 31, 2021~~**September 30, 2022**.

15 **Sec. 236j. (1) The postsecondary scholarship fund is created**
16 **in the department of treasury for the purpose of providing**
17 **scholarship awards to eligible students who attend eligible**
18 **postsecondary educational institutions in this state, as provided**
19 **in subsection (5).**

20 (2) The state treasurer may receive money or other assets from
21 any source for deposit into the postsecondary scholarship fund. The
22 state treasurer shall direct the investment of the postsecondary
23 scholarship fund. The state treasurer shall credit to the
24 postsecondary scholarship fund interest and earnings from
25 postsecondary scholarship fund investments.

26 (3) Except as otherwise provided in subsection (5)(c), money
27 in the postsecondary scholarship fund at the close of the fiscal
28 year must remain in the postsecondary scholarship fund and not
29 lapse to the general fund.



1 (4) The department of treasury shall be the administrator of
2 the postsecondary scholarship fund for auditing purposes.

3 (5) The expenditure of money from the postsecondary
4 scholarship fund is subject to all of the following:

5 (a) Money must be expended from the postsecondary scholarship
6 fund only for the purpose of providing scholarship awards to
7 eligible students who attend eligible postsecondary educational
8 institutions in this state.

9 (b) Criteria for student and institutional eligibility under
10 subdivision (a), along with all other program requirements, must be
11 established pursuant to a postsecondary scholarship program enacted
12 into the law of this state that is effective by not later than
13 September 30, 2023.

14 (c) If a postsecondary scholarship program is not enacted into
15 law with an effective date as described in subdivision (b), money
16 in the postsecondary scholarship fund must remain in the
17 postsecondary scholarship fund and not lapse to the general fund.

18 (6) For the fiscal year ending September 30, 2023,
19 \$250,000,000.00 is deposited into the postsecondary scholarship
20 fund from the state general fund/general purpose money.

21 Sec. 236k. (1) The amounts appropriated in section 236 for
22 per-student floor funding are distributed to those public
23 universities whose annual state appropriations per fiscal year
24 equated student is less than \$4,500.00 and are to be allocated each
25 year over 3 years until a funding floor of \$4,500.00 is met.

26 (2) The per-student floor funding allocation for fiscal year
27 2022-2023 is an amount equal to (the difference between \$4,500.00
28 and the amount calculated by dividing the annual state
29 appropriations for fiscal year 2020-2021 by total fiscal year



1 equated students for all public universities for fiscal year 2020-
 2 2021) divided by 3. The amount paid to an eligible public
 3 university is the amount calculated in the immediately preceding
 4 sentence multiplied by that university's fiscal year equated
 5 students for fiscal year 2020-2021. If a calculation under this
 6 section results in an amount less than \$0.00, the payment under
 7 this section is equal to \$0.00. It is intended that each university
 8 will reach a minimum funding level of at least \$4,500.00 over 3
 9 years.

10 (3) As used in this section:

11 (a) "Annual state appropriations" means the total of those
 12 amounts allocated in section 236(2) with the exception of MSU
 13 AgBioResearch and MSU Extension for the fiscal year ending
 14 September 30, 2021.

15 (b) "Fiscal year equated students" means that term as used in
 16 the higher education institutional data inventory for the fiscal
 17 year ending September 30, 2021.

18 Sec. 237b. As used in this article: ~~"center"~~

19 (a) "Center" means the center for educational performance and
 20 information created in section 94a.

21 (b) "College level equivalent credit examination" means an
 22 examination that is administered by an independent testing service
 23 and that is used by colleges and universities generally to award
 24 postsecondary credit for achievement of a particular score, and
 25 includes, but is not limited to, advanced placement examinations,
 26 the DANTES Subject Standardized Test (DSST), and college-level
 27 examination program (CLEP) examinations.

28 Sec. 241. (1) Subject to sections 244 and 265a, the funds
 29 appropriated in section 236 to public universities ~~shall~~**must** be



1 paid out of the state treasury and distributed by the state
2 treasurer to the respective institutions in 11 equal monthly
3 installments on the sixteenth of each month, or the next succeeding
4 business day, beginning with October 16, ~~2021~~-**2022**. Except for
5 Wayne State University, each institution shall accrue its July and
6 August 2022 payments to its institutional fiscal year ending June
7 30, ~~2022~~-**2023**.

8 (2) All public universities shall submit higher education
9 institutional data inventory (HEIDI) data and associated financial
10 ~~and-aid~~ program information requested by and in a manner prescribed
11 by the state budget director. For public universities with fiscal
12 years ending June 30, these data ~~shall~~-**must** be submitted to the
13 state budget director by October 15 of each fiscal year. Public
14 universities with a fiscal year ending September 30, ~~2021~~-**2022**
15 shall submit preliminary HEIDI data by November 15, ~~2021~~-**2022** and
16 final data by December 15, ~~2021~~-**2022**. If a public university fails
17 to submit HEIDI data and associated financial aid program
18 information in accordance with this reporting schedule, the state
19 treasurer may withhold the monthly installments under subsection
20 (1) to the public university until those data are submitted.

21 Sec. 245a. (1) A public university shall develop, maintain,
22 and update a "campus safety information and resources" link,
23 prominently displayed on the homepage of its website, to a section
24 of its website containing all of the information required under
25 subsection (2).

26 (2) The "campus safety information and resources" section of a
27 public university's website ~~shall~~-**must** include, but not be limited
28 to, all of the following information:

29 (a) Emergency contact numbers for police, fire, health, and



1 other services.

2 (b) Hours, locations, ~~phone~~**telephone** numbers, and email
3 contacts for campus public safety offices and title IX offices.

4 (c) A listing of safety and security services provided by the
5 university, including transportation, escort services, building
6 surveillance, anonymous tip lines, and other available security
7 services.

8 (d) ~~A public~~**The** university's policies applicable to minors on
9 university property.

10 (e) A directory of resources available at the university or
11 surrounding community for students or employees who are survivors
12 of sexual assault or sexual abuse.

13 (f) An electronic copy of "A Resource Handbook for Campus
14 Sexual Assault Survivors, Friends and Family", published in 2018.

15 (g) Campus security policies and crime statistics pursuant to
16 the student right-to-know and campus security act, Public Law 101-
17 542, 104 Stat 2381. Information ~~shall~~**must** include all material
18 prepared pursuant to the public information reporting requirements
19 under the crime awareness and campus security act of 1990, title II
20 of the student right-to-know and campus security act, Public Law
21 101-542, 104 Stat 2381.

22 (3) A public university shall certify to the state budget
23 director by October 1, ~~2021~~**2022** that it is in compliance with this
24 section. The state budget director may withhold a public
25 university's monthly installments described in section 241 until
26 the public university complies with this section.

27 Sec. 251. (1) Payments of the amounts included in section 236
28 for the state competitive scholarship program ~~shall~~**must** be
29 distributed pursuant to 1964 PA 208, MCL 390.971 to 390.981.



1 (2) Pursuant to section 6 of 1964 PA 208, MCL 390.976, the
 2 department of treasury shall determine an actual state competitive
 3 scholarship award per student, which ~~shall~~**must** be ~~\$1,000.00,~~
 4 **\$1,500.00**, that ensures that the aggregate payments for the state
 5 competitive scholarship program do not exceed the appropriation
 6 contained in section 236 for the state competitive scholarship
 7 program. If the department determines that insufficient funds are
 8 available to establish an award amount equal to ~~\$1,000.00,~~
 9 **\$1,500.00**, the department shall immediately report to the house and
 10 senate appropriations subcommittees on higher education, the house
 11 and senate fiscal agencies, and the state budget director regarding
 12 the estimated amount of additional funds necessary to establish a
 13 ~~\$1,000.00~~**\$1,500.00** award amount.

14 (3) The department of treasury shall implement a proportional
 15 competitive scholarship award level for recipients enrolled less
 16 than full-time in a given semester or term.

17 (4) If a student who receives an award under this section has
 18 his or her tuition and fees paid under the Michigan educational
 19 trust program, pursuant to the Michigan education trust act, 1986
 20 PA 316, MCL 390.1421 to 390.1442, and still has financial need, the
 21 funds awarded under this section may be used for educational
 22 expenses other than tuition and fees.

23 (5) If the department of treasury increases the award per
 24 eligible student from that provided in the previous fiscal year, it
 25 ~~shall~~**must** not have the effect of reducing the number of eligible
 26 students receiving awards in relation to the total number of
 27 eligible applicants. Any increase in the ~~grant~~**award must** be
 28 proportional for all eligible students receiving awards.

29 (6) Veterans Administration benefits ~~shall~~**must** not be



1 considered in determining eligibility for the award of scholarships
2 under 1964 PA 208, MCL 390.971 to 390.981.

3 Sec. 252. (1) The amounts appropriated in section 236 for the
4 state tuition grant program ~~shall~~**must** be distributed pursuant to
5 1966 PA 313, MCL 390.991 to 390.997a.

6 (2) Tuition grant awards ~~shall~~**must** be made to all eligible
7 Michigan residents enrolled in undergraduate degree programs who
8 are qualified and who apply by March 1 of each year for the next
9 academic year.

10 (3) Pursuant to section 5 of 1966 PA 313, MCL 390.995, and
11 subject to subsections (6) and (7), the department of treasury
12 shall determine an actual tuition grant award per student, which
13 ~~shall~~**must** be ~~\$2,800.00,~~**\$3,000.00**, that ensures that the aggregate
14 payments for the tuition grant program do not exceed the
15 appropriation contained in section 236 for the state tuition grant
16 program. If the department determines that insufficient funds are
17 available to establish an award amount equal to ~~\$2,800.00,~~
18 **\$3,000.00**, the department shall immediately report to the house and
19 senate appropriations subcommittees on higher education, the house
20 and senate fiscal agencies, and the state budget director regarding
21 the estimated amount of additional funds necessary to establish a
22 ~~\$2,800.00~~**\$3,000.00** award amount. If the department determines that
23 sufficient funds are available to establish an award amount equal
24 to ~~\$2,800.00,~~**\$3,000.00**, the department shall immediately report to
25 the house and senate appropriations subcommittees on higher
26 education, the house and senate fiscal agencies, and the state
27 budget director regarding the award amount established and the
28 projected amount of any projected year-end appropriation balance
29 based on that award amount. By February 18 of each fiscal year, the



1 department shall analyze the status of award commitments, shall
2 make any necessary adjustments, and shall confirm that those award
3 commitments will not exceed the appropriation contained in section
4 236 for the tuition grant program. The determination and actions
5 ~~shall~~**must** be reported to the state budget director and the house
6 and senate fiscal agencies no later than the final day of February
7 of each year. If award adjustments are necessary, the students
8 ~~shall~~**must** be notified of the adjustment by March 4 of each year.

9 (4) The department of treasury shall continue a proportional
10 tuition grant award level for recipients enrolled less than full-
11 time in a given semester or term.

12 (5) If the department of treasury increases the award per
13 eligible student from that provided in the previous fiscal year, it
14 ~~shall~~**must** not have the effect of reducing the number of eligible
15 students receiving awards in relation to the total number of
16 eligible applicants. Any increase in the grant ~~shall~~**must** be
17 proportional for all eligible students receiving awards for that
18 fiscal year.

19 (6) The department of treasury shall not award more than
20 ~~\$4,800,000.00~~**\$5,000,000.00** in tuition grants to eligible students
21 enrolled in the same independent nonprofit college or university in
22 this state. Any decrease in the grant ~~shall~~**must** be proportional
23 for all eligible students enrolled in that college or university,
24 as determined by the department. The limit described in this
25 subsection does not apply to any other student financial aid
26 program or in combination with any other student financial aid
27 program.

28 (7) The department of treasury shall not award tuition grants
29 to otherwise eligible students enrolled in an independent college



1 or university that does not report, in a form and manner directed
2 by and satisfactory to the department of treasury, by October 31 of
3 each year, all of the following:

4 (a) The number of students in the most recently completed
5 academic year who in any academic year received a state tuition
6 grant at the reporting institution and successfully completed a
7 program or graduated.

8 (b) The number of students in the most recently completed
9 academic year who in any academic year received a state tuition
10 grant at the reporting institution and took a remedial education
11 class.

12 (c) The number of students in the most recently completed
13 academic year who in any academic year received a Pell grant at the
14 reporting institution and successfully completed a program or
15 graduated.

16 (8) By February 1 of each year, each independent college and
17 university participating in the tuition grant program shall report
18 to the ~~senate and house~~ **and senate** appropriations subcommittees on
19 higher education, the ~~senate and house~~ **and senate** fiscal agencies,
20 and the state budget director on its efforts to develop and
21 implement sexual assault response training for the institution's
22 title IX coordinator, campus law enforcement personnel, campus
23 public safety personnel, and any other campus personnel charged
24 with responding to on-campus incidents, including information on
25 sexual assault response training materials and the status of
26 implementing sexual assault response training for institutional
27 personnel.

28 Sec. 256. (1) The funds appropriated in section 236 for the
29 tuition incentive program must be distributed as provided in this



1 section and pursuant to the administrative procedures for the
2 tuition incentive program of the department of treasury.

3 (2) As used in this section:

4 (a) "Phase I" means the first part of the tuition incentive
5 program defined as the academic period of 80 semester or 120 term
6 credits, or less, leading to an associate degree or certificate.
7 Students must be enrolled in a certificate or associate degree
8 program and taking classes within the program of study for a
9 certificate or associate degree. Tuition will not be covered for
10 courses outside of a certificate or associate degree program.

11 (b) "Phase II" means the second part of the tuition incentive
12 program that provides assistance in the third and fourth year of 4-
13 year degree programs.

14 (c) "Department" means the department of treasury.

15 (d) "High school equivalency certificate" means that term as
16 defined in section 4.

17 (3) An individual must meet the following basic criteria and
18 financial thresholds to be eligible for tuition incentive program
19 benefits:

20 (a) To be eligible for phase I, an individual must meet all of
21 the following criteria:

22 (i) Be less than 20 years of age at the time he or she
23 graduates from high school with a diploma or certificate of
24 completion or achieves a high school equivalency certificate or,
25 for students attending a 5-year middle college approved by the
26 Michigan department of education, be less than 21 years of age when
27 he or she graduates from high school.

28 (ii) Be a United States citizen and a resident of this state
29 according to institutional criteria.



1 (iii) Be at least a half-time student, earning less than 80
 2 semester or 120 term credits at a participating educational
 3 institution within 4 years of high school graduation or achievement
 4 of a high school equivalency certificate. All program eligibility
 5 expires 10 years after initial enrollment at a participating
 6 educational institution.

7 (iv) Meet the satisfactory academic progress policy of the
 8 educational institution he or she attends.

9 (b) To be eligible for phase II, an individual must meet
 10 either of the following criteria in addition to the criteria in
 11 subdivision (a):

12 (i) Complete at least 56 transferable semester or 84
 13 transferable term credits.

14 (ii) Obtain an associate degree or certificate at a
 15 participating institution.

16 (c) To be eligible for phase I or phase II, an individual must
 17 be financially eligible as determined by the department. An
 18 individual is financially eligible for the tuition incentive
 19 program if he or she was eligible for Medicaid from this state for
 20 24 months within ~~the 36 months before application.~~ **prior to**
 21 **completion of high school or achievement of a high school**
 22 **equivalency certificate.** The department shall accept certification
 23 of Medicaid eligibility only from the department of health and
 24 human services for the purposes of verifying if a person is
 25 Medicaid eligible for 24 months within ~~the 36 months before~~
 26 ~~application.~~ **prior to completion of high school or achievement of a**
 27 **high school equivalency certificate.** Certification of eligibility
 28 may begin in the sixth grade.

29 (4) For phase I, the department shall provide payment on



1 behalf of a person eligible under subsection (3). The department
2 shall only accept standard per-credit hour tuition billings and
3 shall reject billings that are excessive or outside the guidelines
4 for the type of educational institution.

5 (5) For phase I, all of the following apply:

6 (a) Payments for associate degree or certificate programs must
7 not be made for more than 80 semester or 120 term credits for any
8 individual student at any participating institution. **The department**
9 **shall not do either of the following:**

10 (i) **Adopt or apply any total semester-credit or term-credit**
11 **maximum that is less than the 80 semester-credit or 120 term-credit**
12 **maximum provided in this subdivision.**

13 (ii) **Adopt or apply any per-semester or per-term credit maximum**
14 **for a student whose semester-credit or term-credit load will not**
15 **result in exceeding the total 80 semester-credit or 120 term-credit**
16 **maximum provided in this subdivision.**

17 (b) For persons enrolled at a Michigan community college, the
18 department shall pay the current in-district tuition and mandatory
19 fees. For persons residing in an area that is not included in any
20 community college district, the out-of-district tuition rate may be
21 authorized.

22 (c) For persons enrolled at a Michigan public university, the
23 department shall pay lower division resident tuition and mandatory
24 fees for the current year.

25 (d) For persons enrolled at a Michigan independent, nonprofit
26 degree-granting college or university, a Michigan federal tribally
27 controlled community college, or Focus: HOPE, the department shall
28 pay mandatory fees for the current year and a per-credit payment
29 that does not exceed the average community college in-district per-



1 credit tuition rate as reported by the last business day of August
2 for the immediately preceding academic year.

3 (6) A person participating in phase II may be eligible for
4 additional funds not to exceed \$500.00 per semester or \$400.00 per
5 term up to a maximum of \$2,000.00 subject to the following
6 conditions:

7 (a) Credits are earned in a 4-year program at a Michigan
8 degree-granting 4-year college or university.

9 (b) The tuition reimbursement is for coursework completed
10 within 30 months of completion of the phase I requirements.

11 (7) The department shall work closely with participating
12 institutions to provide the highest level of participation and
13 ensure that all requirements of the program are met.

14 (8) The department shall notify students of their financial
15 eligibility for the program any time after the student begins sixth
16 grade.

17 (9) Except as otherwise provided in section 3(d) of the
18 Michigan reconnect grant act, 2020 PA 84, MCL 390.1703, and section
19 17 of the Michigan reconnect grant recipient act, 2020 PA 68, MCL
20 390.1717, each institution shall ensure that all known available
21 restricted grants for tuition and fees are used before billing the
22 tuition incentive program for any portion of a student's tuition
23 and fees.

24 (10) The department shall ensure that the tuition incentive
25 program is well publicized and that eligible Medicaid clients are
26 provided information on the program. The department shall provide
27 the necessary funding and staff to fully operate the program.

28 (11) The department ~~of treasury~~ shall collaborate with the
29 center to use the P-20 longitudinal data system to report the



1 following information for each qualified postsecondary institution:

2 (a) The number of phase I students in the most recently
3 completed academic year who in any academic year received a tuition
4 incentive program award and who successfully completed a degree or
5 certificate program. Cohort graduation rates for phase I students
6 ~~shall~~ **must** be calculated using the established success rate
7 methodology developed by the center in collaboration with the
8 postsecondary institutions.

9 (b) The number of students in the most recently completed
10 academic year who in any academic year received a Pell grant at the
11 reporting institution and who successfully completed a degree or
12 certificate program. Cohort graduation rates for students who
13 received Pell grants must be calculated using the established
14 success rate methodology developed by the center in collaboration
15 with the postsecondary institutions.

16 (12) If a qualified postsecondary institution does not report
17 the data necessary to complete the reporting in subsection (11) to
18 the P-20 longitudinal data system by October 15 for the prior
19 academic year, the department ~~of treasury~~ shall not award phase I
20 tuition incentive program funding to otherwise eligible students
21 enrolled in that institution until the data are submitted.

22 Sec. 259. It is the intent of the legislature that the
23 department of treasury continue an aggressive campaign to inform
24 high school students about the financial aid programs offered by
25 this state and the eligibility requirements for participation in
26 those financial aid programs, including free or reduced tuition
27 programs provided by community colleges and universities in this
28 state.

29 Sec. 260. (1) The department of treasury shall work with



1 student and postsecondary education groups, including the Michigan
 2 College Access Network, the Michigan Association of School
 3 Counselors, the Michigan Association of State Universities, the
 4 Michigan Community College Association, and the Michigan
 5 Independent Colleges and Universities, to provide **and update** an
 6 online informational resource for students in grades 9 through 12
 7 and prospective and current ~~student loan borrowers.~~ **students and**
 8 **families.** The online informational resource must be a website or a
 9 portion of an existing website **titled "Paying for College in**
 10 **Michigan" and** designed and maintained by the department of treasury
 11 that, to the extent practicable, contains information, including,
 12 but not limited to, all of the following:

13 (a) A list of public and private community support centers,
 14 student debt clinics, and other organizations and their contact
 15 information submitted by Michigan College Access Network that
 16 provides free information and services for student loan borrowers
 17 to help educate them about repayment options and to help them
 18 access student loan programs or benefits for which they may be
 19 eligible.

20 (b) Links to state and federal financial aid programs,
 21 including FAFSA and College Scorecard.

22 (c) Links to each promise zone website and the financial aid
 23 website to each community college, public university, and
 24 independent college and university in this state.

25 (d) Benefits of federal student loans that may no longer be
 26 available if a borrower refinances a loan.

27 (e) ~~Links~~ **Direct links** to net price calculators for **each**
 28 community ~~colleges~~ **college** receiving an appropriation in section
 29 201 and ~~universities~~ **each university** receiving an appropriation in



1 section 236. ~~, if available.~~

2 (f) Definitions that clearly delineate the differences between
3 scholarships, grants, and loans.

4 (g) A description of net price calculators and how to use them
5 to create a personalized estimate of a student's out-of-pocket cost
6 for the coming year based on basic family and financial information
7 and likely financial aid eligibility.

8 (h) ~~(f)~~—Information on the fundamentals of borrowing and
9 repayment, including, but not limited to, all of the following:

10 (i) A link to the federal Public Service Loan Forgiveness
11 Program.

12 (ii) Deciding how much to borrow.

13 (iii) Creating a plan for borrowing and repayment.

14 (iv) Estimating how much borrowing is needed for a given school
15 year.

16 (v) Evaluating financial aid offers.

17 (vi) Factors that affect total student loan costs.

18 (vii) Tips for graduating with less student loan debt.

19 (viii) A loan payment calculator or a link to a loan payment
20 calculator that can be used for different types of loans.

21 (ix) Links to federal student loan entrance and exit counseling
22 services and the FACT tool.

23 (x) Student loan debt relief scams.

24 (i) ~~(g) A list of student loan providers in this state.~~ **Loan**
25 **amortization information.**

26 (2) A university receiving an appropriation in section 236
27 shall place a prominent link to the website created under this
28 section on its website homepage.

29 (3) Independent colleges and universities in this state are



1 encouraged to place a link to the website created under this
2 section on their website homepages.

3 (4) By November 1 of each year, the department of treasury
4 shall inform each high school in this state about the website
5 described in this section and encourage them to distribute the
6 information to all students in grades 9 through 12.

7 **(5) The department shall audit the website not less than once**
8 **per year to ensure links continue to be accurate, active, and up-**
9 **to-date for students and families.**

10 Sec. 263. (1) Included in the appropriation in section 236 for
11 fiscal year ~~2021-2022-2022-2023~~ for MSU AgBioResearch is
12 \$2,982,900.00 and included in the appropriation in section 236 for
13 MSU Extension is \$2,645,200.00 for Project GREEN. Project GREEN
14 is intended to address critical regulatory, food safety, economic,
15 and environmental problems faced by this state's plant-based
16 agriculture, forestry, and processing industries. "GREEN" is an
17 acronym for Generating Research and Extension to Meet Environmental
18 and Economic Needs.

19 (2) The department of agriculture and rural development and
20 Michigan State University, in consultation with agricultural
21 commodity groups and other interested parties, shall develop
22 Project GREEN and its program priorities.

23 Sec. 264. Included in the appropriation in section 236 for
24 fiscal year ~~2021-2022-2022-2023~~ for Michigan State University is
25 \$80,000.00 for the Michigan Future Farmers of America Association.
26 This \$80,000.00 allocation ~~shall~~**must** not supplant any existing
27 support that Michigan State University provides to the Michigan
28 Future Farmers of America Association.

29 Sec. 265. (1) Payments ~~under section 236 for 1-time~~



1 ~~supplemental funding for fiscal year 2021-2022, and payments under~~
 2 ~~section 265a-236 for performance~~ **operations increase and per-**
 3 **student floor** funding for fiscal ~~years~~ **year** 2022-2023 ~~and 2023-~~
 4 ~~2024, shall~~ **must** only be made to a public university that certifies
 5 to the state budget director by October 1, ~~2021-2022~~ that its board
 6 did not adopt an increase in tuition and fee rates for resident
 7 undergraduate students after September 1, ~~2020-2021~~ for the ~~2020-~~
 8 ~~2021-~~ **2021-2022** academic year and that its board will not adopt an
 9 increase in tuition and fee rates for resident undergraduate
 10 students for the ~~2021-2022-~~ **2022-2023** academic year that is greater
 11 than ~~4.2%-5.0%~~ or ~~\$590.00,~~ **\$722.00**, whichever is greater. As used
 12 in this subsection:

13 (a) "Fee" means any board-authorized fee that will be paid by
 14 more than 1/2 of all resident undergraduate students at least once
 15 during their enrollment at a public university, as described in the
 16 higher education institutional data inventory (HEIDI) user manual.
 17 A university increasing a fee that applies to a specific subset of
 18 students or courses shall provide sufficient information to prove
 19 that the increase applied to that subset will not cause the
 20 increase in the average amount of board-authorized total tuition
 21 and fees paid by resident undergraduate students in the ~~2021-2022~~
 22 **2022-2023** academic year to exceed the limit established in this
 23 subsection.

24 (b) "Tuition and fee rate" means the average of full-time
 25 rates paid by a majority of students in each undergraduate class,
 26 based on an unweighted average of the rates authorized by the
 27 university board and actually charged to students, deducting any
 28 uniformly rebated or refunded amounts, for the 2 semesters with the
 29 highest levels of full-time equated resident undergraduate



1 enrollment during the academic year, as described in the higher
2 education institutional data inventory (HEIDI) user manual.

3 (2) The state budget director shall implement uniform
4 reporting requirements to ensure that a public university receiving
5 ~~a payment under section 236 for 1-time supplemental funding or a~~
6 payment under section ~~265a-236~~ for ~~performance~~ **operations increase**
7 **and per-student floor** funding has satisfied the tuition restraint
8 requirements of this section. The state budget director ~~shall have~~
9 **has** the sole authority to determine if a public university has met
10 the requirements of this section. Information reported by a public
11 university to the state budget director under this subsection ~~shall~~
12 **must** also be reported to the house and senate appropriations
13 subcommittees on higher education and the house and senate fiscal
14 agencies.

15 (3) Universities that exceed the tuition and fee rate cap
16 described in subsection (1) ~~shall~~ **will** not receive a planning or
17 construction authorization for a state-funded capital outlay
18 project in fiscal year ~~2022-2023 or 2023-2024~~ **or 2024-2025**.

19 (4) Notwithstanding any other provision of this act, the
20 legislature may at any time adjust appropriations for a university
21 that adopts an increase in tuition and fee rates for resident
22 undergraduate students that exceeds the rate cap established in
23 subsection (1).

24 Sec. 265a. (1) Appropriations to public universities in
25 section 236 for fiscal years 2019-2020, 2020-2021, and 2021-2022
26 for performance funding ~~shall~~ **must** be paid only to a public
27 university that complies with section 265 and certifies to the
28 state budget director, the house and senate appropriations
29 subcommittees on higher education, and the house and senate fiscal



1 agencies by October 1, 2019 that it complies with all of the
2 following requirements:

3 (a) The university participates in reverse transfer agreements
4 described in section 286 with at least 3 Michigan community
5 colleges.

6 ~~The university does not and will not consider whether dual~~
7 ~~enrollment credits earned by an incoming student were utilized~~
8 ~~towards his or her high school graduation requirements when making~~
9 ~~a determination as to whether those credits may be used by the~~
10 ~~student toward completion of a university degree or certificate~~
11 ~~program.~~ **The university does not and will not apply any of the**
12 **following criteria when determining whether credits earned outside**
13 **the university by a student count toward a degree or certificate**
14 **program offered by the university:**

15 (i) Whether the credits were earned in a dual enrollment
16 program that counted the credits toward high school graduation
17 requirements.

18 (ii) Whether the credits were earned in a course that was
19 delivered in a high school classroom, community college classroom
20 or campus, or another location.

21 (iii) Whether the credits were earned in a course that was
22 delivered online, in person, or hybrid.

23 (iv) Whether other students enrolled in the course in which the
24 credits were earned were enrolled in high school or counted the
25 course toward high school graduation requirements.

26 (c) The university actively participates in and submits timely
27 updates to the Michigan Transfer Network created as part of the
28 Michigan Association of Collegiate Registrars and Admissions
29 Officers transfer agreement.



1 (2) Any performance funding amounts under section 236 that are
2 not paid to a public university because it did not comply with 1 or
3 more requirements under subsection (1) are unappropriated and
4 reappropriated for performance funding to those public universities
5 that meet the requirements under subsection (1), distributed in
6 proportion to their performance funding appropriation amounts under
7 section 236.

8 (3) The state budget director shall report to the house and
9 senate appropriations subcommittees on higher education and the
10 house and senate fiscal agencies by October 15, 2019, regarding any
11 performance funding amounts that are not paid to a public
12 university because it did not comply with 1 or more requirements
13 under subsection (1) and any reappropriation of funds under
14 subsection (2).

15 (4) Performance funding amounts described in section 236 are
16 distributed based on the following formula:

17 (a) Proportional to each university's share of total
18 operations funding appropriated in fiscal year 2010 2011, 50%.

19 (b) Based on weighted undergraduate completions in critical
20 skills areas, 11.1%.

21 (c) Based on research and development expenditures, for
22 universities classified in Carnegie classifications as doctoral
23 universities: moderate research activity, doctoral universities:
24 higher research activity, or doctoral universities: highest
25 research activity only, 5.6%.

26 (d) Based on 6-year graduation rate, total degree completions,
27 and institutional support as a percentage of core expenditures, and
28 the percentage of students receiving Pell grants, scored against
29 national Carnegie classification peers and weighted by total



1 undergraduate fiscal year equated students, 33.3%.

2 (5) For purposes of determining the score of a university
3 under subsection (4)(d), each university is assigned 1 of the
4 following scores:

5 (a) A university classified as in the top 20%, a score of 3.

6 (b) A university classified as above national median, a score
7 of 2.

8 (c) A university classified as improving, a score of 2. It is
9 the intent of the legislature that, beginning in the 2020-2021
10 state fiscal year, a university classified as improving is assigned
11 a score of 1.

12 (d) A university that is not included in subdivision (a), (b),
13 or (c), a score of 0.

14 (6) As used in this section, "Carnegie classification" means
15 the basic classification of the university according to the most
16 recent version of the Carnegie classification of institutions of
17 higher education, published by the Carnegie Foundation for the
18 Advancement of Teaching.

19 (7) It is the intent of the legislature to allocate more
20 funding based on an updated set of performance metrics in future
21 years. Updated metrics will be based on the outcome of joint
22 hearings between the house and senate appropriations subcommittees
23 on higher education and community colleges intended to be held in
24 the fall of 2019.

25 Sec. 265b. (1) Appropriations to public universities in
26 section 236 for the fiscal year ending September 30, ~~2022~~**2023** for
27 operations funding ~~shall~~**must** be reduced by 10% pursuant to the
28 procedures described in subdivision (a) for a public university
29 that fails to submit certification to the state budget director,



1 the house and senate appropriations subcommittees on higher
2 education, and the house and senate fiscal agencies by October 1,
3 ~~2021~~**2022** that the university complies with sections 274c and 274d
4 and that it complies with all of the requirements described in
5 subdivisions (b) to (i), as follows:

6 (a) If a university fails to submit certification, the state
7 budget director shall withhold 10% of that university's annual
8 operations funding until the university submits certification. If a
9 university fails to submit certification by the end of the fiscal
10 year, the 10% of its annual operations funding that is withheld
11 ~~shall~~**must** lapse to the general fund.

12 (b) For title IX investigations of alleged sexual misconduct,
13 the university prohibits the use of medical experts that have an
14 actual or apparent conflict of interest.

15 (c) For title IX investigations of alleged sexual misconduct,
16 the university prohibits the issuance of divergent reports to
17 complainants, respondents, and administration and instead requires
18 that identical reports be issued to them.

19 (d) Consistent with the university's obligations under 20 USC
20 1092(f), the university notifies each individual who reports having
21 experienced sexual assault by a student, faculty member, or staff
22 member of the university that the individual has the option to
23 report the matter to law enforcement, to the university, to both,
24 or to neither, as the individual may choose.

25 (e) The university provides both of the following:

26 (i) For all freshmen and incoming transfer students enrolled,
27 an in-person sexual misconduct prevention presentation or course,
28 which must include contact information for the title IX office of
29 the university.



1 (ii) For all students not considered freshmen or incoming
2 transfer students, an online or electronic sexual misconduct
3 prevention presentation or course.

4 (f) The university prohibits seeking compensation from the
5 recipient of any medical procedure, treatment, or care provided by
6 a medical professional who has been convicted of a felony arising
7 out of the medical procedure, treatment, or care.

8 (g) The university had a third party review its title IX
9 compliance office and related policies and procedures by the end of
10 the 2018-2019 academic year. A copy of the third-party review ~~shall~~
11 **must** be transmitted to the state budget director, the house and
12 senate appropriations subcommittees on higher education, and the
13 house and senate fiscal agencies. Each university shall have a
14 third-party review once every three years and a copy of the third-
15 party review ~~shall~~**must** be transmitted to the state budget
16 director, the house and senate appropriations subcommittees on
17 higher education, and the house and senate fiscal agencies.

18 (h) The university requires that the governing board and the
19 president or chancellor of the university receive not less than
20 quarterly reports from their title IX coordinator or title IX
21 office. The report ~~shall~~**must** contain aggregated data of the number
22 of sexual misconduct reports that the office received for the
23 academic year, the types of reports received, including reports
24 received against employees, and a summary of the general outcomes
25 of the reports and investigations. A member of the governing board
26 may request to review a title IX investigation report involving a
27 complaint against an employee, and the university shall provide the
28 report in a manner it considers appropriate. The university shall
29 protect the complainant's anonymity, and the report ~~shall~~**must** not



1 contain specific identifying information.

2 (i) If allegations against an employee are made in more than 1
3 title IX complaint that resulted in the university finding that no
4 misconduct occurred, the university requires that the title IX
5 officer promptly notify the president or chancellor and a member of
6 the university's governing board in writing and take all
7 appropriate steps to ensure that the matter is being investigated
8 thoroughly, including hiring an outside investigator for future
9 cases involving that employee. A third-party title IX investigation
10 under this subdivision does not prohibit the university from
11 simultaneously conducting its own title IX investigation through
12 its own title IX coordinator.

13 (2) Each public university that receives an appropriation in
14 section 236 shall also certify that its president or chancellor and
15 a member of its governing board has reviewed all title IX reports
16 involving the alleged sexual misconduct of an employee of the
17 university, and shall send the certification to the house and
18 senate appropriations subcommittees on higher education, the house
19 and senate fiscal agencies, and the state budget director by
20 October 1, ~~2021~~.2022.

21 (3) For purposes of this section, "sexual misconduct"
22 includes, but is not limited to, any of the following:

- 23 (a) Intimate partner violence.
24 (b) Nonconsensual sexual conduct.
25 (c) Sexual assault.
26 (d) Sexual exploitation.
27 (e) Sexual harassment.
28 (f) Stalking.

29 **Sec. 265f. (1) Each public university that receives an**



1 appropriation in section 236 shall demonstrate the acceptance of
2 nationally recognized college level equivalent credit examination
3 opportunities by developing and implementing policies and
4 procedures for the awarding of academic credit through college
5 level equivalent credit examinations.

6 (2) A public university shall not create policies or
7 procedures that prevent students from earning college credits
8 through college level equivalent credit examinations once enrolled
9 in the public university.

10 (3) Each public university shall make its credit policies and
11 opportunities for college level equivalent credit examinations
12 publicly available on the university's website.

13 (4) If a public university requires scores above those
14 recommended by the American Council on Education to earn college
15 credit through college level equivalent credit examinations, that
16 university shall submit to the house and senate appropriations
17 subcommittees on higher education, the house and senate fiscal
18 agencies, and the state budget director a report on the data and
19 justifications for that decision by February 1, 2023.

20 Sec. 265g. (1) Each public university that receives an
21 appropriation in section 236 shall provide all enrolled students
22 information on accelerated degree completion pathways and options
23 within the first semester of enrollment, and shall publicly post
24 this information on the university's website by October 1, 2022.

25 (2) Each public university shall work to create accelerated
26 degree completion pathways for enrolled students if such options do
27 not already exist.

28 (3) Independent colleges and universities are encouraged to
29 create accelerated degree completion pathways for enrolled students



1 if such options do not already exist.

2 Sec. 266a. It is the intent of the legislature that
3 universities receiving an appropriation in section 236 whose
4 enrollment has declined by 10% or more since January 1, 2012 may be
5 called to testify before the house or senate appropriations
6 subcommittees on higher education to, at minimum, present on the
7 following:

8 (a) The current strategic plan adopted by the university.

9 (b) Student enrollment trends and recruitment efforts.

10 (c) A summary of academic programs offered.

11 (d) Tenured faculty to student ratio.

12 (e) Administrative staff to student ratio.

13 (f) Tuition increases since January 1, 2012.

14 (g) Graduation rates since January 1, 2012.

15 (h) Measures taken to retain students since January 1, 2012.

16 (i) Goals and objectives to reach optimum institutional size
17 to contribute positively to the future of this state while being
18 excellent stewards of state funding and student tuition, including,
19 but not limited to, goals and objectives as to consolidating
20 administrative services, academic services, or both with 1 or more
21 other colleges or universities.

22 Sec. 267. All public universities shall submit the amount of
23 tuition and fees actually charged to a full-time resident
24 undergraduate student for academic year ~~2021-2022-2022-2023~~ as part
25 of their higher education institutional data inventory (HEIDI) data
26 by October 1, ~~2021, 2022~~, and by the last business day of August
27 each year thereafter. A public university shall report any
28 revisions **of tuition and fee charges** for any semester of the
29 reported academic year ~~2021-2022 tuition and fee charges~~ to HEIDI



1 within 15 days ~~of~~**after** being adopted.

2 Sec. 268. (1) For the fiscal year ending September 30, ~~2022,~~
3 **2023**, it is the intent of the legislature that funds be allocated
4 for unfunded North American Indian tuition waiver costs incurred by
5 public universities under 1976 PA 174, MCL 390.1251 to 390.1253,
6 from the general fund.

7 (2) By January 15 of each year, the department of civil rights
8 shall annually submit to the state budget director, the house and
9 senate appropriations subcommittees on higher education, and the
10 house and senate fiscal agencies a report on North American Indian
11 tuition waivers for the preceding academic year that includes, but
12 is not limited to, all of the following information:

13 (a) The number of waiver applications received and the number
14 of waiver applications approved.

15 (b) For each university submitting information under
16 subsection (3), all of the following:

17 (i) The number of graduate and undergraduate North American
18 Indian students enrolled each term for the previous academic year.

19 (ii) The number of North American Indian waivers granted each
20 term, including to continuing education students, and the monetary
21 value of the waivers for the previous academic year.

22 (iii) The number of graduate and undergraduate students
23 attending under a North American Indian tuition waiver who withdrew
24 from the university each term during the previous academic year.
25 For purposes of this subparagraph, a withdrawal occurs when a
26 student who has been awarded the waiver withdraws from the
27 institution at any point during the term, regardless of enrollment
28 in subsequent terms.

29 (iv) The number of graduate and undergraduate students



1 attending under a North American Indian tuition waiver who
2 successfully complete a degree or certificate program, separated by
3 degree or certificate level, and the graduation rate for graduate
4 and undergraduate students attending under a North American Indian
5 tuition waiver who complete a degree or certificate within 150% of
6 the normal time to complete, separated by the level of the degree
7 or certificate.

8 (3) By January 1 of each year, a public university that
9 receives ~~funds under~~ **an appropriation in** section 236, or a tribal
10 college receiving pass-through funds under section 269 or 270c,
11 shall provide to the department of civil rights any information
12 necessary for preparing the report detailed in subsection (2),
13 using guidelines and procedures developed by the department of
14 civil rights.

15 (4) The department of civil rights may consolidate the report
16 required under this section with the report required under section
17 223, but a consolidated report must separately identify data for
18 universities and data for community colleges.

19 Sec. 269. For fiscal year ~~2021-2022,~~ **2022-2023**, from the
20 amount appropriated in section 236 to Central Michigan University
21 for costs incurred under the North American Indian tuition waiver,
22 ~~\$82,400.00 shall~~ **\$31,000.00 must** be paid to Saginaw Chippewa Tribal
23 College for the costs of waiving tuition for North American Indians
24 under 1976 PA 174, MCL 390.1251 to 390.1253. It is the intent of
25 the legislature that Saginaw Chippewa Tribal College provide the
26 department of civil rights the necessary information for the
27 college to be included in the report required under section 268.

28 Sec. 270c. For fiscal year ~~2021-2022,~~ **2022-2023**, from the
29 amount appropriated in section 236 to Northern Michigan University



1 for costs incurred under the North American Indian tuition waiver,
2 ~~\$50,000.00~~ **\$87,800.00** is to be paid to Keweenaw Bay Ojibwa
3 Community College for the costs of waiving tuition for North
4 American Indians under 1976 PA 174, MCL 390.1251 to 390.1253. It is
5 the intent of the legislature that Keweenaw Bay Ojibwa Community
6 College provide the department of civil rights the necessary
7 information for the community college to be included in the report
8 required under section 268.

9 Sec. 274. It is the intent of the legislature that public and
10 private organizations that conduct human embryonic stem cell
11 derivation subject to section 27 of article I of the state
12 constitution of 1963 will provide information to the ~~director of~~
13 ~~the department of health and human services~~ **house and senate**
14 **appropriations subcommittees on higher education, the house and**
15 **senate fiscal agencies, and the state budget director** by December
16 1, ~~2021~~ **2022** that includes all of the following:

17 (a) Documentation that the organization conducting human
18 embryonic stem cell derivation is conducting its activities in
19 compliance with the requirements of section 27 of article I of the
20 state constitution of 1963 and all relevant National Institutes of
21 Health guidelines pertaining to embryonic stem cell derivation.

22 (b) A list of all human embryonic stem cell lines submitted by
23 the organization to the National Institutes of Health for inclusion
24 in the Human Embryonic Stem Cell Registry before and during fiscal
25 year ~~2020-2021~~, **2021-2022**, and the status of each submission as
26 approved, pending approval, or review completed but not yet
27 accepted.

28 (c) Number of human embryonic stem cell lines derived and not
29 submitted for inclusion in the Human Embryonic Stem Cell Registry,



1 before and during fiscal year ~~2020-2021~~.**2021-2022.**

2 **Sec. 274a. From the funds appropriated in section 236(10),**
3 **public universities classified as doctoral universities under the**
4 **Carnegie classification system may be awarded research grants up to**
5 **the full appropriated amount in section 236(10). As a condition to**
6 **receiving a grant under this section, a public university must**
7 **agree not to conduct any research on aborted fetal tissue. As used**
8 **in this section, "Carnegie classification" means that term as**
9 **defined in section 265a.**

10 Sec. 275. (1) Each public university that receives an
11 appropriation in section 236 shall do all of the following:

12 (a) Meet the provisions of section 5003 of the post-911
13 veterans educational assistance act of 2008, 38 USC 3301 to 3327,
14 including voluntary participation in the Yellow Ribbon GI Education
15 Enhancement Program established in that act in 38 USC 3317. By
16 October 1 of each year, each public university shall report to the
17 house and senate appropriations subcommittees on higher education,
18 the house and senate fiscal agencies, and the Michigan Association
19 of State Universities on whether or not it has chosen to
20 participate in the Yellow Ribbon GI Education Enhancement Program.
21 If at any time during the fiscal year a university participating in
22 the Yellow Ribbon Program chooses to leave the Yellow Ribbon
23 Program, it shall notify the house and senate appropriations
24 subcommittees on higher education, the house and senate fiscal
25 agencies, and the Michigan Association of State Universities.

26 (b) Establish an on-campus veterans' liaison to provide
27 information and assistance to all student veterans.

28 (c) Provide flexible enrollment application deadlines for all
29 veterans.



1 (d) Include in its admission application process a specific
2 question as to whether an applicant for admission is a veteran, an
3 active member of the military, a member of the National Guard or
4 military reserves, or the spouse or dependent of a veteran, active
5 member of the military, or member of the National Guard or military
6 reserves, in order to more quickly identify potential educational
7 assistance available to that applicant.

8 (e) Consider all veterans residents of this state for
9 determining their tuition rates and fees.

10 (f) Waive enrollment fees for all veterans.

11 (g) Provide reasonable programming and scheduling
12 accommodations necessary to facilitate a student's military,
13 national guard, or military reserves duties and training
14 obligations.

15 **(h) Provide college level equivalent credit examination**
16 **opportunities for veterans and active members of the military,**
17 **National Guard, or military reserves within the first semester of**
18 **enrollment.**

19 **(i) Grant college credit for, or create a structure that**
20 **evaluates granting college credit for, the service background and**
21 **experience of veterans and members of the military, National Guard,**
22 **or military reserves.**

23 (2) By October 1 of each year, each public university shall
24 report to the house and senate appropriations subcommittees on
25 higher education, the house and senate fiscal agencies, and the
26 department of military and veterans affairs regarding services
27 provided specifically to veterans and active military duty
28 personnel, including, but not limited to, the services described in
29 subsection (1).



1 (3) As used in this section, "veteran" means an honorably
 2 discharged veteran entitled to educational assistance under ~~the~~
 3 ~~provisions of~~ section 5003 of the post-911 veterans educational
 4 assistance act of 2008, 38 USC 3301 to 3327.

5 Sec. 275b. (1) Each public university receiving ~~funds under an~~
 6 **appropriation in** section 236 shall ensure that the public
 7 university does all of the following in its admission application
 8 process if it knows that an applicant for admission is currently
 9 serving, or has ever served, as a member of the military, the
 10 National Guard, or the military reserves:

11 (a) Inform the applicant that he or she may receive academic
 12 credit for college-level training and education he or she received
 13 while serving in the military.

14 (b) Inform the applicant that he or she may submit a
 15 transcript of his or her college-level military training and
 16 education to the public university.

17 (c) If the applicant submits a transcript described in
 18 subdivision (b), evaluate that transcript and notify the applicant
 19 of what transfer credits are available to the applicant from the
 20 public university for his or her college-level military training
 21 and education.

22 **(d) Inform the applicant of college level equivalent credit**
 23 **examination opportunities.**

24 (2) As used in this section, "transcript" includes a joint
 25 services transcript prepared for the applicant under the American
 26 council on education registry of credit recommendations.

27 Sec. 275f. It is the intent of the legislature that by
 28 February 1, ~~2022,~~ **2023**, each public university receiving an
 29 appropriation in section 236 shall submit to the ~~senate and~~ house



1 **and senate** appropriations subcommittees on higher education, the
 2 ~~senate and house~~ **and senate** fiscal agencies, and the state budget
 3 director a report on activities related to strategic planning and
 4 internal assessment or reassessment to best provide for open and
 5 free expression and speech, while protecting students from hate-
 6 speech, violence, and discrimination.

7 Sec. 275g. By September 30, ~~2022,~~**2023**, each public university
 8 receiving an appropriation in section 236 shall do both of the
 9 following:

10 (a) Submit a report to the ~~senate and house~~ **and senate**
 11 appropriations subcommittees on higher education, the ~~senate and~~
 12 house **and senate** fiscal agencies, and the state budget director
 13 describing all federal funds the university received, including the
 14 amounts, related to the COVID-19 pandemic, including, but not
 15 limited to, any federal funds received from the coronavirus relief
 16 ~~fund under the coronavirus aid, relief, and economic security act,~~
 17 ~~Public Law 116-136,~~ **response and relief supplemental appropriations**
 18 **act, the American rescue plan act of 2021**, and similar federal
 19 relief packages.

20 (b) Post the information contained in the report described in
 21 subdivision (a) on the public transparency website described in
 22 section 245.

23 Sec. 275h. (1) It is the intent of the legislature that each
 24 public university adopt an advocacy policy applicable to faculty,
 25 staff, students, student employees, visitors, and contractors by
 26 January 1, ~~2022~~**2023** and comply with all other requirements of this
 27 section.

28 (2) An advocacy policy established under subsection (1) should
 29 include, but is not limited to, policies for distribution and self-



1 distribution of printed political or advocacy materials, related
2 First Amendment activities, and political demonstrating. The policy
3 should include a process for filing a complaint or reporting a
4 violation of the advocacy policy and identify the public university
5 staff responsible for investigating complaints and violations. The
6 advocacy policy should include the effective date and be posted on
7 the university's website.

8 Sec. 275i. (1) If a public university that receives an
9 appropriation in section 236 establishes a mandatory COVID-19
10 vaccine policy, it shall provide exemptions to that policy to the
11 following students **and employees**:

12 (a) Any student **or employee** for whom a physician certifies
13 that a COVID-19 vaccine is or may be detrimental to the student's
14 **or employee's** health or is not appropriate.

15 (b) Any student **or employee** who provides a written statement
16 to the effect that the requirements of the COVID-19 vaccine policy
17 cannot be met because of religious convictions or other
18 consistently held objection to immunization.

19 (2) It must be presumed that a student **or employee** who
20 requests an exemption under subsection (1) is entitled to that
21 exemption. The public university shall grant that student's **or**
22 **employee's** request unless it determines by clear and convincing
23 evidence that the student **or employee** is not entitled to that
24 exemption. **A public university shall not deny an exemption solely**
25 **because the student or employee previously received another**
26 **vaccine.**

27 (3) A public university shall not deny a student's **or**
28 **employee's** request for an exemption until it has ~~exhausted~~**explored**
29 every reasonable accommodation. **An accommodation more burdensome or**



1 **stringent than relevant state or federal guidelines is**
2 **presumptively unreasonable.**

3 (4) If a public university denies a student's **or employee's**
4 request for an exemption, the public university shall issue a
5 **written** report fully explaining its reasons for the denial. That
6 report must describe all reasonable accommodations the public
7 university offered the student **or employee** and the student's **or**
8 **employee's** response.

9 (5) Every public university shall submit a written report
10 regarding its actions taken under this section no later than March
11 15 of each year to the ~~senate and house~~ **and senate** appropriations
12 subcommittees on higher education, the ~~senate and house~~ **and senate**
13 fiscal agencies, and the state budget director. This annual report
14 must include the following information, which may be obtained from
15 any reliable source that complies with applicable laws regarding
16 student privacy:

17 (a) The number of students **and employees** who have requested an
18 exemption from the public university's COVID-19 vaccine policy.

19 (b) The number of students **and employees** who have been granted
20 an exemption.

21 (c) **The number of students and employees in noncompliance with**
22 **the public university's COVID-19 vaccine policy.**

23 (6) **No provision of this section is to be construed as**
24 **requiring a public university to violate any federal law.**

25 **Sec. 275j. It is the goal of the governor and legislature to**
26 **ensure that 60% of Michigan's residents achieve a postsecondary**
27 **credential, high-quality industry certification, associate degree,**
28 **or bachelor's degree by 2030.**

29 **Sec. 275k. (1) Appropriations in section 236(11) for the**



1 pregnant and parenting student support services program are for
2 developing academically or economically disadvantaged student
3 retention programs for 4-year public and independent educational
4 institutions in this state. Preference may not be given to
5 participants on the basis of race, color, ethnicity, gender, or
6 national origin. Institutions should encourage participation from
7 those who would otherwise not adequately be represented in the
8 student population.

9 (2) An award made under this program to an individual
10 institution must not be greater than \$50,000.00, and the amount
11 awarded must be matched on a 70% state, 30% college or university
12 basis.

13 (3) The department of labor and economic opportunity shall
14 administer the program. All of the following apply to the program:

15 (a) The institution shall provide a physical location for the
16 program on its campus.

17 (b) The department of labor and economic opportunity shall
18 annually assess the performance of the institution in meeting the
19 following needs of students on campus who are pregnant or who are a
20 custodial parent or legal guardian of a minor:

21 (i) Comprehensive student health care.

22 (ii) Family housing.

23 (iii) Child care.

24 (iv) Flexible or alternative academic scheduling.

25 (v) Education concerning responsible parenting for mothers and
26 fathers.

27 (c) The institution shall identify public and private service
28 providers qualified to meet the needs described in subdivision (b),
29 both on campus and within the local community, and establish



1 programs with qualified providers it selects to meet those needs.

2 (d) The institution shall assist students in locating and
3 obtaining services that meet 1 or more of the needs described in
4 subdivision (b).

5 (e) If appropriate, the institution shall provide referrals on
6 prenatal care and delivery, infant or foster care, adoption, and
7 family planning to individual students who request that
8 information. An approved program shall not provide referrals for
9 abortion services.

10 (4) By December 1, 2022, institutions that establish a
11 pregnant and parenting student support services program shall
12 report to the house and senate subcommittees on higher education,
13 the house and senate fiscal agencies, and the state budget director
14 all of the following:

15 (a) A review and evaluation of the performance of the program
16 in fulfilling its goals and objectives.

17 (b) The number of students served.

18 (c) The number and percentage of program graduates.

19 Sec. 276. (1) Included in the appropriation for fiscal year
20 ~~2021-2022-2022-2023~~ for each public university in section 236 is
21 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
22 future faculty program that is intended to increase the pool of
23 academically or economically disadvantaged candidates pursuing
24 faculty teaching careers in postsecondary education in this state.
25 Preference may not be given to applicants on the basis of race,
26 color, ethnicity, gender, or national origin. Institutions should
27 encourage applications from applicants who would otherwise not
28 adequately be represented in the graduate student and faculty
29 populations. Each public university shall apply the percentage



1 change applicable to every public university in the calculation of
2 appropriations in section 236 to the amount of funds allocated to
3 the future faculty program.

4 (2) ~~The program shall be administered by each~~ **Each** public
5 university **shall administer the program** in a manner prescribed by
6 the department of labor and economic opportunity. The department of
7 labor and economic opportunity shall use a good faith effort
8 standard to evaluate whether a fellowship is in default. All of the
9 following apply to the program:

10 (a) By April 15 of each year, public universities shall report
11 any anticipated unexpended or unencumbered program funds to the
12 department of labor and economic opportunity. Encumbered funds are
13 those funds that were committed by a fellowship agreement that is
14 signed during the current fiscal year or administrative expenses
15 that have been approved by the department of labor and economic
16 opportunity.

17 (b) Before August 1 ~~, 2022,~~ **of each year,** unexpended or
18 unencumbered funds may be transferred, under the direction of the
19 department of labor and economic opportunity, to a future faculty
20 program at another university to be awarded to an eligible
21 candidate at that university.

22 (c) Program allocations not expended or encumbered by
23 September 30, ~~2022-2024~~ must be returned to the department of labor
24 and economic opportunity so that those funds may lapse to the state
25 general fund.

26 (d) Not more than 5% of each public university's allocation
27 for the program may be used for administration of the program.

28 (e) **In addition to the appropriation for fiscal year 2022-**
29 **2023, any revenue received during prior fiscal years by the**



1 department of labor and economic opportunity from defaulted
 2 fellowship agreements is appropriated for the purposes originally
 3 intended.

4 Sec. 277. (1) Included in the appropriation for fiscal year
 5 ~~2021-2022-2022-2023~~ for each public university in section 236 is
 6 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
 7 college day program that is intended to introduce academically or
 8 economically disadvantaged schoolchildren to the potential of a
 9 college education in this state. Preference may not be given to
 10 participants on the basis of race, color, ethnicity, gender, or
 11 national origin. Public universities should encourage participation
 12 from those who would otherwise not adequately be represented in the
 13 student population.

14 (2) Individual program plans of each public university ~~shall~~
 15 **must** include a budget of equal contributions from this program, the
 16 participating public university, the participating school district,
 17 and the participating independent degree-granting college. College
 18 day funds ~~shall~~**must** not be expended to cover indirect costs. Not
 19 more than 20% of the university match ~~shall~~**may** be attributable to
 20 indirect costs. Each public university shall apply the percentage
 21 change applicable to every public university in the calculation of
 22 appropriations in section 236 to the amount of funds allocated to
 23 the college day program.

24 (3) ~~The program described in this section shall be~~
 25 ~~administered by each~~ **Each** public university **shall administer the**
 26 **program described in this section** in a manner prescribed by the
 27 department of labor and economic opportunity.

28 Sec. 278. (1) Included in section 236 for fiscal year ~~2021-~~
 29 ~~2022-2022-2023~~ is funding for the Martin Luther King, Jr. - Cesar



1 Chavez - Rosa Parks select student support services program for
 2 developing academically or economically disadvantaged student
 3 retention programs for 4-year public and independent educational
 4 institutions in this state. Preference may not be given to
 5 participants on the basis of race, color, ethnicity, gender, or
 6 national origin. Institutions should encourage participation from
 7 those who would otherwise not adequately be represented in the
 8 student population.

9 (2) An award made under this program to any 1 institution
 10 ~~shall~~**must** not be greater than \$150,000.00, **must have an award**
 11 **period of no more than 2 years**, and ~~the amount awarded shall~~**must**
 12 be matched on a 70% state, 30% college or university basis.

13 (3) ~~The program described in this section shall be~~
 14 ~~administered by the~~**The** department of labor and economic
 15 opportunity **shall administer the program described in this section.**

16 Sec. 279. (1) Included in section 236 for fiscal year ~~2021-~~
 17 ~~2022-~~**2022-2023** is funding for the Martin Luther King, Jr. - Cesar
 18 Chavez - Rosa Parks college/university partnership program between
 19 4-year public and independent colleges and universities and public
 20 community colleges, which is intended to increase the number of
 21 academically or economically disadvantaged students who transfer
 22 from community colleges into baccalaureate programs in this state.
 23 Preference may not be given to participants on the basis of race,
 24 color, ethnicity, gender, or national origin. Institutions should
 25 encourage participation from those who would otherwise not
 26 adequately be represented in the transfer student population.

27 (2) The grants ~~shall~~**must** be made under the program described
 28 in this section to Michigan public and independent colleges and
 29 universities. An award to any 1 institution ~~shall~~**must** not be



1 greater than \$150,000.00, **must have an award period of no more than**
 2 **2 years**, and ~~the amount awarded shall must~~ be matched on a 70%
 3 state, 30% college or university basis.

4 ~~(3) The program described in this section shall be~~
 5 ~~administered by the~~ **The** department of labor and economic
 6 opportunity **shall administer the program described in this section.**

7 Sec. 280. (1) Included in the appropriation for fiscal year
 8 ~~2021-2022-2022-2023~~ for each public university in section 236 is
 9 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
 10 visiting professors program, which is intended to increase the
 11 number of instructors in the classroom to provide role models for
 12 academically or economically disadvantaged students. Preference may
 13 not be given to participants on the basis of race, color,
 14 ethnicity, gender, or national origin. Public universities should
 15 encourage participation from those who would otherwise not
 16 adequately be represented in the student population.

17 ~~(2) The program described in this section shall be~~
 18 ~~administered by the~~ **The** department of labor and economic
 19 opportunity **shall administer the program described in this section.**

20 (3) The amount allocated to each university is ~~\$9,994.00-~~
 21 **\$10,494.00 and is subject to an award period of no more than 2**
 22 **years.** Each university receiving funds for fiscal year ~~2021-2022~~
 23 **2022-2023** under this section shall report to the department of
 24 labor and economic opportunity by April 15, ~~2022-2023~~ the amount of
 25 its unobligated and unexpended funds as of March 31, ~~2022-2023~~ and
 26 a plan to expend the remaining funds by the end of the fiscal year.
 27 The amount of funding reported as not being expended may be
 28 transferred, under the direction of the department, to another
 29 university for use under this section.



1 Sec. 281. (1) Included in the appropriation for fiscal year
2 ~~2021-2022-2022-2023~~ in section 236 is funding under the Martin
3 Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the
4 Morris Hood, Jr. educator development program, which is intended to
5 increase the number of academically or economically disadvantaged
6 students who enroll in and complete K-12 teacher education programs
7 at the baccalaureate level and teach in this state. Preference may
8 not be given to participants on the basis of race, color,
9 ethnicity, gender, or national origin. Institutions should
10 encourage participation from those who would otherwise not
11 adequately be represented in the teacher education student
12 population.

13 (2) The program described in this section ~~shall~~**must** be
14 administered by each state-approved teacher education institution
15 in a manner prescribed by the department of labor and economic
16 opportunity.

17 (3) Approved teacher education institutions may and are
18 encouraged to use select student support services funding in
19 coordination with the Morris Hood, Jr. funding to achieve the goals
20 of the program described in this section.

21 Sec. 282. (1) Each institution receiving funds for fiscal year
22 ~~2021-2022-2022-2023~~ under section 278, 279, or 281 shall provide to
23 the department of labor and economic opportunity by April 15, ~~2022~~
24 **2023** the unobligated and unexpended funds as of March 31, ~~2022-2023~~
25 and a plan to expend the remaining funds by the end of the fiscal
26 year. Notwithstanding the award limitations in sections 278 and
27 279, the amount of funding reported as not being expended will be
28 reallocated to the institutions that intend to expend all funding
29 received under section 278, 279, or 281.



1 (2) Funds received for the purpose of administering programs
2 under sections ~~275j~~, 278, 279, and 281 ~~shall~~**must** not be used for
3 direct financial aid or indirect financial aid. However, a
4 university may provide academic incentives to motivate
5 participating students as approved by the department. As used in
6 this subsection:

7 (a) "Direct financial aid" includes, but is not limited to,
8 scholarships, payment of tuition, stipends, and work-studies.

9 (b) "Indirect financial aid" includes, but is not limited to,
10 transportation, textbook allowances, child care support, and
11 assistance with medical premiums or expenses.

12 Enacting section 1. (1) In accordance with section 30 of
13 article IX of the state constitution of 1963, total state spending
14 on school aid under article I of the state school aid act of 1979,
15 1979 PA 94, MCL 388.1601 to 388.1772, as amended by 2021 PA 48,
16 2022 PA 93, and this amendatory act, from state sources for fiscal
17 year 2021-2022 is estimated at \$14,635,534,200.00 and state
18 appropriations for school aid to be paid to local units of
19 government for fiscal year 2021-2022 are estimated at
20 \$13,448,739,600.00. In accordance with section 30 of article IX of
21 the state constitution of 1963, total state spending on school aid
22 under article I of the state school aid act of 1979, 1979 PA 94,
23 MCL 388.1601 to 388.1772, as amended by this amendatory act, from
24 state sources for fiscal year 2022-2023 is estimated at
25 \$17,078,472,900.00 and state appropriations for school aid to be
26 paid to local units of government for fiscal year 2022-2023 are
27 estimated at \$15,764,187,600.00.

28 (2) In accordance with section 30 of article IX of the state
29 constitution of 1963, total state spending from state sources for



1 community colleges for fiscal year 2022-2023 under article II of
2 the state school aid act of 1979, 1979 PA 94, MCL 388.1801 to
3 388.1830, as amended by this amendatory act, is estimated at
4 \$449,058,000.00 and the amount of that state spending from state
5 sources to be paid to local units of government for fiscal year
6 2022-2023 is estimated at \$449,058,000.00.

7 (3) In accordance with section 30 of article IX of the state
8 constitution of 1963, total state spending from state sources for
9 higher education for fiscal year 2021-2022 under article III of the
10 state school aid act of 1979, 1979 PA 94, MCL 388.1836 to 388.1891,
11 as amended by 2021 PA 86 and this amendatory act, is estimated at
12 \$1,979,224,800.00 and the amount of that state spending from state
13 sources to be paid to local units of government for fiscal year
14 2021-2022 is estimated at \$0.00. In accordance with section 30 of
15 article IX of the state constitution of 1963, total state spending
16 from state sources for higher education for fiscal year 2022-2023
17 under article III of the state school aid act of 1979, 1979 PA 94,
18 MCL 388.1836 to 388.1891, as amended by this amendatory act, is
19 estimated at \$1,893,609,300.00 and the amount of that state
20 spending from state sources to be paid to local units of government
21 for fiscal year 2022-2023 is estimated at \$0.00.

22 Enacting section 2. (1) Sections 67b and 99z of the state
23 school aid act of 1979, 1979 PA 94, MCL 388.1667b and 388.1699z,
24 are repealed.

25 (2) Sections 11n, 11o, 11r, 11t, 22g, 25i, 31y, 31z, 35b, 35e,
26 41a, 51f, 61g, 94c, 94d, 98d, 99w, 99bb, 104a, 104g, 201e, 208,
27 210g, 236i, 275a, and 286b of the state school aid act of 1979,
28 1979 PA 94, MCL 388.1611n, 388.1611o, 388.1611r, 388.1611t,
29 388.1622g, 388.1625i, 388.1631y, 388.1631z, 388.1635b, 388.1635e,



1 388.1641a, 388.1651f, 388.1661g, 388.1694c, 388.1694d, 388.1698d,
2 388.1699w, 388.1699bb, 388.1704a, 388.1704g, 388.1801e, 388.1808,
3 388.1810g, 388.1836i, 388.1875a, and 388.1886b, are repealed
4 effective October 1, 2022.

5 Enacting section 3. (1) Sections 3, 11, 11m, 20, 21f, 22a,
6 22b, 26a, 26c, 26d, 31a, 31d, 31j, 31o, 31y, 31z, 51a, 51c, 56, 62,
7 74, 101, 104h, 147a, 147e, and 236h of the state school aid act of
8 1979, 1979 PA 94, MCL 388.1603, 388.1611, 388.1611m, 388.1620,
9 388.1621f, 388.1622a, 388.1622b, 388.1626a, 388.1626c, 388.1626d,
10 388.1631a, 388.1631d, 388.1631j, 388.1631o, 388.1631y, 388.1631z,
11 388.1651a, 388.1651c, 388.1656, 388.1662, 388.1674, 388.1701,
12 388.1704h, 388.1747a, 388.1747e, and 388.1836h, as amended, and
13 sections 8c, 11x, 27d, 27e, 27f, and 98c of the state school aid
14 act of 1979, 1979 PA 94, as added by this amendatory act, if
15 granted immediate effect pursuant to section 27 of article IV of
16 the state constitution of 1963, take effect on enactment of this
17 amendatory act.

18 (2) Except as otherwise provided for those sections listed in
19 subsection (1), the remaining sections of this amendatory act take
20 effect October 1, 2022.

