

**SUBSTITUTE FOR  
HOUSE BILL NO. 5795**

A bill to amend 1979 PA 94, entitled  
"The state school aid act of 1979,"  
by amending sections 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, 25i, 26a, 26b, 26c, 26d, 28, 31a, 31d, 31f, 31j,  
31n, 31o, 31y, 31z, 32d, 32p, 35a, 35g, 39, 39a, 41, 51a, 51c, 51d,  
51f, 51g, 53a, 54, 54b, 54d, 56, 61a, 61b, 61c, 61d, 62, 65, 67a,  
74, 81, 94, 94a, 95b, 97, 97a, 98, 98b, 98d, 99h, 99s, 99u, 99x,  
99bb, 101, 104, 104c, 107, 147, 147a, 147b, 147c, 147e, and 152a  
(MCL 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, 388.1625i, 388.1626a, 388.1626b, 388.1626c, 388.1626d, 388.1628, 388.1631a, 388.1631d, 388.1631f, 388.1631j, 388.1631n, 388.1631o, 388.1631y, 388.1631z, 388.1632d, 388.1632p, 388.1635a, 388.1635g, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1651f, 388.1651g, 388.1653a, 388.1654, 388.1654b, 388.1654d, 388.1656, 388.1661a, 388.1661b, 388.1661c, 388.1661d, 388.1662, 388.1665, 388.1667a, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695b, 388.1697, 388.1697a, 388.1698, 388.1698b, 388.1698d, 388.1699h, 388.1699s, 388.1699u, 388.1699x, 388.1699bb, 388.1701, 388.1704, 388.1704c, 388.1707, 388.1747, 388.1747a, 388.1747b, 388.1747c, 388.1747e, and 388.1752a), sections 6, 6a, 11, 11a, 11j, 11k, 11m, 11s, 15, 18, 20, 20d, 20f, 21f, 21h, 22a, 22b, 22d, 22m, 22p, 24, 24a, 25f, 25g, 25i, 26a, 26b, 26c, 28, 31a, 31d, 31f, 31j, 31n, 32d, 32p, 35a, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 56, 61a, 61b, 61c, 61d, 62, 65, 67a, 74, 81, 94, 94a, 95b, 98, 98d, 99h, 99s, 99u, 99x, 101, 104, 104c, 107, 147, 147a, 147b, 147c, 147e, and 152a as amended and sections 20m, 22c, 26d, 31o, 31y, 31z, 35g, 51g, 97, 97a, 98b, and 99bb as added by 2021 PA 48 and section 21b as amended by 2014 PA 196, and by adding sections 8c, 11w, 22e, 23b, 23c, 23f, 30, 30a, 30b, 30c, 31aa, 32n, 35i, 35j, 41b, 61i, 94e, 97b, 97c, 98e, 99r, 99cc, 104i, 152c, and 166c; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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



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

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

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

24 (4) "Membership", except as otherwise provided in ~~this~~  
25 ~~subsection or~~ this article, means for a district, a public school  
26 academy, or an intermediate district the sum of the product of .90  
27 times the number of full-time equated pupils in grades K to 12  
28 actually enrolled and in regular daily attendance in the district,  
29 public school academy, or intermediate district on the pupil



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



1 membership is determined under section 20. In making the  
2 calculation of membership, all of the following, as applicable,  
3 apply to determining the membership of a district, a public school  
4 academy, or an intermediate district:

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

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

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

21 (d) A pupil placed by a court or state agency in an on-grounds  
22 program of a juvenile detention facility, a child caring  
23 institution, or a mental health institution, or a pupil funded  
24 under section 53a, is counted in membership in the district or  
25 intermediate district approved by the department to operate the  
26 program.

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



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

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

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

25 (i) **Except as otherwise provided in this subdivision, the pupil**  
 26 **shall participate in each scheduled course on pupil membership**  
 27 **count day or supplemental count day, as applicable. If the pupil is**  
 28 **absent on pupil membership count day or supplemental count day, as**  
 29 **applicable, the pupil must attend and participate in class during**



1 the next 10 consecutive school days if the absence was unexcused,  
2 or during the next 30 calendar days if the absence was excused.

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

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

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

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

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

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

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

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

21 (A) Except as otherwise provided in this sub-subparagraph, the  
22 pupil and the teacher of record or mentor complete a 2-way  
23 interaction for 1 course during the week on which pupil membership  
24 count day or supplemental count day, as applicable, occurs, and the  
25 3 consecutive weeks following that week. However, if a school break  
26 is scheduled during any of the weeks described in this sub-  
27 subparagraph that is 4 or more days in length or instruction has  
28 been canceled districtwide during any of the weeks described in  
29 this sub-subparagraph for 3 or more school days, the district is



1 not required to ensure that the pupil and the teacher of record or  
2 mentor completed a 2-way interaction for that week. As used in this  
3 sub-subparagraph:

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

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

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

27 (1) He or she is responsible for providing instruction,  
28 determining instructional methods for each pupil, diagnosing  
29 learning needs, assessing pupil learning, prescribing intervention



1 strategies and modifying lessons, reporting outcomes, and  
2 evaluating the effects of instruction and support strategies. The  
3 teacher of record may coordinate the distribution and assignment of  
4 the responsibilities described in this sub-sub-sub-subparagraph  
5 with other teachers participating in the instructional process for  
6 a course.

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

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

12 (4) If applicable under section 1231 of the revised school  
13 code, MCL 380.1231, he or she is employed by the district.

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

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

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

21 (II) Documented completion of a course assignment.

22 (III) Documented completion of a course lesson or lesson  
23 activity.

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

26 (V) Documented physical attendance on pupil membership count  
27 day or supplemental count day, as applicable, in each scheduled  
28 course, if the pupil will attend at least 50% of the instructional  
29 time for each scheduled course on-site, face-to-face with the



1 teacher of record. As used in this sub-sub-subparagraph, "teacher  
2 of record" means that term as defined in sub-subparagraph (A).

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

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

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

22 (ii) If operations begin after the pupil membership count day  
23 for the fiscal year and not later than the supplemental count day  
24 for the fiscal year, membership is the final audited count of the  
25 number of full-time equated pupils in grades K to 12 actually  
26 enrolled and in regular daily attendance on the supplemental count  
27 day for the current school year.

28 (j) If a district is the authorizing body for a public school  
29 academy, then, in the first school year in which pupils are counted



1 in membership on the pupil membership count day in the public  
2 school academy, the determination of the district's membership  
3 excludes from the district's pupil count for the immediately  
4 preceding supplemental count day any pupils who are counted in the  
5 public school academy on that first pupil membership count day who  
6 were also counted in the district on the immediately preceding  
7 supplemental count day.

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

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

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

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

24 (A) Is enrolled in a public school academy or an alternative  
25 education high school diploma program, that is primarily focused on  
26 educating pupils with extreme barriers to education, such as being  
27 homeless as that term is defined under 42 USC 11302.

28 (B) Had dropped out of school.

29 (C) Is less than 22 years of age as of September 1 of the



1 current school year.

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

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

19 (n) If a pupil counted in membership in a public school  
20 academy is also educated by a district or intermediate district as  
21 part of a cooperative education program, the pupil is counted in  
22 membership only in the public school academy unless a written  
23 agreement signed by all parties designates the party or parties in  
24 which the pupil is counted in membership, and the instructional  
25 time scheduled for the pupil in the district or intermediate  
26 district is included in the full-time equated membership  
27 determination under subdivision (q) and section 101. However, for  
28 pupils receiving instruction in both a public school academy and in  
29 a district or intermediate district but not as a part of a



1 cooperative education program, the following apply:

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

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

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

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

29 (q) The number of class hours used to calculate full-time



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

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

25 (s) For a district or a public school academy that has pupils  
26 enrolled in a grade level that was not offered by the district or  
27 public school academy in the immediately preceding school year, the  
28 number of pupils enrolled in that grade level to be counted in  
29 membership is the average of the number of those pupils enrolled



1 and in regular daily attendance on the pupil membership count day  
2 and the supplemental count day of the current school year.  
3 Membership is calculated by adding the number of pupils registered  
4 for attendance in that grade level on the pupil membership count  
5 day plus pupils received by transfer and minus pupils lost as  
6 defined by rules promulgated by the superintendent, and as  
7 corrected by subsequent department audit, plus the final audited  
8 count from the supplemental count day for the current school year,  
9 and dividing that sum by 2.

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

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

28 (i) The district provides at least 2 nonconsecutive hours of  
29 instruction per week to the pupil at the pupil's home or otherwise



1 apart from the general school population under the supervision of a  
2 certificated teacher.

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

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

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

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

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

27 (x) If a district's membership for a particular fiscal year,  
28 as otherwise calculated under this subsection, would be less than  
29 1,550 pupils, the district has 4.5 or fewer pupils per square mile,



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

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

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

29 (y) Full-time equated memberships for special education pupils



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

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

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

25 (bb) A district or public school academy that educates a pupil  
26 who attends a United States Olympic Education Center may count the  
27 pupil in membership regardless of whether or not the pupil is a  
28 resident of this state.

29 (cc) A pupil enrolled in a district other than the pupil's



1 district of residence under section 1148(2) of the revised school  
2 code, MCL 380.1148, is counted in the educating district.

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

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

23 (ii) The pupil meets the district's definition under section  
24 23a of satisfactory monthly progress for that month or, if the  
25 pupil does not meet that definition of satisfactory monthly  
26 progress for that month, the pupil did meet that definition of  
27 satisfactory monthly progress in the immediately preceding month  
28 and appropriate interventions are implemented within 10 school days  
29 after it is determined that the pupil does not meet that definition



1 of satisfactory monthly progress.

2 (ee) A pupil participating in a virtual course under section  
3 21f is counted in membership in the district enrolling the pupil.

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

14 (gg) If a special education pupil is expelled under section  
15 1311 or 1311a of the revised school code, MCL 380.1311 and  
16 380.1311a, and is not in attendance on the pupil membership count  
17 day because of the expulsion, and if the pupil remains enrolled in  
18 the district and resumes regular daily attendance during that  
19 school year, the district's membership is adjusted to count the  
20 pupil in membership as if he or she had been in attendance on the  
21 pupil membership count day.

22 (hh) A pupil enrolled in a community district is counted in  
23 membership in the community district.

24 (ii) A part-time pupil enrolled in a nonpublic school in  
25 grades K to 12 in accordance with section 166b must not be counted  
26 as more than 0.75 of a full-time equated membership.

27 (jj) A district that borders another state or a public school  
28 academy that operates at least grades 9 to 12 and is located within  
29 20 miles of a border with another state may count in membership a



1 pupil who is enrolled in a course at a college or university that  
2 is located in the bordering state and within 20 miles of the border  
3 with this state if all of the following are met:

4 (i) The pupil would meet the definition of an eligible student  
5 under the postsecondary enrollment options act, 1996 PA 160, MCL  
6 388.511 to 388.524, if the course were an eligible course under  
7 that act.

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

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

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

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

29 (kk) A pupil enrolled in a middle college program may be



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

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

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

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

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

29 (B) ~~10%~~ **Ten percent** more than the district's or public school



1 academy's membership for pupils counted under section 166b in the  
2 immediately preceding fiscal year.

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

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

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

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

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

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

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

23 (e) A pupil who has made an official written complaint or  
24 whose parent or legal guardian has made an official written  
25 complaint to law enforcement officials and to school officials of  
26 the pupil's district of residence that the pupil has been the  
27 victim of a criminal sexual assault or other serious assault, if  
28 the official complaint either indicates that the assault occurred  
29 at school or that the assault was committed by 1 or more other



1 pupils enrolled in the school the pupil would otherwise attend in  
2 the district of residence or by an employee of the district of  
3 residence. A person who intentionally makes a false report of a  
4 crime to law enforcement officials for the purposes of this  
5 subdivision is subject to section 411a of the Michigan penal code,  
6 1931 PA 328, MCL 750.411a, which provides criminal penalties for  
7 that conduct. As used in this subdivision:

8 (i) "At school" means in a classroom, elsewhere on school  
9 premises, on a school bus or other school-related vehicle, or at a  
10 school-sponsored activity or event whether or not it is held on  
11 school premises.

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

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

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

25 (i) The pupil has been suspended or expelled from his or her  
26 district of residence for any reason, including, but not limited  
27 to, a suspension or expulsion under section 1310, 1311, or 1311a of  
28 the revised school code, MCL 380.1310, 380.1311, and 380.1311a.

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



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

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

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

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

11 (j) An expelled pupil who has been denied reinstatement by the  
12 expelling district and is reinstated by another school board under  
13 section 1311 or 1311a of the revised school code, MCL 380.1311 and  
14 380.1311a.

15 (k) A pupil enrolled in a district other than the pupil's  
16 district of residence in a middle college program if the pupil's  
17 district of residence and the enrolling district are both  
18 constituent districts of the same intermediate district.

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

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

25 (n) A pupil who enrolls in a district other than the pupil's  
26 district of residence as a result of the pupil's school not making  
27 adequate yearly progress under the no child left behind act of  
28 2001, Public Law 107-110, or the every student succeeds act, Public  
29 Law 114-95.



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

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

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

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

- 17           (i) Fourth Wednesday in July.  
18           (ii) First Wednesday in October.  
19           (iii) Second Wednesday in February.  
20           (iv) Fourth Wednesday in April.

21           (8) "Pupils in grades K to 12 actually enrolled and in regular  
22 daily attendance" means pupils in grades K to 12 in attendance and  
23 receiving instruction in all classes for which they are enrolled on  
24 the pupil membership count day or the supplemental count day, as  
25 applicable. Except as otherwise provided in this subsection, a  
26 pupil who is absent from any of the classes in which the pupil is  
27 enrolled on the pupil membership count day or supplemental count  
28 day and who does not attend each of those classes during the 10  
29 consecutive school days immediately following the pupil membership



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

21 (a) A period of time in 1 day when pupils and an individual  
 22 who is appropriately placed under a valid certificate, substitute  
 23 permit, authorization, or approval issued by the department, are  
 24 together and instruction is taking place. ~~This subdivision does not~~  
 25 ~~apply for the 2020-2021 and 2021-2022 school years.~~

26 (b) ~~For the 2020-2021 and 2021-2022 school years only, a~~ **A**  
 27 period of time in 1 day when pupils and a certificated teacher, a  
 28 teacher engaged to teach under section 1233b of the revised school  
 29 code, MCL 380.1233b, or an individual working under a valid



1 substitute permit, authorization, or approval issued by the  
2 department are together and instruction is taking place.

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

5 (9) ~~(10)~~ "Rule" means a rule promulgated pursuant to the  
6 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to  
7 24.328.

8 (10) ~~(11)~~ "The revised school code" means the revised school  
9 code, 1976 PA 451, MCL 380.1 to 380.1852.

10 (11) ~~(12)~~ "School district of the first class", "first class  
11 school district", and "district of the first class" mean, for the  
12 purposes of this article only, a district that had at least 40,000  
13 pupils in membership for the immediately preceding fiscal year.

14 (12) ~~(13)~~ "School fiscal year" means a fiscal year that  
15 commences July 1 and continues through June 30.

16 (13) ~~(14)~~ "State board" means the state board of education.

17 (14) ~~(15)~~ "Superintendent", unless the context clearly refers  
18 to a district or intermediate district superintendent, means the  
19 superintendent of public instruction described in section 3 of  
20 article VIII of the state constitution of 1963.

21 (15) ~~(16)~~ "Supplemental count day" means the day on which the  
22 supplemental pupil count is conducted under section 6a. ~~or the day~~  
23 ~~specified as supplemental count day under section 6a.~~

24 (16) ~~(17)~~ "Tuition pupil" means a pupil of school age  
25 attending school in a district other than the pupil's district of  
26 residence for whom tuition may be charged to the district of  
27 residence. Tuition pupil does not include a pupil who is a special  
28 education pupil, a pupil described in subsection (6) (d) to (n), or  
29 a pupil whose parent or guardian voluntarily enrolls the pupil in a



1 district that is not the pupil's district of residence. A pupil's  
 2 district of residence shall not require a high school tuition  
 3 pupil, as provided under section 111, to attend another school  
 4 district after the pupil has been assigned to a school district.

5 (17) ~~(18)~~—"State school aid fund" means the state school aid  
 6 fund established in section 11 of article IX of the state  
 7 constitution of 1963.

8 (18) ~~(19)~~—"Taxable value" means, except as otherwise provided  
 9 in this article, the taxable value of property as determined under  
 10 section 27a of the general property tax act, 1893 PA 206, MCL  
 11 211.27a.

12 (19) ~~(20)~~—"Textbook" means a book, electronic book, or other  
 13 instructional print or electronic resource that is selected and  
 14 approved by the governing board of a district and that contains a  
 15 presentation of principles of a subject, or that is a literary work  
 16 relevant to the study of a subject required for the use of  
 17 classroom pupils, or another type of course material that forms the  
 18 basis of classroom instruction.

19 (20) ~~(21)~~—"Total state aid" or "total state school aid",  
 20 except as otherwise provided in this article, means the total  
 21 combined amount of all funds due to a district, intermediate  
 22 district, or other entity under this article.

23 Sec. 6a. ~~(1)~~—Except as otherwise provided in this ~~subsection~~  
 24 ~~and this act~~, in addition to the pupil membership count day, there  
 25 is a supplemental pupil count of the number of full-time equated  
 26 pupils in grades K-12 actually enrolled and in regular daily  
 27 attendance in a district or intermediate district on the second  
 28 Wednesday in February or, for a district that is not in session on  
 29 that day due to conditions not within the control of school



1 authorities, with the approval of the superintendent, the  
 2 immediately following day on which the district is in session. ~~7~~  
 3 ~~but, for 2020-2021 only, in addition to the pupil membership count~~  
 4 ~~day, there is a supplemental pupil count of the number of full-time~~  
 5 ~~equated pupils engaged in pandemic learning for spring 2021 or, for~~  
 6 ~~a district that operates as a cyber school, as that term is defined~~  
 7 ~~in section 551 of the revised school code, MCL 380.551, the number~~  
 8 ~~of full-time equated pupils in grades K to 12 actually enrolled and~~  
 9 ~~in regular attendance in the district on 2020-2021 supplemental~~  
 10 ~~count day. For the purposes of this act, and except as otherwise~~  
 11 ~~provided in this subsection, the day on which the supplemental~~  
 12 ~~pupil count is conducted is the supplemental count day. For 2020-~~  
 13 ~~2021, for purposes of this act, and except as otherwise~~  
 14 ~~specifically provided in this article, supplemental count day is~~  
 15 ~~the second Wednesday in February or, for a district that is not in~~  
 16 ~~session on that day due to conditions not within the control of~~  
 17 ~~school authorities, with the approval of the superintendent, the~~  
 18 ~~immediately following day on which the district is in session. A~~  
 19 ~~district is considered to be in session for purposes of this~~  
 20 ~~subsection when the district is providing pupil instruction~~  
 21 ~~pursuant to an extended COVID-19 learning plan approved under~~  
 22 ~~section 98a.~~

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

29 (a) ~~For a pupil who is not learning sequentially, any of the~~



1 ~~following occurs for each of the pupil's scheduled courses:~~

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

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

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

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

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

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

21 ~~(ii) The pupil completes a course assignment on 2020-2021~~  
 22 ~~supplemental count day and the completion is documented by the~~  
 23 ~~district or intermediate district.~~

24 ~~(iii) The pupil completes a course lesson or lesson activity on~~  
 25 ~~2020-2021 supplemental count day and the completion is documented~~  
 26 ~~by the district or intermediate district.~~

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



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

~~(i) "2-way interaction" means a communication that occurs between a pupil and the pupil's teacher or at least 1 of the pupil's teachers or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress, where 1 party initiates communication and a response from the other party follows that communication, and that is relevant to course progress or course content for at least 1 of the courses in which the pupil is enrolled or relevant to the pupil's overall academic progress or grade progression. Responses, as described in this subparagraph, must be to communication initiated by the teacher, by another district employee who has responsibility for the pupil's learning, grade progression, or academic progress, or by the pupil, and not some other action taken. The communication described in this subparagraph may occur through, but is not limited to, any of the following means:~~

~~(A) Email.~~

~~(B) Telephone.~~

~~(C) Instant messaging.~~

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

~~(ii) "Week" means a period beginning on Wednesday and ending on~~

1 ~~the following Tuesday.~~

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

8 ~~(e) The pupil has not participated or completed an activity~~  
 9 ~~described in subdivision (a), (b), or (c) and the pupil was excused~~  
 10 ~~from participation or completion, but the pupil participates in or~~  
 11 ~~completes an activity described in subdivision (a) or (b) during~~  
 12 ~~the 30 calendar days immediately following the 2020-2021~~  
 13 ~~supplemental count day.~~

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

16 **Sec. 8c. (1) Beginning July 1, 2021, the department shall not**  
 17 **require, including, but not limited to, through the pupil**  
 18 **accounting manual or pupil auditing manual, for any of the**  
 19 **following purposes, that a cyber school, as that term is defined in**  
 20 **section 551 of the revised school code, MCL 380.551, ensure that**  
 21 **each pupil enrolled in the cyber school participate in all of the**  
 22 **hours of educational services made available to the pupil by the**  
 23 **cyber school or track a pupil's participation in the educational**  
 24 **program offered by the cyber school through attendance:**

25 **(a) For the purposes of section 6(4) (h), for establishing a**  
 26 **pupil's participation in the cyber school's educational program.**  
 27 **However, to the extent that the cyber school is required to track a**  
 28 **pupil's participation in the educational program offered by the**  
 29 **cyber school through attendance as specifically specified in**



1 section 6(4)(h), it shall.

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

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

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

8 Sec. 11. (1) For the fiscal year ending September 30, ~~2021,~~  
9 **2022**, there is appropriated for the public schools of this state  
10 and certain other state purposes relating to education the sum of  
11 ~~\$13,715,807,900.00~~ **\$14,473,164,700.00** from the state school aid  
12 fund, the sum of ~~\$54,464,600.00~~ **\$91,369,400.00** from the general  
13 fund, an amount not to exceed ~~\$79,800,000.00~~ **\$72,000,000.00** from  
14 the community district education trust fund created under section  
15 12 of the Michigan trust fund act, 2000 PA 489, MCL 12.262, and an  
16 amount not to exceed \$100.00 from the water emergency reserve fund.  
17 For the fiscal year ending September 30, ~~2022,~~ **2023**, there is  
18 appropriated for the public schools of this state and certain other  
19 state purposes relating to education the sum of ~~\$14,797,232,100.00~~  
20 **\$16,891,100,400.00** from the state school aid fund, the sum of  
21 ~~\$85,400,000.00~~ **\$71,699,800.00** from the general fund, an amount not  
22 to exceed \$72,000,000.00 from the community district education  
23 trust fund created under section 12 of the Michigan trust fund act,  
24 2000 PA 489, MCL 12.262, and an amount not to exceed \$100.00 from  
25 the water emergency reserve fund. In addition, all available  
26 federal funds are only appropriated as allocated in this article  
27 for the fiscal years ending September 30, ~~2021-2022~~ and September  
28 30, ~~2022-2023~~.

29 (2) The appropriations under this section are allocated as



1 provided in this article. Money appropriated under this section  
 2 from the general fund must be expended to fund the purposes of this  
 3 article before the expenditure of money appropriated under this  
 4 section from the state school aid fund.

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

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

10 (2) The state treasurer may receive money or other assets from  
 11 any source for deposit into the school aid stabilization fund. The  
 12 state treasurer shall deposit into the school aid stabilization  
 13 fund all of the following:

14 (a) Unexpended and unencumbered state school aid fund revenue  
 15 for a fiscal year that remains in the state school aid fund as of  
 16 the bookclosing for that fiscal year.

17 (b) Money statutorily dedicated to the school aid  
 18 stabilization fund.

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

20 (3) Money available in the school aid stabilization fund may  
 21 not be expended without a specific appropriation from the school  
 22 aid stabilization fund. Money in the school aid stabilization fund  
 23 must be expended only for purposes for which state school aid fund  
 24 money may be expended.

25 (4) The state treasurer shall direct the investment of the  
 26 school aid stabilization fund. The state treasurer shall credit to  
 27 the school aid stabilization fund interest and earnings from fund  
 28 investments.

29 (5) Money in the school aid stabilization fund at the close of



1 a fiscal year remains in the school aid stabilization fund and does  
 2 not lapse to the unreserved school aid fund balance or the general  
 3 fund.

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

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

21 **(8) For 2022-2023, \$674,000,000.00 from the state school aid**  
 22 **fund is deposited into the school aid stabilization fund.**

23 Sec. 11j. From the state school aid fund money appropriated in  
 24 section 11, there is allocated an amount not to exceed  
 25 \$111,000,000.00 for ~~2021-2022~~ **2022-2023** for payments to the school  
 26 loan bond redemption fund in the department of treasury on behalf  
 27 of districts and intermediate districts. Notwithstanding section  
 28 296 or any other provision of this act, funds allocated under this  
 29 section are not subject to proration and must be paid in full.



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

8        Sec. 11m. From the state school aid fund money appropriated in  
 9 section 11, there is allocated for ~~2020-2021 an amount not to~~  
 10 ~~exceed \$8,700,000.00 and there is allocated for 2021-2022-**2022-2023**~~  
 11 an amount not to exceed ~~\$9,500,000.00~~ **\$10,400,000.00** for fiscal  
 12 year cash-flow borrowing costs solely related to the state school  
 13 aid fund established under section 11 of article IX of the state  
 14 constitution of 1963.

15        Sec. 11s. (1) From the state school aid fund money  
 16 appropriated in section 11, there is allocated \$5,000,000.00 for  
 17 ~~2021-2022-**2022-2023**~~ and from the general fund money appropriated in  
 18 section 11, there is allocated \$3,075,000.00 for ~~2021-2022-**2022-**~~  
 19 **2023** for the purpose of providing services and programs to children  
 20 who reside within the boundaries of a district with the majority of  
 21 its territory located within the boundaries of a city for which an  
 22 executive proclamation of emergency concerning drinking water is  
 23 issued in the current or immediately preceding ~~6-7~~ fiscal years  
 24 under the emergency management act, 1976 PA 390, MCL 30.401 to  
 25 30.421, **and that has at least 4,500 pupils in membership for the**  
 26 **2016-2017 fiscal year or has at least 2,900 pupils in membership**  
 27 **for a fiscal year after 2016-2017.** From the funding appropriated in  
 28 section 11, there is allocated for ~~2021-2022-**2022-2023**~~ \$100.00 from  
 29 the water emergency reserve fund for the purposes of this section.



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

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

20 (b) A description of the services provided to pupils by those  
 21 personnel.

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

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

27 (3) ~~For 2020-2021, from the state school aid fund money~~  
 28 ~~appropriated in section 11, there is allocated \$2,400,000.00, and,~~  
 29 ~~for 2021-2022,~~ **For 2022-2023,** from the state school aid fund money



1 allocated in subsection (1), there is allocated an amount not to  
2 exceed \$2,000,000.00 to an intermediate district that has a  
3 constituent district described in subsection (2) to provide state  
4 early intervention services for children described in subsection  
5 (1) who are between age 3 and age 5. The intermediate district  
6 shall use these funds to provide state early intervention services  
7 that are similar to the services described in the early on Michigan  
8 state plan.

9 (4) From the state school aid fund money allocated in  
10 subsection (1), there is allocated an amount not to exceed  
11 \$1,000,000.00 for ~~2021-2022~~**2022-2023** to the intermediate district  
12 described in subsection (3) to enroll children described in  
13 subsection (1) in school-day great start readiness programs,  
14 regardless of household income eligibility requirements contained  
15 in section 32d. The department shall administer this funding  
16 consistent with all other provisions that apply to great start  
17 readiness programs under sections 32d and 39.

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

22 (6) For ~~2021-2022~~**2022-2023**, from the state school aid fund  
23 money allocated in subsection (1), there is allocated an amount not  
24 to exceed \$2,000,000.00 to the intermediate district described in  
25 subsection (3) for interventions and supports for students in K to  
26 12 who were impacted by an executive proclamation of emergency  
27 described in subsection (1) concerning drinking water. Funds under  
28 this subsection must be used for behavioral supports, social  
29 workers, counselors, psychologists, nursing services, including,



1 but not limited to, vision and hearing services, transportation  
 2 services, parental engagement, community coordination, and other  
 3 support services.

4 ~~(7) In addition to the allocation under subsection (1), from~~  
 5 ~~the general fund money appropriated under section 11, there is~~  
 6 ~~allocated an amount not to exceed \$1,000,000.00 for 2021-2022 only~~  
 7 ~~for an early childhood collaborative that serves students located~~  
 8 ~~in a county with a population of not less than 400,000 or more than~~  
 9 ~~500,000. The funds allocated under this subsection must be used to~~  
 10 ~~continue the expansion of early childhood services in response to~~  
 11 ~~an executive proclamation of emergency described in this section~~  
 12 ~~concerning drinking water.~~

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

23 ~~(a) It chooses an enrollment program for purposes of this~~  
 24 ~~subsection that provides families with all of the following:~~

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

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

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

28 ~~(iv) Highly qualified full-time and seasonal enrollment and~~  
 29 ~~analytics staff.~~



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

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

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

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

11 ~~(e) It allocates the funds received under this subsection over~~  
 12 ~~3 phases, to provide explicit, targeted enrollment within an~~  
 13 ~~individualized enrollment system that continually adjusts to a~~  
 14 ~~family's needs.~~

15 **(7) ~~(9)~~**—In addition to other funding allocated and  
 16 appropriated in this section, there is appropriated an amount not  
 17 to exceed \$5,000,000.00 for ~~2021-2022~~**2022-2023** for state  
 18 restricted contingency funds. These contingency funds are not  
 19 available for expenditure until they have been transferred to a  
 20 section within this article under section 393(2) of the management  
 21 and budget act, 1984 PA 431, MCL 18.1393.

22 **(8) ~~(10)~~**—Notwithstanding section 17b, the department shall  
 23 make payments under this section on a schedule determined by the  
 24 department.

25 **Sec. 11w. (1) From the state school aid fund money**  
 26 **appropriated in section 11, there is allocated for 2021-2022 an**  
 27 **amount not to exceed \$3,528,000.00 for payments to 1 district that**  
 28 **was forced to close a building operated by the district for an**  
 29 **extended period of time, but not less than 20 consecutive school**



1 days, as a result of the district's response to an act of pupil  
2 violence. Funds allocated under this subsection must be used as  
3 follows:

4 (a) A total of \$828,000.00 for all of the following, with  
5 \$414,000.00 of this amount to be used in the fiscal year the  
6 funding is received and the remaining \$414,000.00 of this amount to  
7 be used in the fiscal year immediately following the fiscal year  
8 the funding is received:

9 (i) The hiring or retention of a psychologist.

10 (ii) The hiring or retention of a family school liaison.

11 (iii) The hiring or retention of a mental health director.

12 (iv) The hiring or retention of a school resource officer.

13 (v) The implementation of safety and security assessments.

14 (b) A total of \$1,000,000.00 for fees for the following  
15 services, with \$500,000.00 of this amount to be used in the fiscal  
16 year the funding is received and the remaining \$500,000.00 of this  
17 amount to be used in the fiscal year immediately following the  
18 fiscal year the funding is received:

19 (i) Public relations consulting.

20 (ii) Private security.

21 (c) A total of \$1,300,000.00 for the following purposes, with  
22 \$650,000.00 of this amount to be used in the fiscal year the  
23 funding is received and the remaining \$650,000.00 of this amount to  
24 be used in the fiscal year immediately following the fiscal year  
25 the funding is received:

26 (i) The provision of an extended summer school program for 2022  
27 and 2023 made available to all pupils who were enrolled in the  
28 district in the school year immediately preceding the start date of  
29 the extended summer school program.



1 (ii) Support for co-pays and insurance costs of pupil families,  
2 community members, and school staff.

3 (d) A total of \$400,000.00, with \$200,000.00 of this amount to  
4 be used in the fiscal year the funding is received and the  
5 remaining \$200,000.00 of this amount to be used in the fiscal year  
6 immediately following the fiscal year the funding is received, for  
7 reimbursements for legal services that are a direct result of the  
8 district's response to an act of pupil violence.

9 (2) In addition to the allocation under subsection (1), from  
10 the state school aid fund money appropriated in section 11, there  
11 is allocated for 2021-2022 only an amount not to exceed  
12 \$2,300,000.00 for payments to the district described in subsection  
13 (1) for 1-time costs. Funds allocated under this subsection must be  
14 used for the following:

15 (a) After accounting for reimbursements made by insurance,  
16 reimbursements, based on receipts, for physical repairs and  
17 replacements, including, but not limited to, reimbursements for  
18 furniture.

19 (b) An independent, third-party review.

20 (c) A mass notification system.

21 (d) Additional security cameras for the district's middle  
22 school and high school.

23 (3) In addition to the allocations under subsection (1) and  
24 (2), from the state school aid fund money appropriated in section  
25 11, there is allocated for 2021-2022 only an amount not to exceed  
26 \$1,000,000.00 for payments to the district described in subsection  
27 (1).

28 (4) For 2021-2022 only, for the district described in  
29 subsection (1), it is the intent of the legislature that results



1 from summative assessments administered by the district during the  
2 2021-2022 school year are not used for retention decisions,  
3 educator evaluations, and other high-stakes decisions. The  
4 department is encouraged to work with the district to determine  
5 alternative methods to comply with applicable state laws.

6 (5) The funds allocated under this section for 2021-2022 are a  
7 work project appropriation, and any unexpended funds for 2021-2022  
8 are carried forward into 2022-2023. The purpose of the work project  
9 is to continue to provide support to the district described in  
10 subsection (1). The estimated completion date of the work project  
11 is September 30, 2023.

12 (6) Notwithstanding section 17b, the department shall make  
13 payments under this section on a schedule determined by the  
14 department.

15 Sec. 15. (1) If a district or intermediate district fails to  
16 receive its proper apportionment, the department, upon satisfactory  
17 proof that the district or intermediate district was entitled  
18 justly, shall apportion the deficiency in the next apportionment.  
19 Subject to subsections (2) and (3), if a district or intermediate  
20 district has received more than its proper apportionment, the  
21 department, upon satisfactory proof, shall deduct the excess in the  
22 next apportionment. Notwithstanding any other provision in this  
23 article, state aid overpayments to a district, other than  
24 overpayments in payments for special education or special education  
25 transportation, may be recovered from any payment made under this  
26 article other than a special education or special education  
27 transportation payment, from the proceeds of a loan to the district  
28 under the emergency municipal loan act, 1980 PA 243, MCL 141.931 to  
29 141.942, or from the proceeds of millage levied or pledged under



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

9 (2) If the result of an audit conducted by or for the  
10 department affects the current fiscal year membership, the  
11 department shall adjust affected payments in the current fiscal  
12 year. A deduction due to an adjustment made as a result of an audit  
13 conducted by or for the department, or as a result of information  
14 obtained by the department from the district, an intermediate  
15 district, the department of treasury, or the office of auditor  
16 general, must be deducted from the district's apportionments when  
17 the adjustment is finalized. At the request of the district and  
18 upon the district presenting evidence satisfactory to the  
19 department of the hardship, the department may grant up to an  
20 additional 4 years for the adjustment and may advance payments to  
21 the district otherwise authorized under this article if the  
22 district would otherwise experience a significant hardship in  
23 satisfying its financial obligations. However, a district that  
24 presented satisfactory evidence of hardship and was undergoing an  
25 extended adjustment during 2018-2019 may continue to use the period  
26 of extended adjustment as originally granted by the department.

27 (3) If, based on an audit by the department or the  
28 department's designee or because of new or updated information  
29 received by the department, the department determines that the



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

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

23 (5) The department may conduct audits, or may direct audits by  
24 designee of the department, for the current fiscal year and the  
25 immediately preceding fiscal year of all records related to a  
26 program for which a district or intermediate district has received  
27 funds under this article.

28 (6) Expenditures made by the department under this article  
29 that are caused by the write-off of prior year accruals may be



1 funded by revenue from the write-off of prior year accruals.

2 (7) In addition to funds appropriated in section 11 for all  
3 programs and services, there is appropriated for ~~2021-2022-2022-~~  
4 **2023** for obligations in excess of applicable appropriations an  
5 amount equal to the collection of overpayments, but not to exceed  
6 amounts available from overpayments.

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

27 (2) A district or intermediate district shall adopt an annual  
28 budget in a manner that complies with the uniform budgeting and  
29 accounting act, 1968 PA 2, MCL 141.421 to 141.440a. Within 15 days



1 after a district board adopts its annual operating budget for the  
2 following school fiscal year, or after a district board adopts a  
3 subsequent revision to that budget, the district shall make all of  
4 the following available through a link on its website homepage, or  
5 may make the information available through a link on its  
6 intermediate district's website homepage, in a form and manner  
7 prescribed by the department:

8 (a) The annual operating budget and subsequent budget  
9 revisions.

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

14 (i) A chart of personnel expenditures, broken into the  
15 following subcategories:

16 (A) Salaries and wages.

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

20 (C) Retirement benefit costs.

21 (D) All other personnel costs.

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

24 (A) Instruction.

25 (B) Support services.

26 (C) Business and administration.

27 (D) Operations and maintenance.

28 (c) Links to all of the following:

29 (i) The current collective bargaining agreement for each



1 bargaining unit.

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

6 (iii) The audit report of the financial audit conducted under  
7 subsection (4) for the most recent fiscal year for which it is  
8 available.

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

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

13 (vi) The district's written policy establishing specific  
14 categories of reimbursable expenses, as described in section  
15 1254(2) of the revised school code, MCL 380.1254.

16 (vii) Either the district's accounts payable check register for  
17 the most recent school fiscal year or a statement of the total  
18 amount of expenses incurred by board members or employees of the  
19 district that were reimbursed by the district for the most recent  
20 school fiscal year.

21 (d) The total salary and a description and cost of each fringe  
22 benefit included in the compensation package for the superintendent  
23 of the district and for each employee of the district whose salary  
24 exceeds \$100,000.00.

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

26 (f) The annual amount spent on lobbying or lobbying services.  
27 As used in this subdivision, "lobbying" means that term as defined  
28 in section 5 of 1978 PA 472, MCL 4.415.

29 (g) Any deficit elimination plan or enhanced deficit



1 elimination plan the district was required to submit under the  
2 revised school code.

3 (h) Identification of all credit cards maintained by the  
4 district as district credit cards, the identity of all individuals  
5 authorized to use each of those credit cards, the credit limit on  
6 each credit card, and the dollar limit, if any, for each  
7 individual's authorized use of the credit card.

8 (i) Costs incurred for each instance of out-of-state travel by  
9 the school administrator of the district that is fully or partially  
10 paid for by the district and the details of each of those instances  
11 of out-of-state travel, including at least identification of each  
12 individual on the trip, destination, and purpose.

13 (3) For the information required under subsection (2) (a),  
14 (2) (b) (i), and (2) (c), an intermediate district shall provide the  
15 same information in the same manner as required for a district  
16 under subsection (2).

17 (4) For the purposes of determining the reasonableness of  
18 expenditures, whether a district or intermediate district has  
19 received the proper amount of funds under this article, and whether  
20 a violation of this article has occurred, all of the following  
21 apply:

22 (a) The department shall require that each district and  
23 intermediate district have an audit of the district's or  
24 intermediate district's financial and pupil accounting records  
25 conducted at least annually, and at such other times as determined  
26 by the department, at the expense of the district or intermediate  
27 district, as applicable. The audits must be performed by a  
28 certified public accountant or by the intermediate district  
29 superintendent, as may be required by the department, or in the



1 case of a district of the first class by a certified public  
2 accountant, the intermediate superintendent, or the auditor general  
3 of the city. A district or intermediate district shall retain these  
4 records for the current fiscal year and from at least the 3  
5 immediately preceding fiscal years.

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

17 (c) A district's or intermediate district's annual financial  
18 audit must include an analysis of the financial and pupil  
19 accounting data used as the basis for distribution of state school  
20 aid.

21 (d) The pupil and financial accounting records and reports,  
22 audits, and management letters are subject to requirements  
23 established in the auditing and accounting manuals approved and  
24 published by the department.

25 (e) All of the following must be done not later than November  
26 1 each year for reporting the prior fiscal year data:

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

29 (ii) The intermediate district shall file the annual financial



1 audit reports for the intermediate district with the department.

2 (iii) The intermediate district shall enter the pupil membership  
3 audit reports, **known as the audit narrative**, for its constituent  
4 districts and for the intermediate district, for the pupil  
5 membership count day and supplemental count day, in the Michigan  
6 student data system.

7 (f) The annual financial audit reports and pupil accounting  
8 procedures reports must be available to the public in compliance  
9 with the freedom of information act, 1976 PA 442, MCL 15.231 to  
10 15.246.

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

18 (5) By the first business day in November of each fiscal year,  
19 each district and intermediate district shall submit to the center,  
20 in a manner prescribed by the center, annual comprehensive  
21 financial data consistent with the district's or intermediate  
22 district's audited financial statements and consistent with  
23 accounting manuals and charts of accounts approved and published by  
24 the department. For an intermediate district, the report must also  
25 contain the website address where the department can access the  
26 report required under section 620 of the revised school code, MCL  
27 380.620. The department shall ensure that the prescribed Michigan  
28 public school accounting manual chart of accounts includes standard  
29 conventions to distinguish expenditures by allowable fund function



1 and object. The functions must include at minimum categories for  
2 instruction, pupil support, instructional staff support, general  
3 administration, school administration, business administration,  
4 transportation, facilities operation and maintenance, facilities  
5 acquisition, and debt service; and must include object  
6 classifications of salary, benefits, including categories for  
7 active employee health expenditures, purchased services, supplies,  
8 capital outlay, and other. A district shall report the required  
9 level of detail consistent with the manual as part of the  
10 comprehensive annual financial report.

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

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

22 (8) The department shall review its pupil accounting and pupil  
23 auditing manuals at least annually and shall periodically update  
24 those manuals to reflect changes in this article. Any changes to  
25 the pupil accounting manual that are applicable for the school year  
26 that begins after March 31 of a fiscal year must be published by  
27 not later than March 31 of that fiscal year. However, if  
28 legislation is enacted that necessitates adjustments to the pupil  
29 accounting manual after March 31 of a fiscal year, and a district



1 incurs a violation of the amended pupil accounting manual in the  
2 subsequent fiscal year, the department must notify the district of  
3 that violation and allow the district 30 days to correct the  
4 violation before the department is allowed to impose financial  
5 penalties under this act related to the violation.

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

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

22 (11) If a district or intermediate district does not comply  
23 with subsection (2), the department may withhold up to 10% of the  
24 total state school aid due to the district or intermediate district  
25 under this article, beginning with the next payment due to the  
26 district or intermediate district, until the district or  
27 intermediate district complies with subsection (2). If the district  
28 or intermediate district does not comply with subsection (2) by the  
29 end of the fiscal year, the district or intermediate district



1 forfeits the amount withheld.

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

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

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

24 (a) Virtual courses provided by the Michigan Virtual  
25 University.

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

29 (c) Virtual courses provided by third party vendors not



1 affiliated with a public school in this state.

2 (d) Virtual courses created and offered by a district or  
3 intermediate district.

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

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

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

15 (a) ~~The~~ **For 2021-2022, the** target foundation allowance is  
16 \$8,700.00.

17 (b) ~~The~~ **For 2021-2022, the** minimum foundation allowance is  
18 \$8,700.00.

19 (c) **For 2022-2023, the target foundation allowance is**  
20 **\$9,000.00.**

21 (2) The department shall calculate the amount of each  
22 district's foundation allowance as provided in this section, using  
23 a target foundation allowance in the amount specified in subsection  
24 (1).

25 (3) Except as otherwise provided in this section, the  
26 department shall calculate the amount of a district's foundation  
27 allowance as follows, using in all calculations the total amount of  
28 the district's foundation allowance as calculated before any  
29 proration:



1 (a) For 2021-2022, for a district that had a foundation  
 2 allowance for the immediately preceding fiscal year that was at  
 3 least equal to the minimum foundation allowance for the immediately  
 4 preceding fiscal year, but less than the target foundation  
 5 allowance for the immediately preceding fiscal year, the district's  
 6 foundation allowance is \$8,700.00. Except as otherwise provided in  
 7 this subdivision, except for 2021-2022, for a district that had a  
 8 foundation allowance for the immediately preceding fiscal year that  
 9 was at least equal to the minimum foundation allowance for the  
 10 immediately preceding fiscal year, but less than **equal to** the  
 11 target foundation allowance for the immediately preceding fiscal  
 12 year, the district receives a foundation allowance in an amount  
 13 equal to ~~the sum of the district's foundation allowance for the~~  
 14 ~~immediately preceding fiscal year plus the difference between twice~~  
 15 ~~the dollar amount of the adjustment from the immediately preceding~~  
 16 ~~fiscal year to the current fiscal year made in the target~~  
 17 ~~foundation allowance and [(the difference between the target~~  
 18 ~~foundation allowance for the current fiscal year and target~~  
 19 ~~foundation allowance for the immediately preceding fiscal year~~  
 20 ~~minus \$40.00) times (the difference between the district's~~  
 21 ~~foundation allowance for the immediately preceding fiscal year and~~  
 22 ~~the minimum foundation allowance for the immediately preceding~~  
 23 ~~fiscal year) divided by the difference between the target~~  
 24 ~~foundation allowance for the current fiscal year and the minimum~~  
 25 ~~foundation allowance for the immediately preceding fiscal year.]~~  
 26 The foundation allowance for a district that had less than the  
 27 target foundation allowance for the immediately preceding fiscal  
 28 year must not exceed the target foundation allowance for the  
 29 current fiscal year. For 2021-2022, for a district that had a



1 ~~foundation allowance for the immediately preceding fiscal year that~~  
 2 ~~was at least equal to the minimum foundation allowance for the~~  
 3 ~~immediately preceding fiscal year, but less than the target~~  
 4 ~~foundation allowance for the immediately preceding fiscal year, the~~  
 5 ~~district's foundation allowance is \$8,700.00.~~ **the target foundation**  
 6 **allowance described in subsection (1).**

7 (b) Except as otherwise provided in this subsection, for a  
 8 district that in the immediately preceding fiscal year had a  
 9 foundation allowance in an amount equal to the amount of the target  
 10 foundation allowance for the immediately preceding fiscal year, the  
 11 district receives a foundation allowance for 2021-2022 in an amount  
 12 equal to the target foundation allowance for 2021-2022. **This**  
 13 **subdivision does not apply after the 2021-2022 fiscal year.**

14 (c) For a district that had a foundation allowance for the  
 15 immediately preceding fiscal year that was greater than the target  
 16 foundation allowance for the immediately preceding fiscal year, the  
 17 district's foundation allowance is an amount equal to the sum of  
 18 the district's foundation allowance for the immediately preceding  
 19 fiscal year plus the lesser of the increase in the target  
 20 foundation allowance for the current fiscal year, as compared to  
 21 the immediately preceding fiscal year, or the product of the  
 22 district's foundation allowance for the immediately preceding  
 23 fiscal year times the percentage increase in the United States  
 24 Consumer Price Index in the calendar year ending in the immediately  
 25 preceding fiscal year as reported by the May revenue estimating  
 26 conference conducted under section 367b of the management and  
 27 budget act, 1984 PA 431, MCL 18.1367b. **This subdivision does not**  
 28 **apply after the 2021-2022 fiscal year.**

29 (d) For a district that had a foundation allowance for the



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

16 (e) For a district that has a foundation allowance that is  
17 less than the target foundation allowance in the current fiscal  
18 year but had a foundation allowance in fiscal year 2020-2021 that  
19 was greater than the target foundation allowance in effect for that  
20 fiscal year, the district's foundation allowance is an amount equal  
21 to the lesser of (the sum of the district's foundation allowance  
22 for fiscal year 2020-2021 plus the increase in the target  
23 foundation allowance for the current fiscal year, as compared to  
24 fiscal year 2020-2021) or (the product of the district's foundation  
25 allowance for the immediately preceding fiscal year times the  
26 percentage increase in the United States Consumer Price Index in  
27 the calendar year ending in the immediately preceding fiscal year  
28 as reported by the May revenue estimating conference conducted  
29 under section 367b of the management and budget act, 1984 PA 431,



1 **MCL 18.1367b). This subdivision does not apply for the 2021-2022**  
 2 **fiscal year.**

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

6 (4) Except as otherwise provided in this subsection, ~~beginning~~  
 7 ~~in 2021-2022,~~ the state portion of a district's foundation  
 8 allowance is an amount equal to the district's foundation allowance  
 9 or the target foundation allowance for the current fiscal year,  
 10 whichever is less, minus the local portion of the district's  
 11 foundation allowance. **Except as otherwise provided in this**  
 12 **subsection, for a district described in subsection (3) (c), (d), and**  
 13 **(e), beginning in 2021-2022, the state portion of the district's**  
 14 **foundation allowance is an amount equal to the target foundation**  
 15 **allowance minus the district's foundation allowance supplemental**  
 16 **payment per pupil calculated under section 20m and minus the local**  
 17 **portion of the district's foundation allowance.** For a district that  
 18 has a millage reduction required under section 31 of article IX of  
 19 the state constitution of 1963, the department shall calculate the  
 20 state portion of the district's foundation allowance as if that  
 21 reduction did not occur. For a receiving district, if school  
 22 operating taxes continue to be levied on behalf of a dissolved  
 23 district that has been attached in whole or in part to the  
 24 receiving district to satisfy debt obligations of the dissolved  
 25 district under section 12 of the revised school code, MCL 380.12,  
 26 the taxable value per membership pupil of property in the receiving  
 27 district used for the purposes of this subsection does not include  
 28 the taxable value of property within the geographic area of the  
 29 dissolved district. For a community district, if school operating



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

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

23 (6) Except as otherwise provided in this subsection, for  
 24 pupils in membership, other than special education pupils, in a  
 25 public school academy, the allocation calculated under this section  
 26 is an amount per membership pupil other than special education  
 27 pupils in the public school academy equal to, **for 2021-2022**, the  
 28 minimum foundation allowance specified in subsection ~~(1)~~.—**(1) (b)**  
 29 **and, for 2022-2023, the target foundation allowance specified in**



1 **subsection (1) (c)**. Notwithstanding section 101, for a public school  
2 academy that begins operations after the pupil membership count  
3 day, the amount per membership pupil calculated under this  
4 subsection must be adjusted by multiplying that amount per  
5 membership pupil by the number of hours of pupil instruction  
6 provided by the public school academy after it begins operations,  
7 as determined by the department, divided by the minimum number of  
8 hours of pupil instruction required under section 101(3). The  
9 result of this calculation must not exceed the amount per  
10 membership pupil otherwise calculated under this subsection.

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

18 (8) Subject to subsection (4), for a district that is formed  
19 or reconfigured after June 1, 2002 by consolidation of 2 or more  
20 districts or by annexation, the resulting district's foundation  
21 allowance under this section beginning after the effective date of  
22 the consolidation or annexation is the lesser of the sum of the  
23 average of the foundation allowances of each of the original or  
24 affected districts, calculated as provided in this section,  
25 weighted as to the percentage of pupils in total membership in the  
26 resulting district who reside in the geographic area of each of the  
27 original or affected districts plus \$100.00 or the highest  
28 foundation allowance among the original or affected districts. This  
29 subsection does not apply to a receiving district unless there is a



1 subsequent consolidation or annexation that affects the district.  
2 The calculation under this subsection must take into account a  
3 district's per-pupil allocation under section 20m.

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

8 (10) State payments related to payment of the foundation  
9 allowance for a special education pupil are not calculated under  
10 this section but are instead calculated under section 51a.

11 (11) To assist the legislature in determining the target  
12 foundation allowance for the subsequent fiscal year, each revenue  
13 estimating conference conducted under section 367b of the  
14 management and budget act, 1984 PA 431, MCL 18.1367b, must  
15 calculate a pupil membership factor, a revenue adjustment factor,  
16 and an index as follows:

17 (a) The pupil membership factor is computed by dividing the  
18 estimated membership in the school year ending in the current  
19 fiscal year, excluding intermediate district membership, by the  
20 estimated membership for the school year ending in the subsequent  
21 fiscal year, excluding intermediate district membership. If a  
22 consensus membership factor is not determined at the revenue  
23 estimating conference, the principals of the revenue estimating  
24 conference shall report their estimates to the house and senate  
25 subcommittees responsible for school aid appropriations not later  
26 than 7 days after the conclusion of the revenue conference.

27 (b) The revenue adjustment factor is computed by dividing the  
28 sum of the estimated total state school aid fund revenue for the  
29 subsequent fiscal year plus the estimated total state school aid



1 fund revenue for the current fiscal year, adjusted for any change  
2 in the rate or base of a tax the proceeds of which are deposited in  
3 that fund and excluding money transferred into that fund from the  
4 countercyclical budget and economic stabilization fund under the  
5 management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, by  
6 the sum of the estimated total school aid fund revenue for the  
7 current fiscal year plus the estimated total state school aid fund  
8 revenue for the immediately preceding fiscal year, adjusted for any  
9 change in the rate or base of a tax the proceeds of which are  
10 deposited in that fund. If a consensus revenue factor is not  
11 determined at the revenue estimating conference, the principals of  
12 the revenue estimating conference shall report their estimates to  
13 the house and senate subcommittees responsible for school aid  
14 appropriations not later than 7 days after the conclusion of the  
15 revenue conference.

16 (c) The index is calculated by multiplying the pupil  
17 membership factor by the revenue adjustment factor. If a consensus  
18 index is not determined at the revenue estimating conference, the  
19 principals of the revenue estimating conference shall report their  
20 estimates to the house and senate subcommittees responsible for  
21 state school aid appropriations not later than 7 days after the  
22 conclusion of the revenue conference.

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

27 (13) If an amendment to section 2 of article VIII of the state  
28 constitution of 1963 allowing state aid to some or all nonpublic  
29 schools is approved by the voters of this state, each foundation



1 allowance or per-pupil payment calculation under this section may  
2 be reduced.

3 (14) As used in this section:

4 (a) "Certified mills" means the lesser of 18 mills or the  
5 number of mills of school operating taxes levied by the district in  
6 ~~1993-94.~~ **1993-1994.**

7 ~~(b) "Combined state and local revenue" means the aggregate of~~  
8 ~~the district's state school aid received by or paid on behalf of~~  
9 ~~the district under this section and the district's local school~~  
10 ~~operating revenue.~~

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

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

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

20 **(d)** ~~(f)~~ "Immediately preceding fiscal year" means the fiscal  
21 year immediately preceding the current fiscal year.

22 **(e)** ~~(g)~~ "Local portion of the district's foundation allowance"  
23 means an amount that is equal to the difference between (the sum of  
24 the product of the taxable value per membership pupil of all  
25 property in the district that is nonexempt property times the  
26 district's certified mills and, for a district with certified mills  
27 exceeding 12, the product of the taxable value per membership pupil  
28 of property in the district that is commercial personal property  
29 times the certified mills minus 12 mills) and (the quotient of the



1 product of the captured assessed valuation under tax increment  
 2 financing acts times the district's certified mills divided by the  
 3 district's membership excluding special education pupils).

4 ~~(h) "Local school operating revenue" means school operating~~  
 5 ~~taxes levied under section 1211 of the revised school code, MCL~~  
 6 ~~380.1211. For a receiving district, if school operating taxes are~~  
 7 ~~to be levied on behalf of a dissolved district that has been~~  
 8 ~~attached in whole or in part to the receiving district to satisfy~~  
 9 ~~debt obligations of the dissolved district under section 12 of the~~  
 10 ~~revised school code, MCL 380.12, local school operating revenue~~  
 11 ~~does not include school operating taxes levied within the~~  
 12 ~~geographic area of the dissolved district.~~

13 ~~(i) "Local school operating revenue per membership pupil"~~  
 14 ~~means a district's local school operating revenue divided by the~~  
 15 ~~district's membership excluding special education pupils.~~

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

19 ~~(g) (k)~~—"Nonexempt property" means property that is not a  
 20 principal residence, qualified agricultural property, qualified  
 21 forest property, supportive housing property, industrial personal  
 22 property, commercial personal property, or property occupied by a  
 23 public school academy.

24 ~~(h) (l)~~—"Principal residence", "qualified agricultural  
 25 property", "qualified forest property", "supportive housing  
 26 property", "industrial personal property", and "commercial personal  
 27 property" mean those terms as defined in section 1211 of the  
 28 revised school code, MCL 380.1211.

29 ~~(i) (m)~~—"Receiving district" means a district to which all or



1 part of the territory of a dissolved district is attached under  
2 section 12 of the revised school code, MCL 380.12.

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

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

10 (l) ~~(p)~~—"Tax increment financing acts" means parts 2, 3, 4, and  
11 6 of the recodified tax increment financing act, 2018 PA 57, MCL  
12 125.4201 to 125.4420 and 125.4602 to 125.4629, or the brownfield  
13 redevelopment financing act, 1996 PA 381, MCL 125.2651 to 125.2670.

14 (m) ~~(q)~~—"Taxable value per membership pupil" means taxable  
15 value, as certified by the county treasurer and reported to the  
16 department, for the calendar year ending in the current state  
17 fiscal year divided by the district's membership excluding special  
18 education pupils for the school year ending in the current state  
19 fiscal year.

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

25 (a) For a district that had combined state and local revenue  
26 per membership pupil in the 1994-95 fiscal year of \$6,500.00 or  
27 more and served as a fiscal agent for a state board designated area  
28 vocational education center in the 1993-94 school year, total state  
29 school aid received by or paid on behalf of the district under this



1 act in 1993-94 excludes payments made under former section 146 and  
2 under section 147 on behalf of the district's employees who  
3 provided direct services to the area vocational education center.  
4 Not later than June 30, 1996, the department shall make an  
5 adjustment under this subdivision to the district's combined state  
6 and local revenue per membership pupil in the 1994-95 fiscal year  
7 and the department of treasury shall make a final certification of  
8 the number of mills that may be levied by the district under  
9 section 1211 of the revised school code, MCL 380.1211, as a result  
10 of the adjustment under this subdivision.

11 (b) If a district had an adjustment made to its 1993-94 total  
12 state school aid that excluded payments made under former section  
13 146 and under section 147 on behalf of the district's employees who  
14 provided direct services for intermediate district center programs  
15 operated by the district under former section 51 and sections 51a  
16 to 56, if nonresident pupils attending the center programs were  
17 included in the district's membership for purposes of calculating  
18 the combined state and local revenue per membership pupil for 1993-  
19 94, and if there is a signed agreement by all constituent districts  
20 of the intermediate district agreeing to an adjustment under this  
21 subdivision, the department shall calculate the foundation  
22 allowances for 1995-96 and 1996-97 of all districts that had pupils  
23 attending the intermediate district center program operated by the  
24 district that had the adjustment as if their combined state and  
25 local revenue per membership pupil for 1993-94 included resident  
26 pupils attending the center program and excluded nonresident pupils  
27 attending the center program.

28 Sec. 20f. (1) From the state school aid fund money  
29 appropriated in section 11, there is allocated an amount not to



1 exceed \$18,000,000.00 for ~~2021-2022~~**2022-2023** for payments to  
2 eligible districts under this section.

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

8 (a) The increase in the district's foundation allowance or  
9 per-pupil payment as calculated under section 20 from 2012-2013 to  
10 2013-2014.

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

13 (c) The quotient of the district's allocation under section  
14 147a for 2012-2013 divided by the district's membership pupils for  
15 2012-2013 minus the quotient of the district's allocation under  
16 section 147a for 2013-2014 divided by the district's membership  
17 pupils for 2013-2014.

18 (3) The amount allocated to each eligible district under  
19 subsection (2) is an amount per membership pupil equal to the  
20 amount per membership pupil the district received under this  
21 section in 2013-2014.

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

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

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



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

3 (d) The quotient of the district's allocation under section  
4 31a for 2015-2016 divided by the district's membership pupils for  
5 2015-2016 minus the quotient of the district's allocation under  
6 section 31a for 2014-2015 divided by the district's membership  
7 pupils for 2014-2015.

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

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

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

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

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

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

27 Sec. 20m. (1) Foundation allowance supplemental payments for  
28 the current fiscal year to **qualifying** districts ~~that in the~~  
29 ~~immediately preceding fiscal year had a foundation allowance~~



1 ~~greater than the target foundation allowance~~ **with an adjustment to**  
 2 **their foundation allowance from fiscal year 2020-2021 to the**  
 3 **current fiscal year that is less than the adjustment in the target**  
 4 **foundation allowance from fiscal year 2020-2021 to the current**  
 5 **fiscal year** must be calculated under this section.

6 (2) The per-pupil allocation to each **qualifying** district under  
 7 this section is the difference between the dollar amount of the  
 8 adjustment from ~~the immediately preceding~~ fiscal year **2020-2021** to  
 9 the current fiscal year in the target foundation allowance minus  
 10 the dollar amount of the adjustment from ~~the immediately preceding~~  
 11 fiscal year **2020-2021** to the current fiscal year in a qualifying  
 12 district's foundation allowance.

13 (3) If a district's local revenue per pupil does not exceed  
 14 the sum of its foundation allowance under section 20 plus the per-  
 15 pupil allocation under subsection (2), the total payment to the  
 16 district calculated under this section is the product of the per-  
 17 pupil allocation under subsection (2) multiplied by the district's  
 18 membership, excluding special education pupils. If a district's  
 19 local revenue per pupil exceeds ~~the-its~~ foundation allowance under  
 20 section 20 but does not exceed the sum of ~~the-its~~ foundation  
 21 allowance under section 20 plus the per-pupil allocation under  
 22 subsection (2), the total payment to the district calculated under  
 23 this section is the product of the difference between the sum of  
 24 ~~the-its~~ foundation allowance under section 20 plus the per-pupil  
 25 allocation under subsection (2) minus the local revenue per pupil  
 26 multiplied by the district's membership, excluding special  
 27 education pupils. If a district's local revenue per pupil exceeds  
 28 the sum of ~~the-its~~ foundation allowance under section 20 plus the  
 29 per-pupil allocation under subsection (2), there is no payment



1 calculated under this section for the district.

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

5 (5) As used in this section, "qualifying district" means a  
 6 district where the millage limitation in section 1211(3) of the  
 7 revised school code, MCL 380.1211, is applied due to the increase  
 8 in the target foundation allowance from the immediately preceding  
 9 fiscal year to the current fiscal year exceeding the percentage  
 10 increase in the general price level in the immediately preceding  
 11 calendar year applied to the district's immediately preceding  
 12 fiscal year foundation allowance.

13 Sec. 21b. (1) Subject to subsections (2) and (3), a district  
 14 shall use funds received under section 22a or 22b to support the  
 15 attendance of a district pupil who is an eligible student at an  
 16 eligible postsecondary institution under the postsecondary  
 17 enrollment options act, 1996 PA 160, MCL 388.511 to 388.524, or  
 18 under the career and technical preparation act, 2000 PA 258, MCL  
 19 388.1901 to 388.1913, by paying eligible charges on behalf of the  
 20 district pupil as required under those acts.

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

25 (3) A district may pay more money to an eligible postsecondary  
 26 institution on behalf of an eligible student than required under  
 27 the postsecondary enrollment options act, 1996 PA 160, MCL 388.511  
 28 to 388.524, or the career and technical preparation act, 2000 PA  
 29 258, MCL 388.1901 to 388.1913, and may use local school operating



1 revenue for that purpose. An eligible student is responsible for  
2 payment of the remainder of the costs associated with his or her  
3 postsecondary enrollment that exceed the amount the district is  
4 required to pay under the postsecondary enrollment options act,  
5 1996 PA 160, MCL 388.511 to 388.524, or the career and technical  
6 preparation act, 2000 PA 258, MCL 388.1901 to 388.1913, and that  
7 are not paid by the district. As used in this subsection, "local  
8 school operating revenue" means that term as defined in section  
9 ~~20-22b~~.

10 (4) As used in this section, "eligible student" and "eligible  
11 postsecondary institution" mean those terms as defined in section 3  
12 of the postsecondary enrollment options act, 1996 PA 160, MCL  
13 388.511 to 388.524, or in section 3 of the career and technical  
14 preparation act, 2000 PA 258, MCL 388.1903, as applicable.

15 Sec. 21f. (1) A primary district shall enroll an eligible  
16 pupil in virtual courses in accordance with the provisions of this  
17 section. A primary district shall not offer a virtual course to an  
18 eligible pupil unless the virtual course is published in the  
19 primary district's catalog of board-approved courses or in the  
20 statewide catalog of virtual courses maintained by the Michigan  
21 Virtual University pursuant to section 98. The primary district  
22 shall also provide on its publicly accessible website a link to the  
23 statewide catalog of virtual courses maintained by the Michigan  
24 Virtual University. Unless the pupil is at least age 18 or is an  
25 emancipated minor, a pupil must not be enrolled in a virtual course  
26 without the consent of the pupil's parent or legal guardian.

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



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

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

6 (b) The pupil agrees with the recommendation of the primary  
7 district.

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

13 (4) If the number of applicants eligible for acceptance in a  
14 virtual course does not exceed the capacity of the provider to  
15 provide the virtual course, the provider shall accept for  
16 enrollment all of the applicants eligible for acceptance. If the  
17 number of applicants exceeds the provider's capacity to provide the  
18 virtual course, the provider shall use a random draw system,  
19 subject to the need to abide by state and federal  
20 antidiscrimination laws and court orders. A primary district that  
21 is also a provider shall determine whether or not it has the  
22 capacity to accept applications for enrollment from nonresident  
23 applicants in virtual courses and may use that limit as the reason  
24 for refusal to enroll a nonresident applicant.

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



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

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

4 (c) The virtual course is not capable of generating academic  
5 credit.

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

8 (e) The pupil has not completed the prerequisite coursework  
9 for the requested virtual course or has not demonstrated  
10 proficiency in the prerequisite course content.

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

13 (g) The virtual course is of insufficient quality or rigor. A  
14 primary district that denies a pupil enrollment request for this  
15 reason shall enroll the pupil in a virtual course in the same or a  
16 similar subject that the primary district determines is of  
17 acceptable rigor and quality.

18 (h) The cost of the virtual course exceeds the amount  
19 identified in subsection (10), unless the pupil or the pupil's  
20 parent or legal guardian agrees to pay the cost that exceeds this  
21 amount.

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

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

29 (6) If a pupil is denied enrollment in a virtual course by the



1 pupil's primary district, the primary district shall provide  
2 written notification to the pupil of the denial, the reason or  
3 reasons for the denial under subsection (5), and a description of  
4 the appeal process. The pupil may appeal the denial by submitting a  
5 letter to the superintendent of the intermediate district in which  
6 the pupil's primary district is located. The letter of appeal must  
7 include the reason provided by the primary district for not  
8 enrolling the pupil and the reason why the pupil is claiming that  
9 the enrollment should be approved. The intermediate district  
10 superintendent or designee shall respond to the appeal within 5  
11 days after it is received. If the intermediate district  
12 superintendent or designee determines that the denial of enrollment  
13 does not meet 1 or more of the reasons specified in subsection (5),  
14 the primary district shall enroll the pupil in the virtual course.

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

17 (a) Ensure that the virtual course has been published in the  
18 pupil's primary district's catalog of board-approved courses or  
19 published in the statewide catalog of virtual courses maintained by  
20 the Michigan Virtual University.

21 (b) Assign to each pupil a teacher of record and provide the  
22 primary district with the personnel identification code assigned by  
23 the center for the teacher of record. If the provider is a  
24 community college, the virtual course must be taught by an  
25 instructor employed by or contracted through the providing  
26 community college.

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



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

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

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

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

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

21 (10) For a pupil enrolled in 1 or more virtual courses, the  
22 primary district shall use foundation allowance or per-pupil funds  
23 calculated under section 20 to pay for the expenses associated with  
24 the virtual course or courses. A primary district is not required  
25 to pay toward the cost of a virtual course an amount that exceeds  
26 6.67% of the ~~minimum~~-**target** foundation allowance for the current  
27 fiscal year as calculated under section 20.

28 (11) A virtual learning pupil has the same rights and access  
29 to technology in his or her primary district's school facilities as



1 all other pupils enrolled in the pupil's primary district. The  
2 department shall establish standards for hardware, software, and  
3 internet access for pupils who are enrolled in more than 2 virtual  
4 courses under this section in an academic term, semester, or  
5 trimester taken at a location other than a school facility.

6 (12) If a pupil successfully completes a virtual course, as  
7 determined by the pupil's primary district, the pupil's primary  
8 district shall grant appropriate academic credit for completion of  
9 the course and shall count that credit toward completion of  
10 graduation and subject area requirements. A pupil's school record  
11 and transcript must identify the virtual course title as it appears  
12 in the virtual course syllabus.

13 (13) The enrollment of a pupil in 1 or more virtual courses  
14 must not result in a pupil being counted as more than 1.0 full-time  
15 equivalent pupils under this article. The minimum requirements to  
16 count the pupil in membership are those established by the pupil  
17 accounting manual as it was in effect for the 2015-2016 school year  
18 or as subsequently amended by the department if the department  
19 notifies the legislature about the proposed amendment at least 60  
20 days before the amendment becomes effective.

21 (14) As used in this section:

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

24 (b) "Mentor" means a professional employee of the primary  
25 district who monitors the pupil's progress, ensures the pupil has  
26 access to needed technology, is available for assistance, and  
27 ensures access to the teacher of record. A mentor may also serve as  
28 the teacher of record if the primary district is the provider for  
29 the virtual course and the mentor meets the requirements under



1 subdivision (e).

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

4 (d) "Provider" means the district, intermediate district, ~~or~~  
5 community college, **or any other institution or individual** that the  
6 primary district pays to provide the virtual course or the Michigan  
7 Virtual University if it is providing the virtual course. ~~Beginning~~  
8 ~~on the first day of the 2020-2021 school year through August 31,~~  
9 ~~2021, "provider" also includes any other institution or individual~~  
10 ~~that the primary district pays to provide the virtual course.~~

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

13 (i) Holds a valid Michigan teaching certificate or a teaching  
14 permit recognized by the department.

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

17 (iii) Is responsible for providing instruction, determining  
18 instructional methods for each pupil, diagnosing learning needs,  
19 assessing pupil learning, prescribing intervention strategies and  
20 modifying lessons, reporting outcomes, and evaluating the effects  
21 of instruction and support strategies.

22 (iv) Has a personnel identification code provided by the  
23 center.

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

26 (f) "Virtual course" means a course of study that is capable  
27 of generating a credit or a grade and that is provided in an  
28 interactive learning environment where the majority of the  
29 curriculum is delivered using the internet and in which pupils may



1 be separated from their instructor or teacher of record by time or  
2 location, or both.

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

5 (i) An alignment document detailing how the course meets  
6 applicable state standards or, if the state does not have state  
7 standards, nationally recognized standards.

8 (ii) The virtual course content outline.

9 (iii) The virtual course required assessments.

10 (iv) The virtual course prerequisites.

11 (v) Expectations for actual instructor or teacher of record  
12 contact time with the virtual learning pupil and other  
13 communications between a pupil and the instructor or teacher of  
14 record.

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

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

17 (viii) The name of the institution or organization providing the  
18 virtual content.

19 (ix) The name of the institution or organization providing the  
20 instructor or teacher of record.

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

24 (xi) The number of eligible pupils that will be accepted by the  
25 provider in the virtual course. A primary district that is also the  
26 provider may limit the enrollment to those pupils enrolled in the  
27 primary district.

28 (xii) The results of the virtual course quality review using



1 the guidelines and model review process published by the Michigan  
2 Virtual University.

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

5 Sec. 21h. (1) From the state school aid fund money  
6 appropriated in section 11, there is allocated \$6,137,400.00 for  
7 ~~2021-2022-2022-2023~~ for assisting districts assigned by the  
8 superintendent to participate in a partnership and districts that  
9 have established a community engagement advisory committee in  
10 partnership with the department of treasury, are required to submit  
11 a deficit elimination plan or an enhanced deficit elimination plan  
12 under section 1220 of the revised school code, MCL 380.1220, and  
13 are located in a city with a population between 9,000 and 11,000,  
14 as determined by the department, that is in a county with a  
15 population between 150,000 and 160,000, as determined by the  
16 department, to improve student achievement and district financial  
17 stability. The superintendent shall collaborate with the state  
18 treasurer to identify any conditions that may be contributing to  
19 low academic performance within a district being considered for  
20 assignment to a partnership. The purpose of the partnership is to  
21 identify district needs, develop intervention plans, and partner  
22 with public, private, and nonprofit organizations to coordinate  
23 resources and improve student achievement. Assignment of a district  
24 to a partnership is made by the superintendent in consultation with  
25 the state treasurer.

26 (2) A district described in subsection (1) is eligible for  
27 funding under this section if the district includes at least 1  
28 school that has been identified as low performing under the  
29 approved federal accountability system or the state accountability



1 system. A district described in this subsection must do all of the  
2 following to be eligible for funding under this section:

3 (a) For a partnership district under this section, within 90  
4 days of assignment to the partnership described in this section,  
5 and for a district described in subsection (1) that is not a  
6 partnership district under this section, by October 15 of each  
7 year, complete a comprehensive needs assessment or evaluation in  
8 collaboration with an intermediate district, community members,  
9 education organizations, and postsecondary institutions, as  
10 applicable, that is approved by the superintendent. The  
11 comprehensive needs assessment or evaluation must include at least  
12 all of the following:

13 (i) A review of the district's implementation and utilization  
14 of a multi-tiered system of supports to ensure that it is used to  
15 appropriately inform instruction.

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

18 (iii) A review of classroom, instructional, and operational  
19 practices and curriculum to ensure alignment with research-based  
20 instructional practices and state curriculum standards.

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

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

28 (ii) Specific measurable benchmarks that will be met within 18  
29 months to improve student achievement and identification of



1 expected student achievement outcomes to be attained within 3 years  
2 after assignment to the partnership.

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

5 (3) Upon approval of the academic and financial operating or  
6 intervention plan developed under subsection (2), the department,  
7 in collaboration with the department of treasury, shall assign a  
8 team of individuals with expertise in comprehensive school and  
9 district reform to partner with the district, the intermediate  
10 district, community organizations, education organizations, and  
11 postsecondary institutions identified in the academic and financial  
12 operating or intervention plan to review the district's use of  
13 existing financial resources to ensure that those resources are  
14 being used as efficiently and effectively as possible to improve  
15 student academic achievement and to ensure district financial  
16 stability. The superintendent of public instruction may waive  
17 burdensome administrative rules for a partnership district for the  
18 duration of the partnership agreement and for a district described  
19 in subsection (1) that is not a partnership district under this  
20 section and that receives funding under this section in the current  
21 fiscal year.

22 (4) Funds allocated under this section, excluding funds  
23 allocated under subsection (5), may be used to pay for district  
24 expenditures approved by the superintendent to improve student  
25 achievement. Funds may be used for professional development for  
26 teachers or district or school leadership, increased instructional  
27 time, teacher mentors, or other expenditures that directly impact  
28 student achievement and cannot be paid from existing district  
29 financial resources. An eligible district must not receive funds



1 under this section for more than 3 years. Notwithstanding section  
 2 17b, the department shall make payments to districts under this  
 3 section on a schedule determined by the department.

4 (5) From the funds allocated under subsection (1), there is  
 5 allocated for ~~2021-2022~~**2022-2023** an amount not to exceed  
 6 \$137,400.00 for the purchase of a data analytics tool to be used by  
 7 districts described in subsection (1). The superintendent of public  
 8 instruction shall require districts described in subsection (1) to  
 9 purchase a data analytics tool funded under this subsection as part  
 10 of the agreements described in this section.

11 (6) The department, in consultation with the department of  
 12 treasury, shall annually report to the legislature on the  
 13 activities funded under this section and how those activities  
 14 impacted student achievement in districts that received funds under  
 15 this section. To the extent possible, participating districts  
 16 receiving funding under this section shall participate in the  
 17 report.

18 Sec. 22a. (1) From the state school aid fund money  
 19 appropriated in section 11, there is allocated an amount not to  
 20 exceed ~~\$4,836,000,000.00~~**\$4,520,000,000.00** for ~~2020-2021~~**2021-2022**  
 21 and there is allocated an amount not to exceed ~~\$4,742,000,000.00~~  
 22 **\$4,421,000,000.00** for ~~2021-2022~~**2022-2023** for payments to districts  
 23 and qualifying public school academies to guarantee each district  
 24 and qualifying public school academy an amount equal to its 1994-95  
 25 total state and local per-pupil revenue for school operating  
 26 purposes under section 11 of article IX of the state constitution  
 27 of 1963. Pursuant to section 11 of article IX of the state  
 28 constitution of 1963, this guarantee does not apply to a district  
 29 in a year in which the district levies a millage rate for school



1 district operating purposes less than it levied in 1994. However,  
 2 subsection (2) applies to calculating the payments under this  
 3 section. Funds allocated under this section that are not expended  
 4 in the fiscal year for which they were allocated, as determined by  
 5 the department, may be used to supplement the allocations under  
 6 sections 22b and 51c to fully fund those allocations for the same  
 7 fiscal year. For each fund transfer as described in the immediately  
 8 preceding sentence that occurs, the state budget director shall  
 9 send notification of the transfer to the house and senate  
 10 appropriations subcommittees on state school aid and the house and  
 11 senate fiscal agencies by not later than 14 calendar days after the  
 12 transfer occurs.

13 (2) To ensure that a district receives an amount equal to the  
 14 district's 1994-95 total state and local per-pupil revenue for  
 15 school operating purposes, there is allocated to each district a  
 16 state portion of the district's 1994-95 foundation allowance in an  
 17 amount calculated as follows:

18 (a) Except as otherwise provided in this subsection, the state  
 19 portion of a district's 1994-95 foundation allowance is an amount  
 20 equal to the district's 1994-95 foundation allowance or \$6,500.00,  
 21 whichever is less, minus the difference between the sum of the  
 22 product of the taxable value per membership pupil of all property  
 23 in the district that is nonexempt property times the district's  
 24 certified mills and, for a district with certified mills exceeding  
 25 12, the product of the taxable value per membership pupil of  
 26 property in the district that is commercial personal property times  
 27 the certified mills minus 12 mills and the quotient of the ad  
 28 valorem property tax revenue of the district captured under tax  
 29 increment financing acts divided by the district's membership. For



1 a district that has a millage reduction required under section 31  
2 of article IX of the state constitution of 1963, the department  
3 shall calculate the state portion of the district's foundation  
4 allowance as if that reduction did not occur. For a receiving  
5 district, if school operating taxes are to be levied on behalf of a  
6 dissolved district that has been attached in whole or in part to  
7 the receiving district to satisfy debt obligations of the dissolved  
8 district under section 12 of the revised school code, MCL 380.12,  
9 taxable value per membership pupil of all property in the receiving  
10 district that is nonexempt property and taxable value per  
11 membership pupil of property in the receiving district that is  
12 commercial personal property do not include property within the  
13 geographic area of the dissolved district; ad valorem property tax  
14 revenue of the receiving district captured under tax increment  
15 financing acts does not include ad valorem property tax revenue  
16 captured within the geographic boundaries of the dissolved district  
17 under tax increment financing acts; and certified mills do not  
18 include the certified mills of the dissolved district. For a  
19 community district, the department shall reduce the allocation as  
20 otherwise calculated under this section by an amount equal to the  
21 amount of local school operating tax revenue that would otherwise  
22 be due to the community district if not for the operation of  
23 section 386 of the revised school code, MCL 380.386, and the amount  
24 of this reduction is offset by the increase in funding under  
25 section 22b(2).

26 (b) For a district that had a 1994-95 foundation allowance  
27 greater than \$6,500.00, the state payment under this subsection is  
28 the sum of the amount calculated under subdivision (a) plus the  
29 amount calculated under this subdivision. The amount calculated



1 under this subdivision must be equal to the difference between the  
2 district's 1994-95 foundation allowance minus \$6,500.00 and the  
3 current year hold harmless school operating taxes per pupil. If the  
4 result of the calculation under subdivision (a) is negative, the  
5 negative amount is an offset against any state payment calculated  
6 under this subdivision. If the result of a calculation under this  
7 subdivision is negative, there is not a state payment or a  
8 deduction under this subdivision. The taxable values per membership  
9 pupil used in the calculations under this subdivision are as  
10 adjusted by ad valorem property tax revenue captured under tax  
11 increment financing acts divided by the district's membership. For  
12 a receiving district, if school operating taxes are to be levied on  
13 behalf of a dissolved district that has been attached in whole or  
14 in part to the receiving district to satisfy debt obligations of  
15 the dissolved district under section 12 of the revised school code,  
16 MCL 380.12, ad valorem property tax revenue captured under tax  
17 increment financing acts do not include ad valorem property tax  
18 revenue captured within the geographic boundaries of the dissolved  
19 district under tax increment financing acts.

20 (3) For pupils in membership in a qualifying public school  
21 academy, there is allocated under this section to the authorizing  
22 body that is the fiscal agent for the qualifying public school  
23 academy for forwarding to the qualifying public school academy an  
24 amount equal to the 1994-95 per-pupil payment to the qualifying  
25 public school academy under section 20.

26 (4) A district or qualifying public school academy may use  
27 funds allocated under this section in conjunction with any federal  
28 funds for which the district or qualifying public school academy  
29 otherwise would be eligible.



1           (5) Except as otherwise provided in this subsection, for a  
2 district that is formed or reconfigured after June 1, 2000 by  
3 consolidation of 2 or more districts or by annexation, the  
4 resulting district's 1994-95 foundation allowance under this  
5 section beginning after the effective date of the consolidation or  
6 annexation is the average of the 1994-95 foundation allowances of  
7 each of the original or affected districts, calculated as provided  
8 in this section, weighted as to the percentage of pupils in total  
9 membership in the resulting district in the fiscal year in which  
10 the consolidation takes place who reside in the geographic area of  
11 each of the original districts. If an affected district's 1994-95  
12 foundation allowance is less than the 1994-95 basic foundation  
13 allowance, the amount of that district's 1994-95 foundation  
14 allowance is considered for the purpose of calculations under this  
15 subsection to be equal to the amount of the 1994-95 basic  
16 foundation allowance. This subsection does not apply to a receiving  
17 district unless there is a subsequent consolidation or annexation  
18 that affects the district.

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

20           (7) As used in this section:

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

25           (b) "Certified mills" means the lesser of 18 mills or the  
26 number of mills of school operating taxes levied by the district in  
27 1993-94.

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



1 (d) "Current year hold harmless school operating taxes per  
2 pupil" means the per-pupil revenue generated by multiplying a  
3 district's 1994-95 hold harmless millage by the district's current  
4 year taxable value per membership pupil. For a receiving district,  
5 if school operating taxes are to be levied on behalf of a dissolved  
6 district that has been attached in whole or in part to the  
7 receiving district to satisfy debt obligations of the dissolved  
8 district under section 12 of the revised school code, MCL 380.12,  
9 taxable value per membership pupil does not include the taxable  
10 value of property within the geographic area of the dissolved  
11 district.

12 (e) "Dissolved district" means a district that loses its  
13 organization, has its territory attached to 1 or more other  
14 districts, and is dissolved as provided under section 12 of the  
15 revised school code, MCL 380.12.

16 (f) "Hold harmless millage" means, for a district with a 1994-  
17 95 foundation allowance greater than \$6,500.00, the number of mills  
18 by which the exemption from the levy of school operating taxes on a  
19 principal residence, qualified agricultural property, qualified  
20 forest property, supportive housing property, industrial personal  
21 property, commercial personal property, and property occupied by a  
22 public school academy could be reduced as provided in section 1211  
23 of the revised school code, MCL 380.1211, and the number of mills  
24 of school operating taxes that could be levied on all property as  
25 provided in section 1211(2) of the revised school code, MCL  
26 380.1211, as certified by the department of treasury for the 1994  
27 tax year. For a receiving district, if school operating taxes are  
28 to be levied on behalf of a dissolved district that has been  
29 attached in whole or in part to the receiving district to satisfy



1 debt obligations of the dissolved district under section 12 of the  
2 revised school code, MCL 380.12, school operating taxes do not  
3 include school operating taxes levied within the geographic area of  
4 the dissolved district.

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

8 (h) "Nonexempt property" means property that is not a  
9 principal residence, qualified agricultural property, qualified  
10 forest property, supportive housing property, industrial personal  
11 property, commercial personal property, or property occupied by a  
12 public school academy.

13 (i) "Principal residence", "qualified agricultural property",  
14 "qualified forest property", "supportive housing property",  
15 "industrial personal property", and "commercial personal property"  
16 mean those terms as defined in section 1211 of the revised school  
17 code, MCL 380.1211.

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

21 (k) "Receiving district" means a district to which all or part  
22 of the territory of a dissolved district is attached under section  
23 12 of the revised school code, MCL 380.12.

24 (l) "School operating taxes" means local ad valorem property  
25 taxes levied under section 1211 of the revised school code, MCL  
26 380.1211, and retained for school operating purposes as defined in  
27 section 20.

28 (m) "Tax increment financing acts" means parts 2, 3, 4, and 6  
29 of the recodified tax increment financing act, 2018 PA 57, MCL



1 125.4201 to 125.4420 and 125.4602 to 125.4629, or the brownfield  
 2 redevelopment financing act, 1996 PA 381, MCL 125.2651 to 125.2670.

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

5 (i) For the number of mills by which the exemption from the  
 6 levy of school operating taxes on a principal residence, qualified  
 7 agricultural property, qualified forest property, supportive  
 8 housing property, industrial personal property, commercial personal  
 9 property, and property occupied by a public school academy may be  
 10 reduced as provided in section 1211 of the revised school code, MCL  
 11 380.1211, the taxable value of principal residence, qualified  
 12 agricultural property, qualified forest property, supportive  
 13 housing property, industrial personal property, commercial personal  
 14 property, and property occupied by a public school academy for the  
 15 calendar year ending in the current fiscal year. For a receiving  
 16 district, if school operating taxes are to be levied on behalf of a  
 17 dissolved district that has been attached in whole or in part to  
 18 the receiving district to satisfy debt obligations of the dissolved  
 19 district under section 12 of the revised school code, MCL 380.12,  
 20 mills do not include mills within the geographic area of the  
 21 dissolved district.

22 (ii) For the number of mills of school operating taxes that may  
 23 be levied on all property as provided in section 1211(2) of the  
 24 revised school code, MCL 380.1211, the taxable value of all  
 25 property for the calendar year ending in the current fiscal year.  
 26 For a receiving district, if school operating taxes are to be  
 27 levied on behalf of a dissolved district that has been attached in  
 28 whole or in part to the receiving district to satisfy debt  
 29 obligations of the dissolved district under section 12 of the



1 revised school code, MCL 380.12, school operating taxes do not  
 2 include school operating taxes levied within the geographic area of  
 3 the dissolved district.

4       Sec. 22b. (1) For discretionary nonmandated payments to  
 5 districts under this section, there is allocated for ~~2020-2021~~  
 6 **2021-2022** an amount not to exceed ~~\$4,478,200,000.00~~  
 7 **\$5,098,000,000.00** from the state school aid fund and general fund  
 8 appropriations in section 11 and an amount not to exceed  
 9 ~~\$79,800,000.00~~ **\$72,000,000.00** from the community district education  
 10 trust fund appropriation in section 11, and there is allocated for  
 11 ~~2021-2022-2022-2023~~ an amount not to exceed ~~\$5,132,000,000.00~~  
 12 **\$5,500,000,000.00** from the state school aid fund and general fund  
 13 appropriations in section 11 and an amount not to exceed  
 14 \$72,000,000.00 from the community district education trust fund  
 15 appropriation in section 11. Of the funds allocated under this  
 16 section for 2021-2022, ~~\$13,600,000.00~~ **\$14,000,000.00** represents the  
 17 amount of the general fund revenue deposited into the state school  
 18 aid fund to reimburse the state school aid fund for community  
 19 district education trust fund costs in excess of \$72,000,000.00. **Of**  
 20 **the funds allocated under this section for 2022-2023,**  
 21 **\$16,700,000.00 represents the amount of the general fund revenue**  
 22 **deposited into the state school aid fund to reimburse the state**  
 23 **school aid fund for community district education trust fund costs**  
 24 **in excess of \$72,000,000.00. If the amount allocated under this**  
 25 **subsection from the community district education trust fund**  
 26 **appropriation under section 11 is insufficient to pay for an**  
 27 **increase under this section, any amount exceeding that allocation**  
 28 **may be paid from other allocations under this subsection.** Except  
 29 for money allocated under this section from the community district



1 education trust fund appropriation in section 11, funds allocated  
2 under this section that are not expended in the fiscal year for  
3 which they were allocated, as determined by the department, may be  
4 used to supplement the allocations under sections 22a and 51c to  
5 fully fund those allocations for the same fiscal year. For each  
6 fund transfer as described in the immediately preceding sentence  
7 that occurs, the state budget director shall send notification of  
8 the transfer to the house and senate appropriations subcommittees  
9 on state school aid and the house and senate fiscal agencies by not  
10 later than 14 calendar days after the transfer occurs.

11 (2) Subject to subsection (3) and section 296, the allocation  
12 to a district under this section is an amount equal to the sum of  
13 the amounts calculated under sections 20, 20m, 51a(2), 51a(3), and  
14 51a(11), minus the sum of the allocations to the district under  
15 sections 22a and 51c. For a community district, the allocation as  
16 otherwise calculated under this section is increased by an amount  
17 equal to the amount of local school operating tax revenue that  
18 would otherwise be due to the community district if not for the  
19 operation of section 386 of the revised school code, MCL 380.386,  
20 and this increase must be paid from the community district  
21 education trust fund allocation in subsection (1) in order to  
22 offset the absence of local school operating revenue in a community  
23 district in the funding of the state portion of the foundation  
24 allowance under section 20(4).

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

27 (a) Comply with section 1280b of the revised school code, MCL  
28 380.1280b.

29 (b) Comply with sections 1278a and 1278b of the revised school



1 code, MCL 380.1278a and 380.1278b.

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

5 (d) Comply with section 1230g of the revised school code, MCL  
6 380.1230g.

7 (e) Comply with section 21f.

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

10 (4) Districts are encouraged to use funds allocated under this  
11 section for the purchase and support of payroll, human resources,  
12 and other business function software that is compatible with that  
13 of the intermediate district in which the district is located and  
14 with other districts located within that intermediate district.

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

20 (6) From the allocation in subsection (1), the department  
21 shall pay up to \$1,000,000.00 in litigation costs incurred by this  
22 state associated with lawsuits filed by 1 or more districts or  
23 intermediate districts against this state. If the allocation under  
24 this section is insufficient to fully fund all payments required  
25 under this section, the payments under this subsection must be made  
26 in full before any proration of remaining payments under this  
27 section.

28 (7) It is the intent of the legislature that all  
29 constitutional obligations of this state have been fully funded



1 under sections 22a, 31d, 51a, 51c, and 152a. If a claim is made by  
2 an entity receiving funds under this article that challenges the  
3 legislative determination of the adequacy of this funding or  
4 alleges that there exists an unfunded constitutional requirement,  
5 the state budget director may escrow or allocate from the  
6 discretionary funds for nonmandated payments under this section the  
7 amount as may be necessary to satisfy the claim before making any  
8 payments to districts under subsection (2). If funds are escrowed,  
9 the escrowed funds are a work project appropriation and the funds  
10 are carried forward into the following fiscal year. The purpose of  
11 the work project is to provide for any payments that may be awarded  
12 to districts as a result of litigation. The work project is  
13 completed upon resolution of the litigation.

14 (8) If the local claims review board or a court of competent  
15 jurisdiction makes a final determination that this state is in  
16 violation of section 29 of article IX of the state constitution of  
17 1963 regarding state payments to districts, the state budget  
18 director shall use work project funds under subsection (7) or  
19 allocate from the discretionary funds for nonmandated payments  
20 under this section the amount as may be necessary to satisfy the  
21 amount owed to districts before making any payments to districts  
22 under subsection (2).

23 (9) If a claim is made in court that challenges the  
24 legislative determination of the adequacy of funding for this  
25 state's constitutional obligations or alleges that there exists an  
26 unfunded constitutional requirement, any interested party may seek  
27 an expedited review of the claim by the local claims review board.  
28 If the claim exceeds \$10,000,000.00, this state may remove the  
29 action to the court of appeals, and the court of appeals has and



1 shall exercise jurisdiction over the claim.

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

9 (11) If a lawsuit challenging payments made to districts  
10 related to costs reimbursed by federal title XIX Medicaid funds is  
11 filed against this state, then, for the purpose of addressing  
12 potential liability under such a lawsuit, the state budget director  
13 may place funds allocated under this section in escrow or allocate  
14 money from the funds otherwise allocated under this section, up to  
15 a maximum of 50% of the amount allocated in subsection (1). If  
16 funds are placed in escrow under this subsection, those funds are a  
17 work project appropriation and the funds are carried forward into  
18 the following fiscal year. The purpose of the work project is to  
19 provide for any payments that may be awarded to districts as a  
20 result of the litigation. The work project is completed upon  
21 resolution of the litigation. In addition, this state reserves the  
22 right to terminate future federal title XIX Medicaid reimbursement  
23 payments to districts if the amount or allocation of reimbursed  
24 funds is challenged in the lawsuit. As used in this subsection,  
25 "title XIX" means title XIX of the social security act, 42 USC 1396  
26 to 1396w-5.

27 (12) **As used in this section, "local school operating revenue"**  
28 **means school operating taxes levied under section 1211 of the**  
29 **revised school code, MCL 380.1211. For a receiving district, if**



1 school operating taxes are to be levied on behalf of a dissolved  
 2 district that has been attached in whole or in part to the  
 3 receiving district to satisfy debt obligations of the dissolved  
 4 district under section 12 of the revised school code, MCL 380.12,  
 5 local school operating revenue does not include school operating  
 6 taxes levied within the geographic area of the dissolved district.

7 Sec. 22c. From the state school aid fund money appropriated in  
 8 section 11, there is allocated for ~~2021-2022-2022-2023~~ an amount  
 9 not to exceed \$3,000,000.00 for payments to eligible districts as  
 10 provided under this section. The payment for an eligible district  
 11 under this section must be in an amount per membership pupil equal  
 12 to \$171.00. As used in this section:

13 (a) "Eligible district" means a district **that received funds**  
 14 **under this section in the immediately preceding fiscal year** and for  
 15 which the local school operating revenue per membership pupil **in**  
 16 **the current school fiscal year** exceeds the district's foundation  
 17 allowance as calculated under section 20 **for the current fiscal**  
 18 **year.**

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

21 (c) ~~(b)~~ "Local school operating revenue per membership pupil"  
 22 means ~~that term as defined in section 20.~~ **a district's local school**  
 23 **operating revenue divided by the district's membership excluding**  
 24 **special education pupils.**

25 Sec. 22d. (1) From the state school aid fund money  
 26 appropriated under section 11, an amount not to exceed  
 27 ~~\$8,420,000.00~~ **\$8,841,000.00** is allocated for ~~2021-2022-2022-2023~~  
 28 for supplemental payments to rural districts under this section.

29 (2) From the allocation under subsection (1), there is



1 allocated for ~~2021-2022-2022-2023~~ an amount not to exceed  
 2 ~~\$1,557,300.00~~ **\$1,635,200.00** for payments under this subsection to  
 3 **eligible** districts. **A district** that ~~meet~~ **meets** all of the following  
 4 **is an eligible district under this subsection:**

5 (a) Operates grades K to 12.

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

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

9 (i) Is located in the Upper Peninsula at least 30 miles from  
 10 any other public school building.

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

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

29 (4) Subject to subsection (7), from the allocation in



1 subsection (1), there is allocated for ~~2021-2022~~**2022-2023** an  
2 amount not to exceed ~~\$6,042,700.00~~**\$6,344,800.00** for payments under  
3 this subsection to districts that have fewer than 10.0 pupils per  
4 square mile as determined by the department.

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

7 (a) An amount equal to ~~\$5,200,000.00~~**\$5,460,000.00** is  
8 allocated to districts with fewer than 8.0 pupils per square mile,  
9 as determined by the department, on an equal per-pupil basis.

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

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

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

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

24 (6) From the allocation in subsection (1), there is allocated  
25 an amount not to exceed ~~\$820,000.00~~**\$861,000.00** for payments under  
26 this subsection to districts that have greater than 250 square  
27 miles and that do not receive funding under subsection (2) or (4).  
28 The funds allocated under this subsection must be allocated on an  
29 equal per-pupil basis.



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

3 **Sec. 22e. (1) From the state school aid fund money**  
4 **appropriated under section 11, there is allocated an amount not to**  
5 **exceed \$50,000,000.00 for 2022-2023 to reimburse eligible districts**  
6 **for transportation costs.**

7 (2) A district with fewer than 20.0 pupils per square mile, as  
8 determined by the department, is an eligible district under this  
9 section.

10 (3) The department shall provide payments to eligible  
11 districts under this section as follows:

12 (a) An amount equal to \$250.00 per pupil to eligible districts  
13 with fewer than 10.0 pupils per square mile, as determined by the  
14 department.

15 (b) An amount equal to \$200.00 per pupil to eligible districts  
16 with at least 10.0 but fewer than 15.0 pupils per square mile, as  
17 determined by the department.

18 (c) An amount equal to \$150.00 per pupil to eligible districts  
19 with at least 15.0 but fewer than 20.0 pupils per square mile, as  
20 determined by the department.

21 (4) If the total funding allocated under this section is not  
22 sufficient to fully fund payments as calculated under this section,  
23 the department shall prorate payments to eligible districts on an  
24 equal percentage basis.

25 (5) Notwithstanding section 17b, the department shall make  
26 payments to eligible districts under this section on a schedule  
27 determined by the department.

28 **Sec. 22m. (1) From the state school aid fund money**  
29 **appropriated in section 11, there is allocated for ~~2021-2022-2022-~~**



1 **2023** an amount not to exceed \$2,200,000.00 for supporting the  
2 integration of local data systems into the Michigan data hub  
3 network based on common standards and applications that are in  
4 compliance with section 19(6).

5 (2) An entity that is the fiscal agent for no more than 5  
6 consortia of intermediate districts that previously received  
7 funding from the technology readiness infrastructure grant under  
8 former section 22i for the purpose of establishing regional data  
9 hubs that are part of the Michigan data hub network is eligible for  
10 funding under this section.

11 (3) The center shall work with an advisory committee composed  
12 of representatives from intermediate districts within each of the  
13 data hub regions to coordinate the activities of the Michigan data  
14 hub network.

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

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

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



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

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

5 (a) Creating an infrastructure that effectively manages the  
6 movement of data between data systems used by intermediate  
7 districts, districts, and other educational organizations in  
8 Michigan based on common data standards to improve student  
9 achievement.

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

13 (c) Promoting the use of a more common set of applications by  
14 promoting systems that integrate with the Michigan data hub  
15 network.

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

18 (e) Ensuring local control of data, data security, and student  
19 data privacy.

20 (f) Utilizing the infrastructure to promote the actionable use  
21 of data through common reports and dashboards that are consistent  
22 statewide.

23 (g) Creating a governance model to facilitate sustainable  
24 operations of the infrastructure in the future, including  
25 administration, legal agreements, documentation, staffing, hosting,  
26 and funding.

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



1 (9) Not later than January 1 of each fiscal year, the center  
 2 shall prepare a summary report of information provided by each  
 3 entity that received funds under this section that includes  
 4 measurable outcomes based on the objectives described under this  
 5 section and a summary of compiled data from each entity to provide  
 6 a means to evaluate the effectiveness of the project. The center  
 7 shall submit the report to the house and senate appropriations  
 8 subcommittees on school aid and to the house and senate fiscal  
 9 agencies.

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

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

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

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

25 (A) At least 1 proficiency or growth outcome based on state  
 26 assessments described in section ~~104b or 104c~~ **or section 1279g of**  
 27 **the revised school code, MCL 380.1279g.**

28 (B) At least 1 proficiency or growth outcome based on a  
 29 benchmark assessment described in section ~~104a-104h or 104i~~, **as**



1 **applicable.**

2 (b) Accountability measures to be imposed if the district or  
 3 public school academy does not achieve the measurable academic  
 4 outcomes described in subdivision (a) for each school operated by  
 5 the district or public school academy that is subject to the  
 6 partnership agreement. For a district assigned as a partnership  
 7 district as described in this subsection, accountability measures  
 8 under this subdivision must include the reconstitution of the  
 9 school. For a public school academy assigned as a partnership  
 10 district as described in this subsection, accountability measures  
 11 under this subdivision may include the reconstitution of the  
 12 school.

13 (c) For a public school academy assigned as a partnership  
 14 district as described in this subsection, a requirement that, if  
 15 reconstitution is imposed on a school that is operated by the  
 16 public school academy and that is subject to the partnership  
 17 agreement, the school must be reconstituted as described in section  
 18 507, 528, or 561, as applicable, of the revised school code, MCL  
 19 380.507, 380.528, and 380.561.

20 (d) For a district assigned as a partnership district as  
 21 described in this subsection, a provision that, if reconstitution  
 22 is imposed on a school that is operated by the district and that is  
 23 subject to the partnership agreement, reconstitution may require  
 24 closure of the school building, but, if the school building remains  
 25 open, reconstitution must include, but is not limited to, all of  
 26 the following:

27 (i) The district shall make significant changes to the  
 28 instructional and noninstructional programming of the school based  
 29 on the needs identified through a comprehensive review of data in



1 compliance with section 21h.

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

4 (iii) The reconstitution plan for the school must require the  
5 adoption of goals similar to the goals included in the partnership  
6 agreement, with a limit of 3 years to achieve the goals. If the  
7 goals are not achieved within 3 years, the superintendent of public  
8 instruction shall impose a second reconstitution plan.

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

20 **Sec. 23b. (1) From the federal money appropriated under**  
21 **section 11 from funds awarded to this state from the elementary and**  
22 **secondary school emergency relief (ESSER) fund under the**  
23 **coronavirus response and relief supplemental appropriations act,**  
24 **2021, division M of Public Law 116-260, there is allocated for**  
25 **2021-2022 an amount not to exceed \$45,437,800.00 to eligible**  
26 **districts and eligible intermediate districts to be used for COVID-**  
27 **19 remediation services in the manner described in subsection (6).**

28 (2) The funds allocated under subsection (1) must be  
29 distributed by the department as follows:



1 (a) An amount not to exceed \$22,844,500.00 from the federal  
 2 funding allocated under subsection (1) for summer programs that are  
 3 offered as part of COVID-19 remediation services under this  
 4 section.

5 (b) An amount not to exceed \$10,939,100.00 from the federal  
 6 funding allocated under subsection (1) for credit recovery programs  
 7 that are offered as part of COVID-19 remediation services under  
 8 this section.

9 (c) An amount not to exceed \$11,654,200.00 from the federal  
 10 funding allocated under subsection (1) for before-school, after-  
 11 school, or before-and-after-school programs that are offered as  
 12 part of COVID-19 remediation services under this section.

13 (3) Except as otherwise provided in this subsection, to  
 14 receive funding under this section, a district or intermediate  
 15 district must apply for the funding in a form and manner prescribed  
 16 by the department and on a timeline determined by the department.

17 (4) A district or intermediate district that meets all of the  
 18 following is an eligible district or eligible intermediate district  
 19 under this section:

20 (a) In its application for funding under this section, the  
 21 district or intermediate district pledges to provide COVID-19  
 22 remediation services to eligible children.

23 (b) In its application for funding under this section, the  
 24 district or intermediate district includes a COVID-19 remediation  
 25 services plan. A plan described in this subdivision must include at  
 26 least all of the following, as applicable:

27 (i) For COVID-19 remediation services that include a summer  
 28 program, all of the following:

29 (A) A description of the summer program.



1 (B) The number of potential eligible children that will enroll  
2 or the number of eligible children enrolled in the summer program.

3 (C) An estimate of costs for the preparation and  
4 implementation of the summer program.

5 (ii) For COVID-19 remediation services that include a credit  
6 recovery program, all of the following:

7 (A) A description of the credit recovery program.

8 (B) The number of potential eligible children that will enroll  
9 or the number of eligible children enrolled in the credit recovery  
10 program.

11 (C) An estimate of costs for the preparation and  
12 implementation of the credit recovery program.

13 (iii) For COVID-19 remediation services that include a before-  
14 school, after-school, or before-and-after-school program, all of  
15 the following:

16 (A) A description of the before-school, after-school, or  
17 before-and-after-school program.

18 (B) The number of potential eligible children that will enroll  
19 or the number of eligible children enrolled in the before-school,  
20 after-school, or before-and-after-school program.

21 (C) An estimate of costs for the preparation and  
22 implementation of the before-school, after-school, or before-and-  
23 after-school program.

24 (D) Assurance that the before-school, after-school, or before-  
25 and-after-school program is designed to emphasize remediation for  
26 eligible children.

27 (c) In its application for funding under this section, the  
28 district or intermediate district provides information concerning  
29 whether or not the district or intermediate district intends to



1 contract for services as described in subsection (6) (a) in  
2 providing a summer program, a credit recovery program, or before-  
3 school, after-school, or before-and-after-school program as part of  
4 its COVID-19 remediation services under this section.

5 (5) Subject to subsections (2) and (7), from the funding  
6 allocated under subsection (1), the department shall pay each  
7 eligible district and each eligible intermediate district all of  
8 the following, as applicable:

9 (a) An equal amount for each eligible child that, based on the  
10 application for funding under this section, will be enrolled or is  
11 enrolled in the eligible district's or eligible intermediate  
12 district's summer program, as applicable, offered as part of the  
13 eligible district's or eligible intermediate district's COVID-19  
14 remediation services under this section.

15 (b) An equal amount for each eligible child that, based on the  
16 application for funding under this section, will be enrolled or is  
17 enrolled in the eligible district's or eligible intermediate  
18 district's credit recovery program, as applicable, offered as part  
19 of the eligible district's or eligible intermediate district's  
20 COVID-19 remediation services under this section.

21 (c) An amount equal to the lesser of \$50,000.00, or the actual  
22 cost to provide the program, as determined by the department, to  
23 each eligible district or eligible intermediate district for its  
24 before-school, after-school, or before-and-after-school program  
25 offered as part of its COVID-19 remediation services under this  
26 section.

27 (6) An eligible district or eligible intermediate district  
28 that receives funding under this section shall use that funding  
29 only to provide COVID-19 remediation services to eligible children.



1 Both of the following apply for purposes of this subsection:

2 (a) An eligible district or eligible intermediate district may  
3 contract with public or private entities, other districts or  
4 intermediate districts, or a consortium of other districts or  
5 intermediate districts to provide COVID-19 remediation services  
6 under this section.

7 (b) An eligible intermediate district may provide its COVID-19  
8 remediation services to its constituent districts to provide to  
9 eligible children.

10 (7) If funds allocated under this section for summer programs  
11 that are offered as part of COVID-19 remediation services under  
12 this section are insufficient to fully fund calculations under this  
13 section, the department shall apply proration of an equal dollar  
14 amount per eligible child in a summer program. If funds allocated  
15 under this section for credit recovery programs that are offered as  
16 part of COVID-19 remediation services under this section are  
17 insufficient to fully fund calculations under this section, the  
18 department shall apply proration of an equal dollar amount per  
19 eligible child in a credit recovery program. If funds allocated  
20 under this section for before-school, after-school, or before-and-  
21 after-school programs that are offered as part of COVID-19  
22 remediation services under this section are insufficient to fully  
23 fund calculations under this section, the department shall apply  
24 proration in equal proportion to the amount the eligible district  
25 or eligible intermediate district would have received under this  
26 section for that program but for the application of proration under  
27 this subsection.

28 (8) In awarding funding under this section, the department  
29 shall prioritize funding under this section that is distributed for



1 before-school, after-school, and before-and-after-school programs  
2 offered as part of COVID-19 remediation services under this section  
3 to the following eligible districts or eligible intermediate  
4 districts that offer those programs as part of their COVID-19  
5 remediation services:

6 (a) Eligible districts or eligible intermediate districts with  
7 the highest number of eligible children who, based on the  
8 application for funding under this section, will enroll or are  
9 enrolled in the program.

10 (b) Eligible districts or eligible intermediate districts with  
11 the largest sized program.

12 (c) Eligible districts or eligible intermediate districts with  
13 the highest amount of costs for the program.

14 (9) A before-school, after-school, or before-and-after-school  
15 program that is offered as part of COVID-19 remediation services  
16 under this section must be provided to eligible children in a  
17 manner in which the eligible children are in person at a school  
18 building designated by the eligible district or eligible  
19 intermediate district providing the program. A before-school,  
20 after-school, or before-and-after-school program that is offered as  
21 part of COVID-19 remediation services under this section must  
22 provide educational programming in core subject areas, including,  
23 but not limited to, mathematics, reading, and science. As used in  
24 this subsection, "in person" means physically present.

25 (10) If, in its application for funding under this section, an  
26 eligible district or eligible intermediate district submits the  
27 potential number of eligible children that will enroll in its  
28 summer program as described in subsection (4) (b) (i), potential  
29 number of eligible children that will enroll in its credit recovery



1 program as described in subsection (4) (b) (ii) , or potential number  
2 of eligible children that will enroll in its before-school, after-  
3 school, or before-and-after-school program as described in  
4 subsection (4) (b) (iii) , as applicable, and the eligible district or  
5 eligible intermediate district receives funding under this section  
6 based on those estimations, by a date determined by the department,  
7 the eligible district or eligible intermediate district shall  
8 submit the number of eligible children who actually enrolled in the  
9 eligible district's or eligible intermediate district's summer  
10 program, credit recovery program, or before-school, after-school,  
11 or before-and-after-school program. If the eligible district or  
12 eligible intermediate district received an overpayment of funds  
13 under this section based on its submitted estimates of eligible  
14 children as described in this subsection, as determined by the  
15 department, the eligible district or eligible intermediate district  
16 shall refund the department in the amount of the overpayment.

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

20 (12) As used in this section:

21 (a) "Constituent district" means a district that is located in  
22 the geographic boundaries of the intermediate district.

23 (b) "COVID-19 remediation services" means any of the  
24 following:

25 (i) A summer program.

26 (ii) A credit recovery program.

27 (iii) A before-school, after-school, or before-and-after-school  
28 program.

29 (c) "Credit recovery program" means an educational program



1 that meets at least all of the following:

2 (i) Is offered to each eligible child described in subdivision  
3 (d) (ii) who is enrolled in any of grades 9 to 12 in the 2021-2022  
4 school year.

5 (ii) Is a program that is designed to provide educational  
6 remediation to children.

7 (iii) Is offered in person, online, digitally, by other remote  
8 means, in a synchronous or asynchronous format, or through any  
9 combination of these.

10 (iv) Is a program that was developed based on the input of  
11 teachers and that is teacher-led.

12 (d) "Eligible child" means a child to whom the following  
13 apply, as applicable:

14 (i) For participation in a summer program offered as part of  
15 COVID-19 remediation services under this section, the eligible  
16 district or eligible intermediate district providing the summer  
17 program under this section has determined that the child is  
18 eligible for enrollment in the eligible district's or eligible  
19 intermediate district's summer program. An eligible district or  
20 eligible intermediate district is encouraged to base the  
21 determination described in this subparagraph on benchmark  
22 assessment data from the benchmark assessment or benchmark  
23 assessments administered to the child under section 104a or 104h,  
24 as applicable, or on local assessments and is encouraged, in making  
25 its determination under this subparagraph, to consider the children  
26 with the greatest need based on academics, social-emotional and  
27 mental health risk, or student engagement.

28 (ii) For participation in a credit recovery program offered as  
29 part of COVID-19 remediation services under this section, both of



1 the following apply:

2 (A) In the 2021-2022 school year, the child was enrolled in  
3 the eligible district, eligible intermediate district, or a  
4 constituent district of the eligible intermediate district that  
5 provides the credit recovery program to the child under this  
6 section.

7 (B) Any of the following:

8 (I) The child has failed 1 or more credits or courses in the  
9 2021-2022 school year.

10 (II) The child is not on track to graduate from high school,  
11 as determined by the eligible district, eligible intermediate  
12 district, or constituent district of the eligible intermediate  
13 district in which the child was enrolled as described in sub-  
14 subparagraph (A).

15 (III) The eligible district, eligible intermediate district,  
16 or constituent district of the eligible intermediate district in  
17 which the child was enrolled as described in sub-subparagraph (A)  
18 has determined that the child is eligible for enrollment in the  
19 eligible district's or eligible intermediate district's credit  
20 recovery program.

21 (iii) For participation in a before-school, after-school, or  
22 before-and-after-school program offered as part of COVID-19  
23 remediation services under this section, both of the following  
24 apply:

25 (A) In the 2021-2022 school year, the child was enrolled in  
26 any of grades K to 12 in the eligible district, eligible  
27 intermediate district, or a constituent district of the eligible  
28 intermediate district that provides the before-school, after-  
29 school, or before-and-after-school program to the child under this



1 section.

2 (B) The eligible district, eligible intermediate district, or  
3 constituent district of the eligible intermediate district in which  
4 the child was enrolled as described in sub-subparagraph (A) has  
5 determined that the child is eligible for enrollment in the  
6 eligible district's or eligible intermediate district's before-  
7 school, after-school, or before-and-after-school program.

8 (e) "Summer program" means an educational program that meets  
9 at least all of the following:

10 (i) Is offered to each eligible child described in subdivision  
11 (d) (i) who was enrolled in any of grades K to 12 in the 2021-2022  
12 school year.

13 (ii) Is offered at any point after June 1, 2022 and before  
14 September 1, 2022.

15 (iii) Is an 8-week program. As used in this subparagraph, "week"  
16 means a period beginning on a Monday and ending on the following  
17 Friday.

18 (iv) Is a program that was developed based on the input of  
19 teachers and that is teacher-led.

20 (v) Includes programming in core subject areas, including, but  
21 not limited to, mathematics, reading, and science.

22 Sec. 23c. (1) From the federal money appropriated under  
23 section 11 from funds awarded to this state from the governor's  
24 emergency education relief (GEER) fund under the coronavirus  
25 response and relief supplemental appropriations act, 2021, division  
26 M of Public Law 116-260, there is allocated for 2021-2022 an amount  
27 not to exceed \$6,618,200.00 for payments to eligible districts or  
28 eligible intermediate districts described in subsection (3) to be  
29 used in the manner described in subsection (4).



1 (2) To receive funding under this section, a district or  
2 intermediate district must apply for the funding in a form and  
3 manner prescribed by the department.

4 (3) A district or intermediate district that meets all of the  
5 following is an eligible district or eligible intermediate district  
6 under this section:

7 (a) The district or intermediate district is providing a  
8 summer program, credit recovery program, or both of these programs,  
9 as part of COVID-19 remediation services under section 23b.

10 (b) The district or intermediate district agrees to pay each  
11 eligible teacher and eligible support staff member the payment  
12 described in subsection (4) by not later than 30 days after  
13 receiving the disbursement of funds under this section from the  
14 department.

15 (c) In its application for funding under this section, the  
16 district or intermediate district includes the number of eligible  
17 teachers or eligible support staff members it intends to provide a  
18 payment to under subsection (4).

19 (4) An eligible district or eligible intermediate district  
20 that receives funding under this section shall use that funding  
21 only as follows:

22 (a) To provide a payment of an equal amount to each eligible  
23 teacher.

24 (b) To provide a payment of an amount equal to 25% of the per  
25 teacher amount paid in subdivision (a) to each eligible support  
26 staff member.

27 (5) An eligible teacher or eligible support staff member must  
28 not receive more than 1 payment under subsection (4). An eligible  
29 teacher or eligible support staff member who is assigned to teach



1 in or assigned to provide his or her services for both a summer  
2 program and a credit recovery program that is offered as part of  
3 COVID-19 remediation services under section 23b is subject to this  
4 subsection and must receive only 1 payment under subsection (4).

5 (6) If funds allocated under this section are insufficient to  
6 fully fund calculations under this section, the department shall  
7 apply proration in equal proportion to the amount the eligible  
8 district or eligible intermediate district would have received  
9 under this section for eligible teachers and eligible support staff  
10 members but for the application of proration under this subsection.

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

14 (8) As used in this section:

15 (a) "Eligible support staff member" means an individual to  
16 whom both of the following apply:

17 (i) The individual is employed by or assigned to work at the  
18 eligible district or eligible intermediate district described in  
19 subsection (3).

20 (ii) The individual is assigned to provide his or her services  
21 as part of a summer program, credit recovery program, or both,  
22 offered as part of COVID-19 remediation services described in  
23 section 23b.

24 (b) "Eligible teacher" means an individual to whom both of the  
25 following apply:

26 (i) The individual holds a valid Michigan teaching certificate  
27 or is otherwise permitted to teach in the public schools of this  
28 state under law.

29 (ii) The individual is employed by or assigned to work at the



1 eligible district or eligible intermediate district described in  
2 subsection (3).

3 (iii) The individual is assigned to teach in a summer program,  
4 credit recovery program, or both, offered as part of COVID-19  
5 remediation services described in section 23b.

6 Sec. 23f. (1) From the state school aid fund money  
7 appropriated in section 11, there is allocated for 2022-2023 an  
8 amount not to exceed \$56,212,500.00 for the learning-pod pilot  
9 program as prescribed in this section.

10 (2) Except as otherwise provided in this subsection, to  
11 receive funding under this section, subject to subsection (3), an  
12 intermediate district must apply for the funding in a form and  
13 manner prescribed by the department. In its application described  
14 in this subsection, an intermediate district must include the  
15 number of tokens, as described in subsection (3)(c), that have been  
16 requested by parents or legal guardians. The department shall allow  
17 an intermediate district to apply for funding under this section on  
18 a rolling basis, as funding is needed by the intermediate district.  
19 The department shall ensure that each intermediate district is  
20 given an opportunity to apply for funding under this section before  
21 it awards all of the funding under this section.

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

24 (a) It shall aggregate a list of teachers of the intermediate  
25 district or of districts located within the geographic boundaries  
26 of the intermediate district who have agreed to provide teaching  
27 services to children enrolled in the intermediate district or the  
28 districts described in this subdivision through learning pods  
29 during the summer of 2023 and the number of hours and the subjects



1 the teachers have agreed to provide their services for as described  
2 in this subdivision.

3 (b) It shall make the list described in subdivision (a)  
4 available to all of the parents and legal guardians of the children  
5 described in subdivision (a) by not later than June 1, 2023.

6 (c) It shall provide the parents and legal guardians described  
7 in subdivision (b) a mechanism to choose teachers from the list  
8 described in subdivision (a) by spending a token for each teacher  
9 selected off of the list. A parent or legal guardian cannot spend  
10 more than 2 tokens as described in this subdivision. When a parent  
11 or legal guardian spends a token, as described in this subdivision,  
12 he or she must specify the number of hours he or she would like the  
13 teacher to teach in the learning pod.

14 (4) An intermediate district that receives funding under this  
15 section shall use the funding only as follows:

16 (a) It shall pay each teacher for whom a token has been spent  
17 by a parent or legal guardian as described in subsection (3) (c)  
18 \$500.00 for each token.

19 (b) It shall ensure that each teacher who receives payment as  
20 described in subdivision (a) teaches for the number of hours the  
21 parent or legal guardian requested under subsection (3) (c).

22 (5) The department shall pay each intermediate district that  
23 has applied for funding under this section in an amount equal to  
24 the cost, as described in subsection (4) (a), of the number of  
25 tokens that have been requested by parents or legal guardians, as  
26 specified in its application described in subsection (2).

27 (6) Notwithstanding section 17b, the department shall make  
28 payments under this section on a schedule determined by the  
29 department.



1 (7) Each intermediate district that receives money under this  
 2 section shall submit a report to the department concerning the  
 3 number of hours each teacher who participated in a learning pod, as  
 4 described in this section, spent with each child participating in  
 5 the learning pod and a brief description of how the time was  
 6 utilized. The department shall compile the reports described in  
 7 this subsection and submit 1 report based off of the compiled  
 8 reports to the house fiscal agency, the senate fiscal agency, the  
 9 state budget office, the house and senate subcommittees responsible  
 10 for K to 12 school aid, and the house and senate subcommittees  
 11 responsible for appropriations for the department.

12 (8) As used in this section:

13 (a) "Summer" means a period beginning June 1 and ending  
 14 September 2 of the same year.

15 (b) "Learning pod" means a group of children described in  
 16 subsection (3) (a) from 1 or more families who are being educated,  
 17 at the discretion of their parents or legal guardians, by a teacher  
 18 for which the parents or legal guardians have spent tokens as  
 19 described in subsection (3) (c) at a location determined by the  
 20 intermediate district, with the approval of the parents and legal  
 21 guardians.

22 Sec. 24. (1) From the state school aid fund money appropriated  
 23 in section 11, there is allocated for ~~2020-2021~~ an amount not to  
 24 exceed ~~\$7,650,000.00~~ and there is allocated for ~~2021-2022~~ **2022-2023**  
 25 an amount not to exceed \$7,650,000.00 for payments to the educating  
 26 district or intermediate district for educating pupils assigned by  
 27 a court or the department of health and human services to reside in  
 28 or to attend a juvenile detention facility or child caring  
 29 institution licensed by the department of health and human services



1 and approved by the department to provide an on-grounds education  
2 program. The amount of the payment under this section to a district  
3 or intermediate district is calculated as prescribed under  
4 subsection (2).

5 (2) The department shall allocate the total amount allocated  
6 under this section by paying to the educating district or  
7 intermediate district an amount equal to the lesser of the  
8 district's or intermediate district's added cost or the  
9 department's approved per-pupil allocation for the district or  
10 intermediate district. For the purposes of this subsection:

11 (a) "Added cost" means 100% of the added cost each fiscal year  
12 for educating all pupils assigned by a court or the department of  
13 health and human services to reside in or to attend a juvenile  
14 detention facility or child caring institution licensed by the  
15 department of health and human services or the department of  
16 licensing and regulatory affairs and approved by the department to  
17 provide an on-grounds education program. Added cost is computed by  
18 deducting all other revenue received under this article for pupils  
19 described in this section from total costs, as approved by the  
20 department, in whole or in part, for educating those pupils in the  
21 on-grounds education program or in a program approved by the  
22 department that is located on property adjacent to a juvenile  
23 detention facility or child caring institution. Costs reimbursed by  
24 federal funds are not included.

25 (b) "Department's approved per-pupil allocation" for a  
26 district or intermediate district is determined by dividing the  
27 total amount allocated under this section for a fiscal year by the  
28 full-time equated membership total for all pupils approved by the  
29 department to be funded under this section for that fiscal year for



1 the district or intermediate district.

2 (3) A district or intermediate district educating pupils  
3 described in this section at a residential child caring institution  
4 may operate, and receive funding under this section for, a  
5 department-approved on-grounds educational program for those pupils  
6 that is longer than 181 days, but not longer than 233 days, if the  
7 child caring institution was licensed as a child caring institution  
8 and offered in 1991-92 an on-grounds educational program that was  
9 longer than 181 days but not longer than 233 days and that was  
10 operated by a district or intermediate district.

11 (4) Special education pupils funded under section 53a are not  
12 funded under this section.

13 Sec. 24a. From the state school aid fund money appropriated in  
14 section 11, there is allocated an amount not to exceed  
15 \$1,355,700.00 for ~~2021-2022~~**2022-2023** for payments to intermediate  
16 districts for pupils who are placed in juvenile justice service  
17 facilities operated by the department of health and human services.  
18 The amount of the payment to each intermediate district is an  
19 amount equal to the state share of those costs that are clearly and  
20 directly attributable to the educational programs for pupils placed  
21 in facilities described in this section that are located within the  
22 intermediate district's boundaries. The intermediate districts  
23 receiving payments under this section shall cooperate with the  
24 department of health and human services to ensure that all funding  
25 allocated under this section is utilized by the intermediate  
26 district and department of health and human services for  
27 educational programs for pupils described in this section. Pupils  
28 described in this section are not eligible to be funded under  
29 section 24. However, a program responsibility or other fiscal



1 responsibility associated with these pupils must not be transferred  
2 from the department of health and human services to a district or  
3 intermediate district unless the district or intermediate district  
4 consents to the transfer.

5       Sec. 25f. (1) From the state school aid fund money  
6 appropriated in section 11, there is allocated an amount not to  
7 exceed \$1,600,000.00 for ~~2021-2022~~**2022-2023** for payments to strict  
8 discipline academies established under sections 1311b to 1311m of  
9 the revised school code, MCL 380.1311b to 380.1311m, as provided  
10 under this section.

11       (2) In order to receive funding under this section, a strict  
12 discipline academy must first comply with section 25e and use the  
13 pupil transfer process under that section for changes in enrollment  
14 as prescribed under that section.

15       (3) The total amount allocated to a strict discipline academy  
16 under this section must first be distributed as the lesser of the  
17 strict discipline academy's added cost or the department's approved  
18 per-pupil allocation for the strict discipline academy. Any funds  
19 remaining after the first distribution must be distributed by  
20 prorating on an equal per-pupil membership basis, not to exceed a  
21 strict discipline academy's added cost. However, the sum of the  
22 amounts received by a strict discipline academy under this section  
23 and under section 24 must not exceed the product of the strict  
24 discipline academy's per-pupil allocation calculated under section  
25 20 multiplied by the strict discipline academy's full-time equated  
26 membership. The department shall allocate funds to strict  
27 discipline academies under this section on a monthly basis. For the  
28 purposes of this subsection:

29       (a) "Added cost" means 100% of the added cost each fiscal year



1 for educating all pupils enrolled and in regular daily attendance  
 2 at a strict discipline academy. Added cost must be computed by  
 3 deducting all other revenue received under this article for pupils  
 4 described in this subsection from total costs, as approved by the  
 5 department, in whole or in part, for educating those pupils in a  
 6 strict discipline academy. The department shall include all costs  
 7 including, but not limited to, educational costs, insurance,  
 8 management fees, technology costs, legal fees, auditing fees,  
 9 interest, pupil accounting costs, and any other administrative  
 10 costs necessary to operate the program or to comply with statutory  
 11 requirements. Costs reimbursed by federal funds are not included.

12 (b) "Department's approved per-pupil allocation" for a strict  
 13 discipline academy is determined by dividing the total amount  
 14 allocated under this subsection for a fiscal year by the full-time  
 15 equated membership total for all pupils approved by the department  
 16 to be funded under this subsection for that fiscal year for the  
 17 strict discipline academy.

18 (4) Special education pupils funded under section 53a are not  
 19 funded under this section.

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

24 (6) The department shall make payments to districts under this  
 25 section according to the payment schedule under section 17b.

26 Sec. 25g. (1) From the state school aid fund money  
 27 appropriated in section 11, there is allocated an amount not to  
 28 exceed \$750,000.00 for ~~2021-2022~~**2022-2023** for the purposes of this  
 29 section. Except as otherwise provided in this section, if the



1 operation of the special membership counting provisions under  
 2 section 6(4)(dd) and the other membership counting provisions under  
 3 section 6(4) result in a pupil being counted as more than 1.0 FTE  
 4 in a fiscal year, then the payment made for the pupil under  
 5 sections 22a and 22b must not be based on more than 1.0 FTE for  
 6 that pupil, and that portion of the FTE that exceeds 1.0 is paid  
 7 under this section in an amount equal to that portion multiplied by  
 8 the educating district's foundation allowance or per-pupil payment  
 9 calculated under section 20.

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

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

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

18 Sec. 25i. (1) From the ~~general~~**state school aid** fund money  
 19 appropriated in section 11, there is allocated for ~~2021-2022~~**2022-**  
 20 **2023** an amount not to exceed ~~\$6,000,000.00~~**\$5,000,000.00** for ~~an~~  
 21 ~~eligible~~**districts to administer an** attendance recovery program as  
 22 described in subsection (3). ~~The funds allocated under this section~~  
 23 ~~must be used to administer an eligible attendance recovery program~~  
 24 ~~for all districts that opt into the program to serve eligible~~  
 25 ~~pupils described in subsection (2).~~

26 (2) A pupil who meets any of the following and who is enrolled  
 27 in a district that ~~opts into the attendance recovery program funded~~  
 28 **receives funding** under this section is an eligible pupil under this  
 29 section:



1 (a) The pupil did not engage in the district's remote  
2 continuous education offerings in spring ~~2021~~.**2022**.

3 (b) The pupil needs intervention based on his or her absences  
4 or chronic absenteeism or consistent disengagement in classes.

5 (c) The pupil is in danger of failing 1 or more classes.

6 (d) The pupil is eligible under the McKinney-Vento  
7 homelessness assistance act, Public Law 100-77, or is in foster  
8 care.

9 (e) The pupil's family requires financial or social support.

10 (f) The pupil has disengaged in his or her education, is  
11 attending school irregularly, or is not progressing in his or her  
12 coursework.

13 (g) The pupil participated in or was eligible to participate  
14 in the district's summer ~~2021~~**2022** educational offerings.

15 ~~(3) An attendance recovery program that received funding under  
16 this section in 2020-2021 is the eligible attendance recovery  
17 program under this section.~~

18 ~~(3) (4) The provider chosen and designated by the department  
19 under this section in 2020-2021~~ **A district that receives funding  
20 under this section must continue to do ensure its attendance  
21 recovery program does** all of the following:

22 ~~(a) Work with the department to notify districts about the  
23 program and provide technical assistance to districts interested in  
24 opting in.~~

25 ~~(b) Work with each district to obtain contact information for  
26 each eligible pupil.~~

27 ~~(a) (e) Provide~~ **Provides** outreach using differentiated  
28 treatment strategies to pupils and families using multiple  
29 modalities that may include phone, text, social media, email, and



1 traditional mail, to find and engage eligible pupils.

2 **(b)** ~~(d) Implement~~ **Implements** a culturally and linguistically  
3 responsive outreach and support plan. Elements of the plan must  
4 include differentiated outreach and ongoing coaching strategies to  
5 families to ensure cultural and linguistic relevance.

6 **(c)** ~~(e) Use~~ **Uses** information about barriers to engagement  
7 gathered from pupils and families to assign eligible pupils to an  
8 ongoing support level. Ongoing support levels described in this  
9 subdivision must include a minimum of 3 support tiers following the  
10 general design of response to intervention (RTI) models.

11 **(d)** ~~(f) For eligible pupils and their families, provide~~  
12 **provides** a coach to deliver interventions in accordance with the  
13 pupil's needs and the framework of his or her assigned ongoing  
14 support level.

15 **(e)** ~~(g) Report~~ **Reports** weekly to ~~each the~~ district that has  
16 ~~opted into the program~~ and to the department with metrics agreed  
17 upon by the ~~provider~~ **district** and the department.

18 **(4)** ~~(5)~~ Notwithstanding section 17b, the department shall make  
19 payments under this section by not later than December 1, ~~2021~~ **of**  
20 **each year.**

21 Sec. 26a. From the state school aid fund money appropriated in  
22 section 11, there is allocated an amount not to exceed  
23 ~~\$15,300,000.00~~ **\$14,000,000.00** for 2021-2022 to reimburse districts  
24 and intermediate districts under section 12 of the Michigan  
25 renaissance zone act, 1996 PA 376, MCL 125.2692, for taxes levied  
26 in 2021, **and there is allocated an amount not to exceed**  
27 **\$14,000,000.00 for 2022-2023 to reimburse districts and**  
28 **intermediate districts under section 12 of the Michigan renaissance**  
29 **zone act, 1996 PA 376, MCL 125.2692, for taxes levied in 2022.** The



1 department shall pay the allocations not later than 60 days after  
 2 the department of treasury certifies to the department and to the  
 3 state budget director that the department of treasury has received  
 4 all necessary information to properly determine the amounts due to  
 5 each eligible recipient.

6 Sec. 26b. (1) From the state school aid fund money  
 7 appropriated in section 11, there is allocated an amount not to  
 8 exceed \$4,710,000.00 for ~~2021-2022~~**2022-2023** for payments to  
 9 districts, intermediate districts, and community college districts  
 10 for the portion of the payment in lieu of taxes obligation that is  
 11 attributable to districts, intermediate districts, and community  
 12 college districts under section 2154 of the natural resources and  
 13 environmental protection act, 1994 PA 451, MCL 324.2154.

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

18 Sec. 26c. (1) From the state school aid fund money  
 19 appropriated under section 11, there is allocated an amount not to  
 20 exceed ~~\$11,300,000.00~~**\$14,800,000.00** for ~~2020-2021~~**2021-2022** and  
 21 there is allocated an amount not to exceed ~~\$13,800,000.00~~  
 22 **\$14,800,000.00** for ~~2021-2022~~**2022-2023** to the promise zone fund  
 23 created in subsection (3). The funds allocated under this section  
 24 reflect the amount of revenue from the collection of the state  
 25 education tax captured under section 17 of the Michigan promise  
 26 zone authority act, 2008 PA 549, MCL 390.1677.

27 (2) Funds allocated to the promise zone fund under this  
 28 section must be used solely for payments to eligible districts and  
 29 intermediate districts, in accordance with section 17 of the



1 Michigan promise zone authority act, 2008 PA 549, MCL 390.1677,  
2 that have a promise zone development plan approved by the  
3 department of treasury under section 7 of the Michigan promise zone  
4 authority act, 2008 PA 549, MCL 390.1667. Eligible districts and  
5 intermediate districts shall use payments made under this section  
6 for reimbursement for qualified educational expenses as that term  
7 is defined in section 3 of the Michigan promise zone authority act,  
8 2008 PA 549, MCL 390.1663.

9 (3) The promise zone fund is created as a separate account  
10 within the state school aid fund to be used solely for the purposes  
11 of the Michigan promise zone authority act, 2008 PA 549, MCL  
12 390.1661 to 390.1679. All of the following apply to the promise  
13 zone fund:

14 (a) The state treasurer shall direct the investment of the  
15 promise zone fund. The state treasurer shall credit to the promise  
16 zone fund interest and earnings from fund investments.

17 (b) Money in the promise zone fund at the close of a fiscal  
18 year remains in the promise zone fund and does not lapse to the  
19 general fund.

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

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

28 Sec. 26d. (1) From the state school aid fund money  
29 appropriated under section 11, there is allocated an amount not to



1 exceed \$7,500,000.00 for ~~2021-2022~~**2022-2023** for reimbursements to  
 2 intermediate districts as required under section 15b of the  
 3 brownfield redevelopment financing act, 1996 PA 381, MCL 125.2665b.

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

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

11 (4) Notwithstanding section 17b, the department shall make  
 12 payments under this section on a schedule determined by the  
 13 department.

14 Sec. 28. (1) To recognize differentiated instructional costs  
 15 for different types of pupils in ~~2021-2022~~**2022-2023**, the  
 16 following sections provide a weighted foundation allocation or an  
 17 additional payment of some type in the following amounts, as  
 18 allocated under those sections:

19 (a) Section 22d, isolated and rural districts, ~~\$8,420,000.00.~~  
 20 **\$8,841,000.00.**

21 (b) Section 31a, at risk, standard programming,  
 22 \$512,500,000.00.

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

24 (d) Section 41, bilingual education for English language  
 25 learners, \$25,200,000.00.

26 (e) Section 51c, special education, mandated percentages,  
 27 ~~\$733,400,000.00.~~**\$710,000,000.00.**

28 (f) Section 51f, special education, additional percentages,  
 29 ~~\$90,207,000.00.~~**\$300,207,000.00.**



1 (g) Section 61a, career and technical education, standard  
2 reimbursement, \$37,611,300.00.

3 (h) Section 61d, career and technical education incentives,  
4 ~~\$5,000,000.00.~~ **\$6,000,000.00.**

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

8 **Sec. 30. (1) From the appropriations in section 11, there is**  
9 **allocated for 2022-2023 an amount not to exceed \$27,000,000.00 from**  
10 **the state school aid fund, there is allocated for 2022-2023 an**  
11 **amount not to exceed \$6,000,000.00 from the general fund, and there**  
12 **is allocated for 2022-2023 an amount not to exceed \$33,000,000.00**  
13 **from the federal funding awarded to this state from the coronavirus**  
14 **state fiscal recovery fund under the American rescue plan act of**  
15 **2021, title IX, subtitle M of Public Law 117-2. The allocations**  
16 **under this section are for a future educator scholarship program.**

17 (2) The department shall pay future educator scholarships  
18 directly to an eligible institution of higher education on behalf  
19 of an eligible future educator scholarship recipient in an amount  
20 not to exceed the lesser of \$4,125.00 per semester or the actual  
21 cost of tuition and fees.

22 (3) An institution of higher education must meet all of the  
23 following to be eligible:

24 (a) Be a public or nonpublic institution of higher education  
25 in this state.

26 (b) Have an established school of education with an educator  
27 preparation program.

28 (c) Enroll 1 or more future educator scholarship recipients.

29 (4) To be an eligible recipient of a future educator



1 scholarship, an individual must apply to the department in a form  
2 and manner prescribed by the department and must meet all of the  
3 following criteria:

4 (a) If the individual is applying for a future educator  
5 scholarship for the first time, all of the following:

6 (i) Be accepted to enroll full-time in an educator preparation  
7 program at an eligible institution of higher education.

8 (ii) If the individual has fewer than 24 hours of college  
9 credit, have a minimum unweighted high school GPA of 3.0.

10 (iii) Pledge to serve as a teacher at a critical needs district  
11 for at least 3 years or at any other district, intermediate  
12 district, or nonpublic school in this state for at least 5 years  
13 after graduation. As used in this subparagraph, "critical needs  
14 district" means a district with the lowest average median income in  
15 each prosperity region, as determined by the department.

16 (b) If the individual previously received a future educator  
17 scholarship and is applying to continue receiving the scholarship,  
18 all of the following:

19 (i) Has maintained continuous full-time enrollment in an  
20 educator preparation program at an eligible institution of higher  
21 education, excluding any period of time missed due to a medical or  
22 other emergency as determined by the department.

23 (ii) Maintains at least a 3.0 GPA while enrolled in the  
24 educator preparation program.

25 (iii) Has not reached the maximum number of allowed semesters as  
26 follows:

27 (A) For an individual who first received a scholarship for  
28 their first semester of postsecondary education after graduating  
29 high school or achieving a high school equivalency certificate, 8



1 semesters.

2 (B) For an individual who first received a scholarship after  
3 transferring from another institution of higher education or  
4 community college, 6 semesters.

5 (C) For an individual who first received a scholarship after  
6 transitioning into an educator preparation program from another  
7 program at the same eligible institution of higher education, 4  
8 semesters.

9 (5) If an eligible recipient does not maintain continuous  
10 full-time enrollment in their educator preparation program or does  
11 not fulfill their pledge under subsection (4) (a) (iii) within 10 years  
12 after graduation from the educator preparation program, the  
13 recipient shall repay the scholarship in an amount equal to the  
14 proportion of the number of years the pledge under subsection  
15 (4) (a) (iii) was not fulfilled, with interest, as determined by the  
16 department, on a timeline determined by the department.

17 (6) An eligible recipient under this section is ineligible for  
18 funding from an eligible district under section 30a.

19 (7) The department shall ensure that an award paid to a  
20 nonpublic institution of higher education is funded from the  
21 general fund money allocated under this section.

22 (8) The federal funding allocated under this section is  
23 intended to respond to the COVID-19 public health emergency and its  
24 negative impacts.

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

28 (10) As used in this section, "institution of higher  
29 education" means a public university that receives funding under



1 section 236, or a nonpublic, nonprofit college or university that  
2 grants baccalaureate degrees.

3 (11) Funds allocated under this section for 2022-2023 are a  
4 work project appropriation, and any unexpended funds for 2022-2023  
5 are carried forward into 2023-2024. The purpose of the work project  
6 is to continue supporting the future educator scholarship program  
7 described in this section. The estimated completion date of the  
8 work project is September 30, 2027.

9 Sec. 30a. (1) From the state school aid fund money  
10 appropriated in section 11, there is allocated for 2022-2023 an  
11 amount not to exceed \$825,000.00 and, from the federal funding  
12 appropriated in section 11, there is allocated for 2022-2023 an  
13 amount not to exceed \$213,175,000.00 from the federal funding  
14 awarded to this state from the coronavirus state fiscal recovery  
15 fund under the American rescue plan act of 2021, title IX, subtitle  
16 M of Public Law 117-2, to eligible districts and eligible  
17 intermediate districts to enable participation by students and  
18 staff of the eligible district or eligible intermediate district in  
19 grow-your-own programs designed to enable those individuals to  
20 become certified teachers.

21 (2) To receive funding under this section, a district or  
22 intermediate district must apply for the funding in a form and  
23 manner prescribed by the department.

24 (3) The department shall award funding under this section to  
25 eligible districts and eligible intermediate districts as follows:

26 (a) For each eligible recipient of an eligible district or  
27 eligible intermediate district enrolled in a 3-year grow-your-own  
28 program that is a paraprofessional-to-teacher program, \$25,000.00  
29 to be disbursed equally each year over a 3-year period from the



1 date of receipt of the funding.

2 (b) For each eligible recipient of an eligible district or  
3 eligible intermediate district enrolled in a 1-year grow-your-own  
4 program that is an accelerated teaching degree program, \$20,000.00.

5 (c) For each eligible recipient of an eligible district or  
6 eligible intermediate district enrolled in a grow-your-own program  
7 that is a graduate-level program that leads to an education-  
8 administration or teaching degree, \$10,000.00 to be disbursed  
9 equally each year over a 2-year period from the date of receipt of  
10 the funding.

11 (d) For each eligible recipient of an eligible district or  
12 eligible intermediate district, who, after graduating from an early  
13 middle college program, is enrolled in a grow-your-own program that  
14 is an educator preparation program, not more than \$24,750.00 to be  
15 disbursed in an amount not to exceed \$8,250.00 each year over a 3-  
16 year period from the date of receipt of the funding.

17 (4) A district that includes all of the following in its  
18 application under subsection (2) is an eligible district or  
19 eligible intermediate district under this section:

20 (a) Identification of eligible recipients.

21 (b) A pledge to hire an eligible recipient as a full-time  
22 teacher upon their receipt of an initial teaching certificate.

23 (c) A pledge to use grant funding under this section toward  
24 tuition, fees, and other related costs for the eligible recipient,  
25 including, but not limited to, providing for student teaching  
26 opportunities for eligible recipients described in subsection  
27 (3) (b) .

28 (5) Before providing funding under this section to an eligible  
29 recipient, an eligible district or eligible intermediate district



1 must require that the eligible recipient pledge to serve as a full-  
2 time teacher at the eligible district or eligible intermediate  
3 district for at least the same number of years as he or she  
4 participated in a grow-your-own program as described in subsection  
5 (3). If an eligible district or eligible intermediate district is  
6 unable to hire an eligible recipient as required under subsection  
7 (3), the eligible recipient may serve the years he or she pledged  
8 to serve at the eligible district or eligible intermediate district  
9 as described in this subsection at another district, intermediate  
10 district, or nonpublic school.

11 (6) If an eligible recipient does not maintain continuous  
12 enrollment in the grow-your-own program as described in subsection  
13 (3) or does not fulfill his or her pledge under subsection (5)  
14 within 10 years of graduation from the grow-your-own program, the  
15 recipient must repay the amount of funding under this section  
16 received from an eligible district or eligible intermediate  
17 district in an amount equal to the proportion of the number of  
18 years the pledge under subsection (5) was not fulfilled, with  
19 interest, as determined by the department, on a timeline determined  
20 by the department, to the department.

21 (7) The federal funding allocated under this section is  
22 intended to respond to the COVID-19 public health emergency and its  
23 negative impacts.

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

26 (9) As used in this section:

27 (a) "Eligible recipient" means an employee or student of an  
28 eligible district or eligible intermediate district who is not a  
29 recipient of a future educator scholarship under section 30 and who



1 would like to further his or her education and is committed to  
 2 working in the eligible district or eligible intermediate district  
 3 after receiving his or her initial teacher certificate.

4 (b) "Grow-your-own program" means any of the following:

5 (i) A paraprofessional-to-teacher program.

6 (ii) An accelerated teaching degree program.

7 (iii) A graduate-level program that leads to an education-  
 8 administration or teaching degree.

9 (iv) An educator preparation program.

10 (10) Funds allocated under this section for 2022-2023 are a  
 11 work project appropriation, and any unexpended funds for 2022-2023  
 12 are carried forward into 2023-2024. The purpose of the work project  
 13 is to continue supporting grow-your-own programs described in this  
 14 section. The estimated completion date of the work project is  
 15 September 30, 2027.

16 Sec. 30b. (1) From the federal funding appropriated in section  
 17 11, there is allocated for 2022-2023 an amount not to exceed  
 18 \$150,000,000.00 from the federal funding awarded to this state from  
 19 the coronavirus state fiscal recovery fund under the American  
 20 rescue plan act of 2021, title IX, subtitle M of Public Law 117-2,  
 21 to eligible districts and eligible intermediate districts as  
 22 provided under this section.

23 (2) To receive funding under this section, a district or  
 24 intermediate district must apply for the funding in a form and  
 25 manner prescribed by the department.

26 (3) A district or intermediate district that has 1 or more  
 27 student teachers assigned to the district or intermediate district  
 28 is an eligible district or eligible intermediate district under  
 29 this section.



1 (4) An eligible district or eligible intermediate district  
2 that receives funding under this section shall use the funding only  
3 for the payment of any of the following that are accrued by a  
4 student teacher assigned to work at the district or intermediate  
5 district and that are associated with his or her student teaching:

6 (a) Wages.

7 (b) Daycare costs for a dependent of the student teacher.

8 (c) Health care costs.

9 (d) Housing costs.

10 (e) Transportation costs.

11 (f) Any other costs associated with his or her student  
12 teaching, as determined by the department.

13 (5) The department shall award funding under this section to  
14 each eligible district or eligible intermediate district as  
15 follows:

16 (a) Subject to subdivision (c), for eligible districts and  
17 eligible intermediate districts for which their geographic  
18 boundaries include a select city, in an amount not to exceed  
19 \$23,000.00.

20 (b) Subject to subdivision (c), for eligible districts and  
21 eligible intermediate districts for which their geographic  
22 boundaries do not include a select city, in an amount not to exceed  
23 \$16,000.00.

24 (c) For both eligible districts and eligible intermediate  
25 districts described in subdivisions (a) and (b), the funding  
26 limitations in those subdivisions are subject to the per diem rate  
27 set by the department of technology, management, and budget,  
28 vehicle and travel services.

29 (6) Notwithstanding section 17b, the department shall make



1 payments under this section on a schedule determined by the  
2 department.

3 (7) Funds allocated under this section for 2022-2023 are a  
4 work project appropriation, and any unexpended funds for 2022-2023  
5 are carried forward into 2023-2024. The purpose of the work project  
6 is to continue providing funding for the coverage of costs  
7 associated with student teachers as provided in this section. The  
8 estimated completion date of the work project is September 30,  
9 2024.

10 (8) The federal funding allocated under this section is  
11 intended to respond to the COVID-19 public health emergency and its  
12 negative impacts.

13 (9) As used in this section, "select city" means that term as  
14 determined by the department of technology, management, and budget,  
15 vehicle and travel services.

16 Sec. 30c. (1) From the federal funding appropriated in section  
17 11, there is allocated for 2022-2023 an amount not to exceed  
18 \$50,000,000.00 from the federal funding awarded to this state from  
19 the coronavirus state fiscal recovery fund under the American  
20 rescue plan act of 2021, title IX, subtitle M of Public Law 117-2,  
21 to districts for implementation of the troops-to-teachers  
22 initiative as described in this section.

23 (2) Except as otherwise provided in this subsection, to  
24 receive funding under this section, a district must apply for the  
25 funding in a form and manner prescribed by the department. In its  
26 application described in this subsection, a district must include  
27 both of the following:

28 (a) A pledge that it will pay each qualified troops-to-  
29 teachers member described in subsection (3) (b) the salary required



1 under subsection (3) (b) .

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

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

7 (a) The implementation of a mentorship training program that  
8 must include, at a minimum, phase 1 and 2 mentorship training  
9 provided to qualified troops-to-teachers members. The phases of  
10 mentorship training described in this subdivision must meet the  
11 following criteria:

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

14 (A) It must be for a duration of 6 months.

15 (B) It must include a process through which a qualified  
16 troops-to-teachers member serves as a student teacher at a school  
17 operated by the district while shadowing a mentor teacher during  
18 the duration of the training. To the extent possible, a qualified  
19 troops-to-teachers member who has interest in teaching in a certain  
20 subject or grade level must be paired under this sub-subparagraph  
21 with a mentor teacher who teaches in the applicable subject or  
22 grade level.

23 (C) After the qualified troops-to-teachers member has  
24 completed 6 months of student teaching as described in sub-  
25 subparagraph (B) , the mentor teacher he or she was paired with as  
26 described in sub-subparagraph (B) shall either approve or  
27 disapprove his or her completion of phase 1 mentorship training and  
28 recommend or not recommend his or her deployment into teaching in  
29 classrooms and certification. A qualified troops-to-teachers member



1 is not considered to have completed phase 1 mentorship training  
2 under this subparagraph unless his or her mentor teacher has  
3 approved the completion as described in this sub-subparagraph.

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

6 (A) It must be open to only qualified troops-to-teachers  
7 members who have completed 6 months of student teaching as  
8 described in subparagraph (i) (B), but who were disapproved for  
9 completion of phase 1 mentorship training under subparagraph (i) (C).

10 (B) It must be for a duration of 6 months.

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

19 (D) After the qualified troops-to-teachers member has  
20 completed 6 months of student teaching as described in sub-  
21 subparagraph (C), the mentor teacher he or she was paired with as  
22 described in sub-subparagraph (C) shall either approve or  
23 disapprove his or her completion of phase 2 mentorship training and  
24 recommend or not recommend his or her deployment into teaching in  
25 classrooms and certification. A qualified troops-to-teachers member  
26 is not considered to have completed phase 2 mentorship training  
27 under this subparagraph unless his or her mentor teacher has  
28 approved the completion as described in this sub-subparagraph.

29 (b) The payment of a salary for each qualified troops-to-



1 teachers member for his or her completion of 6 months of student  
2 teaching as part of part 1 or 2 mentorship training described in  
3 this subsection, whether or not he or she is approved for  
4 completion of phase 1 or 2 mentorship training as described in this  
5 subsection, in an amount that equals, at a minimum, either of the  
6 following, as applicable:

7 (i) If the highest yearly salary the qualified troops-to-  
8 teachers member received in the military is higher than the  
9 starting teacher salary in the district, the sum of a starting  
10 teacher salary in the district and 50% of the difference between  
11 the highest yearly salary the qualified troops-to-teachers member  
12 received in the military and the starting teacher salary in the  
13 district.

14 (ii) If the highest yearly salary the qualified troops-to-  
15 teachers member received in the military is lower than the starting  
16 teacher salary in the district, the starting teacher salary in the  
17 district.

18 (c) The payment of costs and fees associated with completion  
19 of each subject area examination for each subject area in which he  
20 or she applies to be certified for a qualified troops-to-teachers  
21 member who has completed phase 1 or 2 mentorship training as  
22 described in this subsection.

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

25 (e) The hiring, as teachers, of qualified troops-to-teachers  
26 members who completed the phase 1 or 2 mentorship training as  
27 described in this subsection and obtained teacher certification and  
28 the payment to those qualified troops-to-teachers members of a  
29 salary that equals, at a minimum, either of the following, as



1 applicable:

2 (i) If the highest yearly salary the qualified troops-to-  
3 teachers member received in the military is higher than the  
4 starting teacher salary in the district, the sum of a starting  
5 teacher salary in the district and 50% of the difference between  
6 the highest yearly salary the qualified troops-to-teachers member  
7 received in the military and the starting teacher salary in the  
8 district.

9 (ii) If the highest yearly salary the qualified troops-to-  
10 teachers member received in the military is lower than the starting  
11 teacher salary in the district, the starting teacher salary in the  
12 district.

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

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

23 (5) 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 continue the troops-to-teachers initiative as described in  
27 this section. The estimated completion date of the work project is  
28 September 30, 2027.

29 (6) It is the intent of the legislature to continue funding a



1 qualified troops-to-teachers member's salary, as described in this  
2 section, accounting for teacher-salary increase in the district,  
3 through the entirety of the qualified troops-to-teachers member's  
4 student teaching or teaching service as described in this section.

5 (7) The federal funding allocated under this section is  
6 intended to respond to the COVID-19 public health emergency and its  
7 negative impacts.

8 (8) As used in this section:

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

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

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

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

18 Sec. 31a. (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 \$537,650,000.00, and from the general fund  
21 money appropriated in section 11 there is allocated for 2021-2022  
22 an amount not to exceed \$1,500,000.00, and, from the state school  
23 aid fund money appropriated in section 11, there is allocated for  
24 2022-2023 an amount not to exceed \$551,950,000.00 and from the  
25 general fund money appropriated in section 11 there is allocated  
26 for 2022-2023 an amount not to exceed \$1,500,000.00, for payments  
27 to eligible districts and eligible public school academies for the  
28 purposes of ensuring that pupils are proficient in English language  
29 arts by the end of grade 3, that pupils are proficient in



1 mathematics by the end of grade 8, that pupils are attending school  
2 regularly, that high school graduates are career and college ready,  
3 and for the purposes under subsections (7) and (8).

4 (2) For a district that has combined state and local revenue  
5 per membership pupil under ~~section~~**sections 20 and 20m** that is  
6 greater than the target foundation allowance under section 20 for  
7 the current fiscal year and that, for the immediately preceding  
8 fiscal year, had combined state and local revenue per membership  
9 pupil under section 20 **and 20m** that was greater than the target  
10 foundation allowance under section 20 that was in effect for that  
11 fiscal year, the allocation under subsection (4) is an amount equal  
12 to 35% of the allocation for which it would otherwise be eligible  
13 under subsection (4) before any proration under subsection (15). It  
14 is the intent of the legislature that, if revenues are sufficient  
15 and if districts with combined state and local revenue per  
16 membership pupil under ~~section~~**sections 20 and 20m** that is below  
17 the target foundation allowance are receiving nonprorated payments  
18 under subsection (4), the percentage in the immediately preceding  
19 sentence must be increased annually until it reaches 100%. If a  
20 district has combined state and local revenue per membership pupil  
21 under ~~section~~**sections 20 and 20m** that is greater than the target  
22 foundation allowance under section 20 for the current fiscal year,  
23 but for the 2018-2019 fiscal year had combined state and local  
24 revenue per membership pupil under section 20 that was less than  
25 the basic foundation allowance under section 20 that was in effect  
26 for the 2018-2019 fiscal year, the district shall receive an amount  
27 per pupil equal to 11.5% of the statewide weighted average  
28 foundation allowance, as applied under subsection (4), and before  
29 any proration under subsection (15).



1 (3) For a district or public school academy to be eligible to  
2 receive funding under this section, other than funding under  
3 subsection (7) or (8), the district or public school academy, for  
4 grades K to 12, must comply with the requirements under section  
5 1280f of the revised school code, MCL 380.1280f, and shall use  
6 resources to address early literacy and numeracy, and for at least  
7 grades K to 12 or, if the district or public school academy does  
8 not operate all of grades K to 12, for all of the grades it  
9 operates, must implement a multi-tiered system of supports that is  
10 an evidence based framework that uses data driven problem solving  
11 to integrate academic and behavioral instruction and that uses  
12 intervention delivered to all pupils in varying intensities based  
13 on pupil needs. The multi-tiered system of supports described in  
14 this subsection must provide at least all of the following  
15 essential components:

16 (a) Team-based leadership.

17 (b) A tiered delivery system.

18 (c) Selection and implementation of instruction,  
19 interventions, and supports.

20 (d) A comprehensive screening and assessment system.

21 (e) Continuous data-based decision making.

22 (4) From the state school aid fund money allocated under  
23 subsection (1), there is allocated for 2021-2022 an amount not to  
24 exceed \$512,500,000.00 **and, for 2022-2023, an amount not to exceed**  
25 **\$512,500,000.00** to continue a weighted foundation per pupil payment  
26 for districts and public school academies enrolling economically  
27 disadvantaged pupils. The department shall pay under this  
28 subsection to each eligible district or eligible public school  
29 academy an amount per pupil equal to 11.5% of the ~~statewide~~



1 ~~weighted average target~~ foundation allowance for the following, as  
2 applicable:

3 (a) Except as otherwise provided under subdivision (b), (c),  
4 or (d) the greater of the following:

5 (i) The number of membership pupils in the district or public  
6 school academy who are determined to be economically disadvantaged,  
7 as reported to the center in the form and manner prescribed by the  
8 center not later than the fifth Wednesday after the pupil  
9 membership count day of the immediately preceding fiscal year.

10 (ii) If the district or public school academy is in the  
11 community eligibility program, the number of pupils determined to  
12 be eligible based on the product of the identified student  
13 percentage multiplied by the total number of pupils in the district  
14 or public school academy, as reported to the center in the form and  
15 manner prescribed by the center not later than the fifth Wednesday  
16 after the pupil membership count day of the immediately preceding  
17 fiscal year. These calculations must be made at the building level.  
18 This subparagraph only applies to an eligible district or eligible  
19 public school academy for the fiscal year immediately following the  
20 first fiscal year in which it is in the community eligibility  
21 program. As used in this subparagraph, "identified student  
22 percentage" means the quotient of the number of pupils in an  
23 eligible district or eligible public school academy who are  
24 determined to be economically disadvantaged, as reported to the  
25 center in a form and manner prescribed by the center, not later  
26 than the fifth Wednesday after the pupil membership count day in  
27 the fiscal year preceding the first fiscal year in which the  
28 eligible district or eligible public school academy is in the  
29 community eligibility program, divided by the total number of



1 pupils counted in an eligible district or eligible public school  
2 academy on the pupil membership count day in the fiscal year  
3 preceding the first fiscal year in which the eligible district or  
4 eligible public school academy is in the community eligibility  
5 program.

6 (b) If the district or public school academy began operations  
7 as a district or public school academy after the pupil membership  
8 count day of the immediately preceding school year, the number of  
9 membership pupils in the district or public school academy who are  
10 determined to be economically disadvantaged, as reported to the  
11 center in the form and manner prescribed by the center not later  
12 than the fifth Wednesday after the pupil membership count day of  
13 the current fiscal year.

14 (c) If the district or public school academy began operations  
15 as a district or public school academy after the pupil membership  
16 count day of the current fiscal year, the number of membership  
17 pupils in the district or public school academy who are determined  
18 to be economically disadvantaged, as reported to the center in the  
19 form and manner prescribed by the center not later than the fifth  
20 Wednesday after the supplemental count day of the current fiscal  
21 year.

22 (d) If, for a particular fiscal year, the number of membership  
23 pupils in a district or public school academy who are determined  
24 under subdivision (a) to be economically disadvantaged or to be  
25 eligible based on the identified student percentage varies by more  
26 than 20 percentage points from the number of those pupils in the  
27 district or public school academy as calculated under subdivision  
28 (a) for the immediately preceding fiscal year caused by an  
29 egregious reporting error by the district or public school academy,



1 the department may choose to have the calculations under  
2 subdivision (a) instead be made using the number of membership  
3 pupils in the district or public school academy who are determined  
4 to be economically disadvantaged, as reported to the center in the  
5 form and manner prescribed by the center not later than the fifth  
6 Wednesday after the supplemental count day of the immediately  
7 preceding fiscal year.

8 (5) Except as otherwise provided in this section, a district  
9 or public school academy receiving funding under this section shall  
10 use that money only to provide instructional programs and direct  
11 noninstructional services, including, but not limited to, medical,  
12 mental health, or counseling services, for at-risk pupils; for  
13 school health clinics; and for the purposes of subsection (6), (7),  
14 or (8). In addition, a district that is a school district of the  
15 first class or a district or public school academy in which at  
16 least 50% of the pupils in membership were determined to be  
17 economically disadvantaged in the immediately preceding state  
18 fiscal year, as determined and reported as described in subsection  
19 (4), may use the funds it receives under this section for school  
20 security or school parent liaison personnel. The uses of the funds  
21 described in the immediately preceding sentence must align to the  
22 needs assessment and the multi-tiered system of supports model and,  
23 for funds spent on parent liaison personnel, must connect parents  
24 to the school community. A district or public school academy shall  
25 not use any of the money received under this section for  
26 administrative costs. The instruction or direct noninstructional  
27 services provided under this section may be conducted before or  
28 after regular school hours or by adding extra school days to the  
29 school year.



1 (6) A district or public school academy that receives funds  
2 under this section and that operates a school breakfast program  
3 under section 1272a of the revised school code, MCL 380.1272a,  
4 shall use from the funds received under this section an amount, not  
5 to exceed \$10.00 per pupil for whom the district or public school  
6 academy receives funds under this section, necessary to pay for  
7 costs associated with the operation of the school breakfast  
8 program.

9 (7) From the state school aid fund money allocated under  
10 subsection (1), there is allocated for 2021-2022 an amount not to  
11 exceed \$8,000,000.00 **and there is allocated for 2022-2023 an amount**  
12 **not to exceed \$22,300,000.00** to support primary health care  
13 services provided to children and adolescents up to age 21. These  
14 funds must be expended in a form and manner determined jointly by  
15 the department and the department of health and human services. If  
16 any funds allocated under this subsection are not used for the  
17 purposes of this subsection for the fiscal year in which they are  
18 allocated, those unused funds must be used that fiscal year to  
19 avoid or minimize any proration that would otherwise be required  
20 under subsection (15) for that fiscal year.

21 (8) From the state school aid fund money allocated under  
22 subsection (1), there is allocated for 2021-2022 an amount not to  
23 exceed \$5,150,000.00 **and there is allocated for 2022-2023 an amount**  
24 **not to exceed \$5,150,000.00** for the state portion of the hearing  
25 and vision screenings as described in part 93 of the public health  
26 code, 1978 PA 368, MCL 333.9301 to 333.9329, and, from the general  
27 fund money allocated under subsection (1), there is allocated for  
28 2021-2022 an amount not to exceed \$1,500,000.00 **and there is**  
29 **allocated for 2022-2023 an amount not to exceed \$1,500,000.00** for



1 the state portion of the dental screenings as described in part 93  
2 of the public health code, 1978 PA 368, MCL 333.9301 to 333.9329. A  
3 local public health department shall pay at least 50% of the total  
4 cost of the screenings. The frequency of the vision screenings must  
5 be as required under R 325.13091 to R 325.13096 of the Michigan  
6 Administrative Code and the frequency of the hearing screenings  
7 must be as required under R 325.3271 to R 325.3276 of the Michigan  
8 Administrative Code. Funds must be awarded in a form and manner  
9 approved jointly by the department and the department of health and  
10 human services. Notwithstanding section 17b, the department shall  
11 make payments to eligible entities under this subsection on a  
12 schedule determined by the department.

13 (9) Each district or public school academy receiving funds  
14 under this section shall submit to the department by July 15 of  
15 each fiscal year a report, in the form and manner prescribed by the  
16 department, that includes a brief description of each program  
17 conducted or services performed by the district or public school  
18 academy using funds under this section, the amount of funds under  
19 this section allocated to each of those programs or services, the  
20 total number of at risk pupils served by each of those programs or  
21 services, and the data necessary for the department and the  
22 department of health and human services to verify matching funds  
23 for the temporary assistance for needy families program. In  
24 prescribing the form and manner of the report, the department shall  
25 ensure that districts are allowed to expend funds received under  
26 this section on any activities that are permissible under this  
27 section. If a district or public school academy does not comply  
28 with this subsection, the department shall withhold an amount equal  
29 to the August payment due under this section until the district or



1 public school academy complies with this subsection. If the  
2 district or public school academy does not comply with this  
3 subsection by the end of the fiscal year, the withheld funds are  
4 forfeited to the school aid fund.

5 (10) In order to receive funds under this section, a district  
6 or public school academy must allow access for the department or  
7 the department's designee to audit all records related to the  
8 program for which it receives those funds. The district or public  
9 school academy shall reimburse the state for all disallowances  
10 found in the audit.

11 (11) Subject to subsections (6), (7), and (8), for schools in  
12 which more than 40% of pupils are identified as at-risk, a district  
13 or public school academy may use the funds it receives under this  
14 section to implement tier 1, evidence-based practices in schoolwide  
15 reforms that are guided by the district's comprehensive needs  
16 assessment and are included in the district improvement plan.  
17 Schoolwide reforms must include parent and community supports,  
18 activities, and services, that may include the pathways to  
19 potential program created by the department of health and human  
20 services or the communities in schools program. As used in this  
21 subsection, "tier 1, evidence-based practices" means research based  
22 instruction and classroom interventions that are available to all  
23 learners and effectively meet the needs of most pupils.

24 (12) A district or public school academy that receives funds  
25 under this section may use those funds to provide research based  
26 professional development and to implement a coaching model that  
27 supports the multi-tiered system of supports framework.  
28 Professional development may be provided to district and school  
29 leadership and teachers and must be aligned to professional



1 learning standards; integrated into district, school building, and  
2 classroom practices; and solely related to the following:

3 (a) Implementing the multi-tiered system of supports required  
4 in subsection (3) with fidelity and utilizing the data from that  
5 system to inform curriculum and instruction.

6 (b) Implementing section 1280f of the revised school code, MCL  
7 380.1280f, as required under subsection (3), with fidelity.

8 (13) A district or public school academy that receives funds  
9 under subsection (4) or (17) may use funds received under  
10 subsection (4) or (17) for support staff providing services to at-  
11 risk pupils.

12 (14) A district or public school academy that receives funds  
13 under this section may use up to 10% of the funds received under  
14 this section to provide evidence-based instruction for pre-  
15 kindergarten instructional and noninstructional services to  
16 children who meet at least 1 of the criteria in subsection  
17 (20) (a) (i) to (x).

18 (15) If necessary, ~~and before any proration required under~~  
19 ~~section 296,~~ the department shall prorate payments under this  
20 section, except payments under subsection (7), (8), or (17), by  
21 reducing the amount of the allocation as otherwise calculated under  
22 this section by an equal percentage per district.

23 (16) If a district is dissolved pursuant to section 12 of the  
24 revised school code, MCL 380.12, the intermediate district to which  
25 the dissolved district was constituent shall determine the  
26 estimated number of pupils that are economically disadvantaged and  
27 that are enrolled in each of the other districts within the  
28 intermediate district and provide that estimate to the department  
29 for the purposes of distributing funds under this section within 60



1 days after the district is declared dissolved.

2 (17) From the state school aid fund money allocated under  
 3 subsection (1), there is allocated for 2021-2022 an amount not to  
 4 exceed \$12,000,000.00 for payments to districts and public school  
 5 academies that otherwise received an allocation under this  
 6 subsection for 2020-2021 and whose allocation under this section  
 7 for 2020-2021, excluding any payments under subsection (7) or (8),  
 8 would have been more than the district's or public school academy's  
 9 allocation under this section for 2021-2022 as calculated under  
 10 subsection (4) only and as adjusted under subsection (15). The  
 11 allocation for each district or public school academy under this  
 12 subsection is an amount equal to its allocation under this section  
 13 for 2020-2021 minus its allocation as otherwise calculated under  
 14 subsection (4) for 2021-2022 as adjusted by subsection (15), using  
 15 in those calculations the 2017-2018 number of pupils determined to  
 16 be economically disadvantaged. However, if the allocation as  
 17 otherwise calculated under this subsection would have been less  
 18 than \$0.00, the allocation under this subsection is \$0.00. If  
 19 necessary, ~~and before any proration required under section 296,~~ the  
 20 department shall prorate payments under this subsection by reducing  
 21 the amount of the allocation as otherwise calculated under this  
 22 subsection by an equal percentage per district or public school  
 23 academy. Any unexpended funds under this subsection are to be  
 24 distributed through payments made under subsection (4) as provided  
 25 under subsection (4), but those funds must not be factored into  
 26 calculating payments under this subsection. **From the state school  
 27 aid fund money allocated under subsection (1), there is allocated  
 28 for 2022-2023 an amount not to exceed \$12,000,000.00 for payments  
 29 to districts and public school academies that otherwise received an**



1 allocation under this subsection for 2021-2022 and whose allocation  
2 under this section for 2021-2022, excluding any payments under  
3 subsection (7) or (8), would have been more than the district's or  
4 public school academy's allocation under this section for 2022-2023  
5 as calculated under subsection (4) only and as adjusted under  
6 subsection (15). The allocation for each district or public school  
7 academy under this subsection is an amount equal to its allocation  
8 under this section for 2021-2022 minus its allocation as otherwise  
9 calculated under subsection (4) for 2022-2023 as adjusted by  
10 subsection (15), using in those calculations the 2017-2018 number  
11 of pupils determined to be economically disadvantaged. However, if  
12 the allocation as otherwise calculated under this subsection would  
13 have been less than \$0.00, the allocation under this subsection is  
14 \$0.00. If necessary, the department shall prorate payments under  
15 this subsection by reducing the amount of the allocation as  
16 otherwise calculated under this subsection by an equal percentage  
17 per district or public school academy. Any unexpended funds under  
18 this subsection are to be distributed through payments made under  
19 subsection (4) as provided under subsection (4), but those funds  
20 must not be factored into calculating payments under this  
21 subsection.

22 (18) A district or public school academy that receives funds  
23 under this section may use funds received under this section to  
24 provide an anti-bullying or crisis intervention program.

25 (19) The department shall collaborate with the department of  
26 health and human services to prioritize assigning Pathways to  
27 Potential success coaches to elementary schools that have a high  
28 percentage of pupils in grades K to 3 who are not proficient in  
29 English language arts, based upon state assessments for pupils in



1 those grades.

2 (20) As used in this section:

3 (a) "At-risk pupil" means a pupil in grades pre-K to 12 for  
4 whom the district has documentation that the pupil meets any of the  
5 following criteria:

6 (i) The pupil is economically disadvantaged.

7 (ii) The pupil is an English language learner.

8 (iii) The pupil is chronically absent as defined by and reported  
9 to the center.

10 (iv) The pupil is a victim of child abuse or neglect.

11 (v) The pupil is a pregnant teenager or teenage parent.

12 (vi) The pupil has a family history of school failure,  
13 incarceration, or substance abuse.

14 (vii) The pupil is an immigrant who has immigrated within the  
15 immediately preceding 3 years.

16 (viii) The pupil did not complete high school in 4 years and is  
17 still continuing in school as identified in the Michigan cohort  
18 graduation and dropout report.

19 (ix) For pupils for whom the results of the state summative  
20 assessment have been received, is a pupil who did not achieve  
21 proficiency on the English language arts, mathematics, science, or  
22 social studies content area assessment.

23 (x) Is a pupil who is at risk of not meeting the district's or  
24 public school academy's core academic curricular objectives in  
25 English language arts or mathematics, as demonstrated on local  
26 assessments.

27 (b) **"Combined state and local revenue" means the aggregate of**  
28 **the district's state school aid received by or paid on behalf of**  
29 **the district under section 20 and the district's local school**



1 operating revenue.

2 (c) "Combined state and local revenue per membership pupil"  
3 means the district's combined state and local revenue divided by  
4 the district's membership excluding special education pupils.

5 (d) ~~(b)~~—"Economically disadvantaged" means a pupil who has  
6 been determined eligible for free or reduced-price meals as  
7 determined under the Richard B. Russell national school lunch act,  
8 42 USC 1751 to 1769j; who is in a household receiving supplemental  
9 nutrition assistance program or temporary assistance for needy  
10 families assistance; or who is homeless, migrant, or in foster  
11 care, as reported to the center.

12 (e) ~~(e)~~—"English language learner" means limited English  
13 proficient pupils who speak a language other than English as their  
14 primary language and have difficulty speaking, reading, writing, or  
15 understanding English as reported to the center.

16 ~~(d) "Statewide weighted average foundation allowance" means~~  
17 ~~the number that is calculated by adding together the result of each~~  
18 ~~district's or public school academy's foundation allowance, not to~~  
19 ~~exceed the target foundation allowance for the current fiscal year,~~  
20 ~~or per-pupil payment calculated under section 20 multiplied by the~~  
21 ~~number of pupils in membership in that district or public school~~  
22 ~~academy, and then dividing that total by the statewide number of~~  
23 ~~pupils in membership.~~

24 Sec. 31d. (1) From the ~~appropriations~~ **state school aid fund**  
25 **money appropriated** in section 11, there is allocated an amount not  
26 to exceed ~~\$23,838,400.00~~ **\$24,553,400.00** for ~~2020-2021~~ **2021-2022** and  
27 there is allocated an amount not to exceed ~~\$23,838,400.00~~  
28 **\$24,553,400.00** for ~~2021-2022~~ **2022-2023** for the purpose of making  
29 payments to districts and other eligible entities under this



1 section.

2 (2) The amounts allocated from state sources under this  
 3 section are used to pay the amount necessary to reimburse districts  
 4 for 6.0127% of the necessary costs of the state mandated portion of  
 5 lunch programs provided by those districts. The department shall  
 6 calculate the amount due to each district under this section using  
 7 the methods of calculation adopted by the Michigan supreme court in  
 8 the consolidated cases known as *Durant v State of Michigan*, 456  
 9 Mich 175 (1997).

10 (3) The payments made under this section include all state  
 11 payments made to districts so that each district receives at least  
 12 6.0127% of the necessary costs of operating the state mandated  
 13 portion of the lunch program in a fiscal year.

14 (4) The payments made under this section to districts and  
 15 other eligible entities that are not required under section 1272a  
 16 of the revised school code, MCL 380.1272a, to provide a lunch  
 17 program must be in an amount not to exceed \$10.00 per eligible  
 18 pupil plus 5 cents for each free lunch and 2 cents for each reduced  
 19 price lunch provided, as determined by the department.

20 (5) From the federal funds appropriated in section 11, there  
 21 is allocated for ~~2020-2021-2021-2022~~ all available federal funding,  
 22 estimated at ~~\$800,000,000.00,~~ **\$900,000,000.00**, and there is  
 23 allocated for ~~2021-2022-2022-2023~~ all available federal funding,  
 24 estimated at ~~\$545,000,000.00-~~ **\$900,000,000.00**, for child nutrition  
 25 programs and, for ~~2020-2021,~~ all available federal funding,  
 26 estimated at ~~\$15,712,000.00 for food distribution programs,~~  
 27 ~~\$50,000,000.00 for the child nutrition program pandemic electronic~~  
 28 ~~benefit transfer cost reimbursement program,~~ ~~\$50,000,000.00 for~~  
 29 ~~child nutrition program emergency operational cost reimbursement~~



1 ~~programs, and \$259,600.00 for commodity supplemental fund programs,~~  
 2 ~~and, for 2021-2022, all available federal funding, estimated at~~  
 3 ~~\$11,000,000.00, \$30,700,000.00, and, for 2022-2023, all available~~  
 4 **federal funding, estimated at \$15,000,000.00**, for food distribution  
 5 programs.

6 (6) Notwithstanding section 17b, the department shall make  
 7 payments to eligible entities other than districts under this  
 8 section on a schedule determined by the department.

9 (7) In purchasing food for a lunch program funded under this  
 10 section, a district or other eligible entity shall give preference  
 11 to food that is grown or produced by Michigan businesses if it is  
 12 competitively priced and of comparable quality.

13 Sec. 31f. (1) From the state school aid fund money  
 14 appropriated in section 11, there is allocated an amount not to  
 15 exceed \$11,900,000.00 for ~~2020-2021 and there is allocated an~~  
 16 ~~amount not to exceed \$11,900,000.00 for 2021-2022~~ **2022-2023** for the  
 17 purpose of making payments to districts to reimburse for the cost  
 18 of providing breakfast.

19 (2) The funds allocated under this section for school  
 20 breakfast programs are made available to all eligible applicant  
 21 districts that meet all of the following criteria:

22 (a) The district participates in the federal school breakfast  
 23 program and meets all standards as prescribed by 7 CFR parts 210,  
 24 220, 225, 226, and 245.

25 (b) Each breakfast eligible for payment meets the federal  
 26 standards described in subdivision (a).

27 (3) The payment for a district under this section is at a per  
 28 meal rate equal to the lesser of the district's actual cost or 100%  
 29 of the statewide average cost of a meal served, as determined and



1 approved by the department, less federal reimbursement, participant  
 2 payments, and other state reimbursement. The department shall  
 3 determine the statewide average cost using costs as reported in a  
 4 manner approved by the department for the preceding school year.

5 (4) Notwithstanding section 17b, the department may make  
 6 payments under this section pursuant to an agreement with the  
 7 department.

8 (5) In purchasing food for a school breakfast program funded  
 9 under this section, a district shall give preference to food that  
 10 is grown or produced by Michigan businesses if it is competitively  
 11 priced and of comparable quality.

12 Sec. 31j. (1) From the general fund money appropriated in  
 13 section 11, there is allocated an amount not to exceed \$500,000.00  
 14 and from the state school aid fund money appropriated in section  
 15 11, there is allocated an amount not to exceed ~~\$4,500,000.00~~  
 16 **\$4,000,000.00** for 2021-2022, **and from the general fund money**  
 17 **appropriated in section 11, there is allocated an amount not to**  
 18 **exceed \$500,000.00 and from the state school aid fund money**  
 19 **appropriated in section 11, there is allocated an amount not to**  
 20 **exceed \$4,000,000.00 for 2022-2023** for a program to support  
 21 districts and other non-school sponsors in the purchase of locally  
 22 grown fruits and vegetables as described in this section.

23 (2) Funding under this section retained by the department for  
 24 administration must not exceed 5%. Funding under this section  
 25 retained by project partners for data collection, outreach, and  
 26 training must not exceed 1% for each partner.

27 (3) The department shall develop and implement a competitive  
 28 grant program for districts and other non-school sponsors to assist  
 29 in paying for the costs incurred by the district or other non-



1 school sponsor to purchase or increase purchases of whole or  
 2 minimally processed fruits, vegetables, and legumes grown in this  
 3 state. The maximum amount that may be drawn down on a grant to a  
 4 district or other non-school sponsor is based on the number of  
 5 meals served by the district during the previous school year under  
 6 the Richard B. Russell national school lunch act, 42 USC 1751 to  
 7 1769j, or meals served by the other non-school sponsor in the  
 8 previous school year. The department shall collaborate with the  
 9 Michigan department of agriculture and rural development to provide  
 10 training to newly participating schools and other non-school  
 11 sponsors and electronic information on Michigan agriculture.

12 (4) The goals of the program under this section include  
 13 improving daily nutrition and eating habits for children through  
 14 the school and child care settings while investing in Michigan's  
 15 agricultural and related food business economy.

16 (5) A district or other non-school sponsor that receives a  
 17 grant under this section shall use those funds for the costs  
 18 incurred by the district or the sponsor to purchase whole or  
 19 minimally processed fruits, vegetables, and legumes that meet all  
 20 of the following:

21 (a) ~~Were~~ **For each fiscal year, were** purchased for use in  
 22 school meals served between September 1 ~~, 2021~~ through August 30 ~~,~~  
 23 ~~2022.~~ **of that fiscal 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 (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 (9) The department shall give preference to districts or other  
19 non-school sponsors that propose educational activities that meet 1  
20 or more of the following: promote healthy food activities; have  
21 clear educational objectives; involve parents or the community;  
22 connect to a school's or child care center's farm-to-school or  
23 farm-to-early-child-care procurement activities; and market and  
24 promote the program, leading to increased pupil knowledge and  
25 consumption of Michigan-grown products. The department shall give  
26 stronger weighting and consideration to applications with robust  
27 marketing and promotional activities.

28 (10) In awarding grants, the department shall also consider  
29 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.

8 (11) As a condition of receiving a grant under this section, a  
9 district or other non-school sponsor shall provide or direct its  
10 vendors to provide to the department copies of monthly receipts  
11 that show the quantity of different Michigan-grown fruits,  
12 vegetables, and legumes purchased, the amount of money spent on  
13 each of these products, the name and Michigan location of the farm  
14 that grew the products, and the methods or plans to market and  
15 promote the program. The district or other non-school sponsor also  
16 shall provide to the department monthly United States Department of  
17 Agriculture child nutrition reimbursable meal numbers and  
18 participation rates and must retain monthly menus noting when and  
19 how Michigan-grown products were used in meals. The district or  
20 other non-school sponsor and school or non-school sponsor food  
21 service director or directors also shall agree to respond to brief  
22 online surveys and to provide a report that shows the percentage  
23 relationship of Michigan spending compared to total food spending.  
24 Not later than 60 days after the end of the school year in which  
25 funds under this section were received, each district or each non-  
26 school sponsor shall submit a report to the department on outcomes  
27 and related measurements for economic development and children's  
28 nutrition and readiness to learn. The report must include at least  
29 both of the following:



1 (a) The extent to which farmers and related businesses,  
2 including distributors and processors, saw an increase in market  
3 opportunities and income generation through sales of Michigan or  
4 local products to districts and other non-school sponsors. All of  
5 the following apply for purposes of this subdivision:

6 (i) The data used to determine the amount of this increase are  
7 the total dollar amount of Michigan or local fruits, vegetables,  
8 and legumes purchased by schools and other non-school sponsors,  
9 along with the number of different types of products purchased;  
10 school and non-school sponsor food purchasing trends identified  
11 along with products that are of new and growing interest among food  
12 service directors; the number of businesses impacted; and the  
13 percentage of total food budget spent on Michigan-grown fruits,  
14 vegetables, and legumes.

15 (ii) The district or other non-school sponsor shall use  
16 purchasing data collected for the program and surveys of school and  
17 non-school sponsor food service directors on the impact and success  
18 of the program as the source for the data described in subparagraph  
19 (i).

20 (b) The ability to which pupils can access a variety of  
21 healthy Michigan-grown foods through schools and other non-school  
22 sponsor centers and increase their consumption of those foods. All  
23 of the following apply for purposes of this subdivision:

24 (i) The data used to determine whether this subdivision is met  
25 are the number of pupils exposed to Michigan-grown fruits,  
26 vegetables, and legumes at schools and non-school sponsor centers;  
27 the variety of products served; new items taste-tested or placed on  
28 menus; and the increase in pupil willingness to try new local  
29 healthy foods.



1           (ii) The district or other non-school sponsor shall use  
 2 purchasing data collected for the project, meal count and  
 3 enrollment numbers, school menu calendars, and surveys of school  
 4 and non-school sponsor food service directors as the source for the  
 5 data described in subparagraph (i).

6           (12) The department shall compile the reports provided by  
 7 districts and other non-school sponsors under subsection (11) into  
 8 1 legislative report. The department shall provide this report not  
 9 later than November 1 ~~, 2022~~ **of each year** to the house and senate  
 10 subcommittees responsible for school aid, the house and senate  
 11 fiscal agencies, and the state budget director.

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

15           Sec. 31n. (1) From the state school aid fund money  
 16 appropriated in section 11, there is allocated for ~~2021-2022-2022-~~  
 17 **2023** for the purposes of this section an amount not to exceed  
 18 ~~\$52,600,000.00~~ **\$38,300,000.00** and from the general fund money  
 19 appropriated in section 11, there is allocated for ~~2021-2022-2022-~~  
 20 **2023** for the purposes of this section an amount not to exceed  
 21 \$1,300,000.00. The department and the department of health and  
 22 human services shall continue a program to distribute this funding  
 23 to add licensed behavioral health providers for general education  
 24 pupils, and shall continue to seek federal Medicaid match funding  
 25 for all eligible mental health and support services.

26           (2) The department and the department of health and human  
 27 services shall maintain an advisory council for programs funded  
 28 under this section. The advisory council shall define goals for  
 29 implementation of programs funded under this section, and shall



1 provide feedback on that implementation. At a minimum, the advisory  
 2 council shall consist of representatives of state associations  
 3 representing school health, school mental health, school  
 4 counseling, education, health care, and other organizations,  
 5 representatives from the department and the department of health  
 6 and human services, and a representative from the school safety  
 7 task force created under Executive Order No. 2018-5. The department  
 8 and department of health and human services, working with the  
 9 advisory council, shall determine an approach to increase capacity  
 10 for mental health and support services in schools for general  
 11 education pupils, and shall determine where that increase in  
 12 capacity qualifies for federal Medicaid match funding.

13 (3) The advisory council shall develop a fiduciary agent  
 14 checklist for intermediate districts to facilitate development of a  
 15 plan to submit to the department and to the department of health  
 16 and human services. The department and department of health and  
 17 human services shall determine the requirements and format for  
 18 intermediate districts to submit a plan for possible funding under  
 19 subsection ~~(6)~~ **(5)**. The department shall make applications for  
 20 funding for this program available to districts and intermediate  
 21 districts not later than December 1 ~~, 2021 for the 2021-2022 fiscal~~  
 22 ~~year of each year~~ and shall award the funding not later than  
 23 February 1 ~~, 2022 for the 2021-2022 fiscal year.~~ **of each year.**

24 (4) The department of health and human services shall seek to  
 25 amend the state Medicaid plan or obtain appropriate Medicaid  
 26 waivers as necessary for the purpose of generating additional  
 27 Medicaid match funding for school mental health and support  
 28 services for general education pupils. The intent is that a  
 29 successful state plan amendment or other Medicaid match mechanisms



1 will result in additional federal Medicaid match funding for both  
 2 the new funding allocated under this section and for any expenses  
 3 already incurred by districts and intermediate districts for mental  
 4 health and support services for general education pupils.

5 ~~(5) From the state school aid fund money allocated under~~  
 6 ~~subsection (1), there is allocated for 2021-2022 an amount not to~~  
 7 ~~exceed \$14,300,000.00 to be distributed to the network of child and~~  
 8 ~~adolescent health centers to place a licensed master's level~~  
 9 ~~behavioral health provider in schools that do not currently have~~  
 10 ~~services available to general education students. Child and~~  
 11 ~~adolescent health centers that are part of the network described in~~  
 12 ~~this subsection shall provide a commitment to maintain services and~~  
 13 ~~implement all available federal Medicaid match methodologies. The~~  
 14 ~~department of health and human services shall use all existing or~~  
 15 ~~additional federal Medicaid match opportunities to maximize funding~~  
 16 ~~allocated under this subsection. The department shall provide funds~~  
 17 ~~under this subsection to child and adolescent health centers that~~  
 18 ~~are part of the network described in this subsection in the same~~  
 19 ~~proportion that funding under section 31a(7) is provided to child~~  
 20 ~~and adolescent health centers that are part of the network~~  
 21 ~~described in this subsection and that are located and operating in~~  
 22 ~~those districts. A payment from funding allocated under this~~  
 23 ~~subsection must not be paid to an entity that is not part of the~~  
 24 ~~network described in this subsection.~~

25 **(5)** ~~(6)~~ From the state school aid fund money allocated under  
 26 subsection (1), there is allocated for ~~2021-2022~~ **2022-2023** an  
 27 amount not to exceed \$37,800,000.00 to be distributed to  
 28 intermediate districts for the provision of mental health and  
 29 support services to general education students. If a district or



1 intermediate district is not able to procure the services of a  
2 licensed master's level behavioral health provider, the district or  
3 intermediate district shall notify the department and the  
4 department of health and human services and, if the department and  
5 department of health and human services verify that the district or  
6 intermediate district attempted to procure services from a master's  
7 level behavioral health provider and was not able to do so, then  
8 the district or intermediate district may instead procure services  
9 from a provider with less than a master's degree in behavioral  
10 health. To be able to use the exemption in the immediately  
11 preceding sentence, the district or intermediate district must  
12 submit evidence satisfactory to the department and department of  
13 health and human services demonstrating that the district or  
14 intermediate district took measures to procure the services of a  
15 licensed master's level behavioral health provider but was unable  
16 to do so, and the department and department of health and human  
17 services must be able to verify this evidence. From the first  
18 \$32,200,000.00 of the funds allocated under this subsection, the  
19 department shall distribute \$575,000.00 for ~~2021-2022~~**2022-2023** to  
20 each intermediate district that submits a plan approved by the  
21 department and the department of health and human services. The  
22 department shall distribute the remaining \$5,600,000.00 of the  
23 funds allocated under this subsection for ~~2021-2022~~**2022-2023** to  
24 intermediate districts on an equal per-pupil basis based on the  
25 combined total number of pupils in membership in the intermediate  
26 district and its constituent districts, including public school  
27 academies that are considered to be constituent districts under  
28 section 705(7) of the revised school code, MCL 380.705. The  
29 department and department of health and human services shall work



1 cooperatively in providing oversight and assistance to intermediate  
2 districts during the plan submission process and shall monitor the  
3 program upon implementation. An intermediate district shall use  
4 funds awarded under this subsection to provide funding to its  
5 constituent districts, including public school academies that are  
6 considered to be constituent districts under section 705(7) of the  
7 revised school code, MCL 380.705, for the provision of mental  
8 health and support services to general education students. In  
9 addition to the criteria identified under subsection ~~(7)~~, **(6)**, an  
10 intermediate district shall consider geography, cost, or other  
11 challenges when awarding funding to its constituent districts.  
12 Districts receiving funding under this subsection are encouraged to  
13 provide suicide prevention and awareness education and counseling.  
14 If funding awarded to an intermediate district remains after funds  
15 are provided by the intermediate district to its constituent  
16 districts, the intermediate district may hire or contract for  
17 experts to provide mental health and support services to general  
18 education students residing within the boundaries of the  
19 intermediate district, including, but not limited to, expanding,  
20 hiring, or contracting for staff and experts to provide those  
21 services directly or to increase access to those services through  
22 coordination with outside mental health agencies; **the intermediate**  
23 **district may also contract with 1 or more other intermediate**  
24 **districts for coordination and the facilitation of activities**  
25 **related to providing mental health and support services to general**  
26 **education students residing within the boundaries of the**  
27 **intermediate district;** and the intermediate district is encouraged  
28 to provide suicide prevention and awareness education and  
29 counseling. ~~If funding awarded to an intermediate district under~~



~~1 this section for 2018-2019 or 2019-2020 remains unspent as of April  
2 1, 2022, the department, in conjunction with the intermediate  
3 district, may reallocate the funds to another intermediate district  
4 or other intermediate districts capable of expending the funds  
5 before September 30, 2022 in accordance with this section as if  
6 those funds were originally allocated to the intermediate district  
7 or intermediate districts to which the funds are being reallocated.~~

8       **(6)** ~~(7)~~—A district requesting funds under this section from  
9 the intermediate district in which it is located shall submit an  
10 application for funding for the provision of mental health and  
11 support services to general education pupils. A district receiving  
12 funding from the application process described in this subsection  
13 shall provide services to nonpublic students upon request. An  
14 intermediate district shall not discriminate against an application  
15 submitted by a public school academy simply on the basis of the  
16 applicant being a public school academy. The department shall  
17 approve grant applications based on the following criteria:

18       (a) The district's commitment to maintain mental health and  
19 support services delivered by licensed providers into future fiscal  
20 years.

21       (b) The district's commitment to work with its intermediate  
22 district to use funding it receives under this section that is  
23 spent by the district for general education pupils toward  
24 participation in federal Medicaid match methodologies. A district  
25 must provide a local match of at least 20% of the funding allocated  
26 to the district under section 31n.

27       (c) The district's commitment to adhere to any local funding  
28 requirements determined by the department and the department of  
29 health and human services.



1 (d) The extent of the district's existing partnerships with  
2 community health care providers or the ability of the district to  
3 establish such partnerships.

4 (e) The district's documentation of need, including gaps in  
5 current mental health and support services for the general  
6 education population.

7 (f) The district's submission of a formal plan of action  
8 identifying the number of schools and students to be served.

9 (g) Whether the district will participate in ongoing  
10 trainings.

11 (h) Whether the district will submit an annual report to the  
12 state.

13 (i) Whether the district demonstrates a willingness to work  
14 with the state to establish program and service delivery  
15 benchmarks.

16 (j) Whether the district has developed a school safety plan or  
17 is in the process of developing a school safety plan.

18 (k) Any other requirements determined by the department or the  
19 department of health and human services.

20 **(7)** ~~(8)~~—Funding under this section, including any federal  
21 Medicaid funds that are generated, must not be used to supplant  
22 existing services.

23 **(8)** ~~(9)~~—Both of the following are allocated to the department  
24 of health and human services from the general fund money allocated  
25 under subsection (1):

26 (a) For ~~2021-2022,~~ **2022-2023**, an amount not to exceed  
27 \$1,000,000.00 for the purpose of upgrading technology and systems  
28 infrastructure and other administrative requirements to support the  
29 programs funded under this section.



1 (b) For ~~2021-2022,~~ **2022-2023**, an amount not to exceed  
 2 \$300,000.00 for the purpose of administering the programs under  
 3 this section and working on generating additional Medicaid funds as  
 4 a result of programs funded under this section.

5 (9) ~~(10)~~ 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 \$500,000.00 to intermediate districts on an  
 8 equal per intermediate district basis for the purpose of  
 9 administering programs funded under this section.

10 (10) ~~(11)~~ The department and the department of health and  
 11 human services shall work with the advisory council to develop  
 12 proposed measurements of outcomes and performance. Those  
 13 measurements must include, at a minimum, the number of pupils  
 14 served, the number of schools served, and where those pupils and  
 15 schools were located. The department and the department of health  
 16 and human services shall compile data necessary to measure outcomes  
 17 and performance, and districts and intermediate districts receiving  
 18 funding under this section shall provide data requested by the  
 19 department and department of health and human services for the  
 20 measurement of outcomes and performance. The department and  
 21 department of health and human services shall provide an annual  
 22 report not later than December 1 of each year to the house and  
 23 senate appropriations subcommittees on school aid and health and  
 24 human services, to the house and senate fiscal agencies, and to the  
 25 state budget director. At a minimum, the report must include  
 26 measurements of outcomes and performance, proposals to increase  
 27 efficacy and usefulness, proposals to increase performance, and  
 28 proposals to expand coverage.

29 (11) ~~(12)~~ A district or intermediate district that receives



1 funding directly or indirectly under this section may carry over  
 2 any unexpended funds received under this section for up to 2 fiscal  
 3 years beyond the fiscal year in which the funds were received.

4 Sec. 31o. (1) From the state school aid fund money  
 5 appropriated in section 11, there is allocated for 2021-2022 an  
 6 amount not to exceed \$240,000,000.00 for payments to eligible  
 7 districts for the purpose of increasing the number of school  
 8 psychologists, school social workers, school counselors, and school  
 9 nurses serving students in this state.

10 (2) Except as otherwise provided in this subsection, to  
 11 receive funding under this section, a district must apply for the  
 12 funding in a form and manner prescribed by the department. In its  
 13 application for funding under this section, a district must pledge  
 14 and provide assurances to the department that it will fully  
 15 annually fund all staff that are supported with funding under this  
 16 section in an ongoing manner after the ~~third year it receives~~  
 17 ~~funding under this section.~~ **district receives its final payment**  
 18 **under this section.**

19 (3) The department shall award funding to districts with the  
 20 greatest need for additional school psychologists, school social  
 21 workers, school counselors, or school nurses. To determine the  
 22 districts with the greatest needs under this subsection, the  
 23 department shall consider the physical and mental health services  
 24 available at the district and how close an applicant district is to  
 25 meeting the following recommended staff-to-student ratios:

26 (a) 1 school psychologist for every 500 full-time equated  
 27 pupils counted in the district.

28 (b) 1 school social worker for every 250 full-time equated  
 29 pupils counted in the district.



1 (c) 1 school counselor for every 250 full-time equated pupils  
2 counted in the district.

3 (d) 1 school nurse for every 750 full-time equated pupils  
4 counted in the district.

5 (4) To be eligible for funding under this section, a district  
6 must hire additional school psychologists, school social workers,  
7 school counselors, or school nurses by March 1, ~~2022~~**2024** and must  
8 maintain support for the new staff in an ongoing manner. As  
9 determined by the department, staff hired and supported by funding  
10 under this section must meet all applicable state and federal laws,  
11 rules, and license requirements to be considered a school  
12 psychologist, school social worker, school counselor, or school  
13 nurse.

14 (5) Subject to subsection (6), payments to eligible districts  
15 must be made as follows:

16 ~~(a) In the first year funds are distributed from this section,~~  
17 **For staff hired before March 1, 2022**, the department shall provide  
18 payments to eligible districts equal to 100% of the annual cost of  
19 newly hired school psychologists, school social workers, school  
20 counselors, or school nurses. The amount paid to the eligible  
21 district must be the lesser of the actual cost of the employee, as  
22 determined by the department, or the median wage for an equivalent  
23 employee working in a school setting, as determined by the  
24 department, using wage data from the **United States** Bureau of Labor  
25 Statistics that is specific to this state.

26 ~~(b) In the second year funds are distributed under this~~  
27 ~~section,~~ **For staff retained or hired before March 1, 2023**, the  
28 department shall pay eligible districts 66% of the amount paid to  
29 the eligible district under subdivision (a).



1           (c) ~~In the third year funds are distributed under this~~  
2 ~~section, For staff retained or hired before March 1, 2024,~~ the  
3 department shall pay eligible districts 33% of the amount paid to  
4 the eligible district under subdivision (a).

5           (6) If, after awarding funding under subsection (3) and  
6 calculating payment amounts under subsection (5), the department  
7 determines that the amount allocated in subsection (1) is  
8 insufficient to fully fund payments under this section, the  
9 department shall prorate payments to eligible districts on an equal  
10 percentage basis.

11           (7) The funds allocated under this section for 2021-2022 are a  
12 work project appropriation, and any unexpended funds for 2021-2022  
13 are carried forward into 2022-2023. The purpose of the work project  
14 is to increase the number of school psychologists, school social  
15 workers, school counselors, and school nurses in school buildings.  
16 The estimated completion date of the work project is September 30,  
17 2024.

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

21           Sec. 31y. (1) From the state school aid fund money  
22 appropriated in section 11, there is allocated for 2021-2022 an  
23 amount not to exceed \$60,000,000.00 to make payments to districts  
24 that operate year-round, balanced calendars. ~~during the 2021-2022~~  
25 ~~school year.~~ Payments to districts made under this section must be  
26 in an amount equal to 3% applied to the district's foundation  
27 allowance as calculated under section 20 **during the fiscal year in**  
28 **which payments are being made,** for each pupil enrolled and educated  
29 in a year-round balanced calendar by the district. If the funds



1 allocated under this section are insufficient to fully fund the  
 2 calculations under this section, funding must be prorated on an  
 3 equal per-pupil basis.

4 (2) The funds allocated under this section for 2021-2022 are a  
 5 work project appropriation, and any unexpended funds for 2021-2022  
 6 are carried forward into 2022-2023. The purpose of the work project  
 7 is to provide operational payments for districts utilizing a  
 8 balanced calendar. The estimated completion date of the work  
 9 project is September 30, 2024.

10 **(3) This section is repealed effective October 1, 2022.**

11 Sec. 31z. (1) From the federal funds allocated under section  
 12 11n, there is allocated \$75,000,000.00 for 2021-2022 from the  
 13 federal funding awarded to this state from the coronavirus state  
 14 fiscal recovery fund under the American rescue plan act of 2021,  
 15 title IX, subtitle M of Public Law 117-2, to provide capital  
 16 infrastructure grants to districts.

17 (2) From the funds allocated under subsection (1),  
 18 \$75,000,000.00 must be allocated for matching grants to districts  
 19 for HVAC and other one-time infrastructure or equipment costs  
 20 necessary to operate a year-round, balanced calendar. A district  
 21 that receives a grant under this subsection shall commit to  
 22 operating a year-round, balanced calendar ~~in the 2022-2023 school~~  
 23 ~~year,~~ and if it is unable to do so, the department must deduct the  
 24 amount of the grant paid under this subsection from the district's  
 25 state aid payments that are otherwise due to the district under  
 26 this article. ~~during the 2022-2023 school year.~~ The department  
 27 shall establish a sliding scale for grant payments under this  
 28 section such that districts that received higher total ESSER  
 29 payments under section 11r, evaluated on a per-pupil and total



1 dollar basis, receive smaller matching grants than those with lower  
 2 total ESSER payments, evaluated on a per-pupil and total dollar  
 3 basis.

4 (3) The funds allocated under this section for 2021-2022 are a  
 5 work project appropriation, and any unexpended funds for 2021-2022  
 6 are carried forward into 2022-2023. The purpose of the work project  
 7 is to provide supports for districts utilizing a balanced calendar.  
 8 The estimated completion date of the work project is September 30,  
 9 2024.

10 (4) This section is repealed effective October 1, 2022.

11 Sec. 31aa. (1) From the general fund money appropriated in  
 12 section 11, there is allocated for 2022-2023 an amount not to  
 13 exceed \$100.00 to districts and intermediate districts to, in  
 14 compliance with the criteria under subsection (2), utilize the  
 15 funding for 1 or more of the following:

16 (a) For districts, the voluntary consolidation or sharing of  
 17 noninstructional activities with other districts within the same  
 18 intermediate district or other districts not in the same  
 19 intermediate district. For intermediate districts, the voluntary  
 20 sharing of noninstructional activities within and among  
 21 intermediate districts.

22 (b) To voluntarily reorganize, including, but not limited to,  
 23 through voluntary consolidation or annexation.

24 (2) The department shall, in consultation with the center,  
 25 Launch Michigan, and the department of technology, management, and  
 26 budget, create the Michigan Center for Educational Research and  
 27 Information (MCERI) to establish and manage qualifying criteria  
 28 regarding the consolidation or sharing of noninstructional  
 29 activities described in subsection (1) (a) and reorganizations



1 **described in subsection (1) (b) .**

2       Sec. 32d. (1) From the state school aid fund money  
3 appropriated in section 11, there is allocated to eligible  
4 intermediate districts and consortia of intermediate districts for  
5 great start readiness programs an amount not to exceed  
6 ~~\$297,120,000.00~~ **\$361,620,000.00** for ~~2021-2022~~. In addition, from  
7 ~~the federal funds allocated in section 11n, there is allocated to~~  
8 ~~eligible intermediate districts and consortia of intermediate~~  
9 ~~districts for great start readiness programs an amount not to~~  
10 ~~exceed \$121,000,000.00 for 2021-2022 from the coronavirus state~~  
11 ~~fiscal recovery funds under the American rescue plan act of 2021,~~  
12 ~~title IX, subtitle M of Public Law 117-2.~~ **2022-2023. In addition,**  
13 **from the federal funding appropriated in section 11, there is**  
14 **allocated for 2022-2023 an amount not to exceed \$83,000,000.00 from**  
15 **the federal funding awarded to this state from the coronavirus**  
16 **state fiscal recovery fund under the American rescue plan act of**  
17 **2021, title IX, subtitle M of Public Law 117-2, to eligible**  
18 **intermediate districts and consortia of intermediate districts for**  
19 **great start readiness programs.** An intermediate district or  
20 consortium shall use funds allocated under this section for great  
21 start readiness programs to provide part-day, school-day, or  
22 GSRP/Head Start blended comprehensive free compensatory classroom  
23 programs designed to improve the readiness and subsequent  
24 achievement of educationally disadvantaged children who meet the  
25 participant eligibility and prioritization guidelines as defined by  
26 the department. For a child to be eligible to participate in a  
27 program under this section, the child must be at least 4, but less  
28 than 5, years of age as of September 1 of the school year in which  
29 the program is offered and must meet those eligibility and



1 prioritization guidelines. A child who is not 4 years of age as of  
 2 September 1, but who will be 4 years of age not later than December  
 3 1, is eligible to participate if the child's parent or legal  
 4 guardian seeks a waiver from the September 1 eligibility date by  
 5 submitting a request for enrollment in a program to the responsible  
 6 intermediate district, if the program has capacity on or after  
 7 September 1 of the school year, and if the child meets eligibility  
 8 and prioritization guidelines.

9 (2) From the state school aid fund money allocated under  
 10 subsection (1), an amount not to exceed ~~\$295,120,000.00~~  
 11 **\$359,620,000.00** and from the federal funds allocated under  
 12 subsection (1), an amount not to exceed ~~\$121,000,000.00~~  
 13 **\$83,000,000.00** is allocated to intermediate districts or consortia  
 14 of intermediate districts based on the formula in section 39. An  
 15 intermediate district or consortium of intermediate districts  
 16 receiving funding under this section shall act as the fiduciary for  
 17 the great start readiness programs. An intermediate district or  
 18 consortium of intermediate districts receiving funding under this  
 19 section may collaborate with local governments to identify children  
 20 eligible for programs funded under this section and may contract  
 21 with local governments to provide services. In order to be eligible  
 22 to receive funds allocated under this subsection from an  
 23 intermediate district or consortium of intermediate districts, a  
 24 district, a consortium of districts, a local government, or a  
 25 public or private for-profit or nonprofit legal entity or agency  
 26 must comply with this section and section 39. The funds allocated  
 27 under this subsection for ~~2021-2022-2022-2023~~ are a work project  
 28 appropriation, and any unexpended funds for ~~2021-2022-2022-2023~~ are  
 29 carried forward into ~~2022-2023-2023-2024~~. The purpose of the work



1 project is to continue to improve access to preschool programming  
2 for economically disadvantaged children. The estimated completion  
3 date of the work project described in the immediately preceding  
4 sentence is September 30, ~~2023~~**2024**.

5 (3) In addition to the allocation under subsection (1), from  
6 the general fund money appropriated under section 11, there is  
7 allocated an amount not to exceed \$350,000.00 for ~~2021-2022~~**2022-**  
8 **2023** for a competitive grant to continue a longitudinal evaluation  
9 of children who have participated in great start readiness  
10 programs.

11 (4) To be eligible for funding under this section, a program  
12 must prepare children for success in school through comprehensive  
13 part-day, school-day, or GSRP/Head Start blended programs that  
14 contain all of the following program components, as determined by  
15 the department:

16 (a) Participation in a collaborative recruitment and  
17 enrollment process to assure that each child is enrolled in the  
18 program most appropriate to his or her needs and to maximize the  
19 use of federal, state, and local funds.

20 (b) An age-appropriate educational curriculum that is in  
21 compliance with the early childhood standards of quality for  
22 prekindergarten children adopted by the state board, including, at  
23 least, the Connect4Learning curriculum.

24 (c) Nutritional services for all program participants  
25 supported by federal, state, and local resources as applicable.

26 (d) Physical and dental health and developmental screening  
27 services for all program participants.

28 (e) Referral services for families of program participants to  
29 community social service agencies, including mental health



1 services, as appropriate.

2 (f) Active and continuous involvement of the parents or  
3 guardians of the program participants.

4 (g) A plan to conduct and report annual great start readiness  
5 program evaluations and continuous improvement plans using criteria  
6 approved by the department.

7 (h) Participation in a school readiness advisory committee  
8 convened as a workgroup of the great start collaborative that  
9 provides for the involvement of classroom teachers, parents or  
10 guardians of program participants, and community, volunteer, and  
11 social service agencies and organizations, as appropriate. The  
12 advisory committee annually shall review and make recommendations  
13 regarding the program components listed in this subsection. The  
14 advisory committee also shall make recommendations to the great  
15 start collaborative regarding other community services designed to  
16 improve all children's school readiness.

17 (i) The ongoing articulation of the kindergarten and first  
18 grade programs offered by the program provider.

19 (j) Participation in this state's great start to quality  
20 process with a rating of at least 3 stars.

21 (5) An application for funding under this section must provide  
22 for the following, in a form and manner determined by the  
23 department:

24 (a) Ensure compliance with all program components described in  
25 subsection (4).

26 (b) Except as otherwise provided in this subdivision, ensure  
27 that at least 85% of the children participating in an eligible  
28 great start readiness program for whom the intermediate district is  
29 receiving funds under this section are children who live with



1 families with a household income that is equal to or less than 250%  
2 of the federal poverty guidelines. If the intermediate district  
3 determines that all eligible children are being served and that  
4 there are no children on the waiting list who live with families  
5 with a household income that is equal to or less than 250% of the  
6 federal poverty guidelines, the intermediate district may then  
7 enroll children who live with families with a household income that  
8 is equal to or less than 300% of the federal poverty guidelines.  
9 The enrollment process must consider income and risk factors, such  
10 that children determined with higher need are enrolled before  
11 children with lesser need. For purposes of this subdivision, all  
12 age-eligible children served in foster care or who are experiencing  
13 homelessness or who have individualized education programs  
14 recommending placement in an inclusive preschool setting are  
15 considered to live with families with household income equal to or  
16 less than 250% of the federal poverty guidelines regardless of  
17 actual family income and are prioritized for enrollment within the  
18 lowest quintile.

19 (c) Ensure that the applicant only uses qualified personnel  
20 for this program, as follows:

21 (i) Teachers possessing proper training. A lead teacher must  
22 have a valid Michigan teaching certificate with an early childhood  
23 or lower elementary endorsement or a bachelor's or higher degree in  
24 child development or early childhood education with specialization  
25 in preschool teaching. However, if an applicant demonstrates to the  
26 department that it is unable to fully comply with this subparagraph  
27 after making reasonable efforts to comply, teachers or  
28 paraprofessionals with at least 5 years of experience as a  
29 paraprofessional in a great start readiness program classroom who



1 have significant but incomplete training in early childhood  
2 education or child development may be used if the applicant  
3 provides to the department, and the department approves, a plan for  
4 each teacher to come into compliance with the standards in this  
5 subparagraph. A teacher's compliance plan must be completed within  
6 3 years of the date of employment. Progress toward completion of  
7 the compliance plan consists of at least 2 courses per calendar  
8 year.

9 (ii) Paraprofessionals possessing proper training in early  
10 childhood education, including an associate degree in early  
11 childhood education or child development or the equivalent, or a  
12 child development associate (CDA) credential. However, if an  
13 applicant demonstrates to the department that it is unable to fully  
14 comply with this subparagraph after making reasonable efforts to  
15 comply, the applicant may use paraprofessionals who have completed  
16 at least 1 course that earns college credit in early childhood  
17 education or child development if the applicant provides to the  
18 department, and the department approves, a plan for each  
19 paraprofessional to come into compliance with the standards in this  
20 subparagraph. A paraprofessional's compliance plan must be  
21 completed within 3 years of the date of employment. Progress toward  
22 completion of the compliance plan consists of at least 2 courses or  
23 60 clock hours of training per calendar year.

24 (d) Include a program budget that contains only those costs  
25 that are not reimbursed or reimbursable by federal funding, that  
26 are clearly and directly attributable to the great start readiness  
27 program, and that would not be incurred if the program were not  
28 being offered. Eligible costs include transportation costs. The  
29 program budget must indicate the extent to which these funds will



1 supplement other federal, state, local, or private funds. An  
2 applicant shall not use funds received under this section to  
3 supplant any federal funds received by the applicant to serve  
4 children eligible for a federally funded preschool program that has  
5 the capacity to serve those children.

6 (6) For a grant recipient that enrolls pupils in a school-day  
7 program funded under this section, each child enrolled in the  
8 school-day program is counted as described in section 39 for  
9 purposes of determining the amount of the grant award.

10 (7) For a grant recipient that enrolls pupils in a GSRP/Head  
11 Start blended program, the grant recipient shall ensure that all  
12 Head Start and GSRP policies and regulations are applied to the  
13 blended slots, with adherence to the highest standard from either  
14 program, to the extent allowable under federal law.

15 (8) An intermediate district or consortium of intermediate  
16 districts receiving a grant under this section shall designate an  
17 early childhood coordinator, and may provide services directly or  
18 may contract with 1 or more districts or public or private for-  
19 profit or nonprofit providers that meet all requirements of  
20 subsections (4) and (5).

21 (9) An intermediate district or consortium of intermediate  
22 districts may retain for administrative services provided by the  
23 intermediate district or consortium of intermediate districts an  
24 amount not to exceed 4% of the grant amount. Expenses incurred by  
25 subrecipients engaged by the intermediate district or consortium of  
26 intermediate districts for directly running portions of the program  
27 are considered program costs or a contracted program fee for  
28 service. Subrecipients operating with a federally approved indirect  
29 rate for other early childhood programs may include indirect costs,



1 not to exceed the federal 10% de minimis.

2 (10) An intermediate district or consortium of intermediate  
3 districts may expend not more than 2% of the total grant amount for  
4 outreach, recruiting, and public awareness of the program.

5 (11) Each grant recipient shall enroll children identified  
6 under subsection (5)(b) according to how far the child's household  
7 income is below 250% of the federal poverty guidelines by ranking  
8 each applicant child's household income from lowest to highest and  
9 dividing the applicant children into quintiles based on how far the  
10 child's household income is below 250% of the federal poverty  
11 guidelines, and then enrolling children in the quintile with the  
12 lowest household income before enrolling children in the quintile  
13 with the next lowest household income until slots are completely  
14 filled. If the grant recipient determines that all eligible  
15 children are being served and that there are no children on the  
16 waiting list who live with families with a household income that is  
17 equal to or less than 250% of the federal poverty guidelines, the  
18 grant recipient may then enroll children who live with families  
19 with a household income that is equal to or less than 300% of the  
20 federal poverty guidelines. The enrollment process must consider  
21 income and risk factors, such that children determined with higher  
22 need are enrolled before children with lesser need. For purposes of  
23 this subsection, all age-eligible children served in foster care or  
24 who are experiencing homelessness or who have individualized  
25 education programs recommending placement in an inclusive preschool  
26 setting are considered to live with families with household income  
27 equal to or less than 250% of the federal poverty guidelines  
28 regardless of actual family income and are prioritized for  
29 enrollment within the lowest quintile.



1 (12) An intermediate district or consortium of intermediate  
2 districts receiving a grant under this section shall allow parents  
3 of eligible children who are residents of the intermediate district  
4 or within the consortium to choose a program operated by or  
5 contracted with another intermediate district or consortium of  
6 intermediate districts and shall enter into a written agreement  
7 regarding payment, in a manner prescribed by the department.

8 (13) An intermediate district or consortium of intermediate  
9 districts receiving a grant under this section shall conduct a  
10 local process to contract with interested and eligible public and  
11 private for-profit and nonprofit community-based providers that  
12 meet all requirements of subsection (4) for at least 30% of its  
13 total allocation. For the purposes of this 30% allocation, an  
14 intermediate district or consortium of intermediate districts may  
15 count children served by a Head Start grantee or delegate in a  
16 blended Head Start and great start readiness school-day program.  
17 Children served in a program funded only through Head Start are not  
18 counted toward this 30% allocation. The intermediate district or  
19 consortium shall report to the department, in a manner prescribed  
20 by the department, a detailed list of community-based providers by  
21 provider type, including private for-profit, private nonprofit,  
22 community college or university, Head Start grantee or delegate,  
23 and district or intermediate district, and the number and  
24 proportion of its total allocation allocated to each provider as  
25 subrecipient. If the intermediate district or consortium is not  
26 able to contract for at least 30% of its total allocation, the  
27 grant recipient shall notify the department and, if the department  
28 verifies that the intermediate district or consortium attempted to  
29 contract for at least 30% of its total allocation and was not able



1 to do so, then the intermediate district or consortium may retain  
2 and use all of its allocation as provided under this section. To be  
3 able to use this exemption, the intermediate district or consortium  
4 shall demonstrate to the department that the intermediate district  
5 or consortium increased the percentage of its total allocation for  
6 which it contracts with a community-based provider and the  
7 intermediate district or consortium shall submit evidence  
8 satisfactory to the department, and the department must be able to  
9 verify this evidence, demonstrating that the intermediate district  
10 or consortium took measures to contract for at least 30% of its  
11 total allocation as required under this subsection, including, but  
12 not limited to, at least all of the following measures:

13 (a) The intermediate district or consortium notified each  
14 nonparticipating licensed child care center located in the service  
15 area of the intermediate district or consortium regarding the  
16 center's eligibility to participate, in a manner prescribed by the  
17 department.

18 (b) The intermediate district or consortium provided to each  
19 nonparticipating licensed child care center located in the service  
20 area of the intermediate district or consortium information  
21 regarding great start readiness program requirements and a  
22 description of the application and selection process for community-  
23 based providers.

24 (c) The intermediate district or consortium provided to the  
25 public and to participating families a list of community-based  
26 great start readiness program subrecipients with a great start to  
27 quality rating of at least 3 stars.

28 (14) If an intermediate district or consortium of intermediate  
29 districts receiving a grant under this section fails to submit



1 satisfactory evidence to demonstrate its effort to contract for at  
2 least 30% of its total allocation, as required under subsection  
3 (13), the department shall reduce the allocation to the  
4 intermediate district or consortium by a percentage equal to the  
5 difference between the percentage of an intermediate district's or  
6 consortium's total allocation awarded to community-based providers  
7 and 30% of its total allocation.

8 (15) In order to assist intermediate districts and consortia  
9 in complying with the requirement to contract with community-based  
10 providers for at least 30% of their total allocation, the  
11 department shall do all of the following:

12 (a) Ensure that a great start resource center or the  
13 department provides each intermediate district or consortium  
14 receiving a grant under this section with the contact information  
15 for each licensed child care center located in the service area of  
16 the intermediate district or consortium by March 1 of each year.

17 (b) Provide, or ensure that an organization with which the  
18 department contracts provides, a community-based provider with a  
19 validated great start to quality rating within 90 days of the  
20 provider's having submitted a request and self-assessment.

21 (c) Ensure that all intermediate district, district, community  
22 college or university, Head Start grantee or delegate, private for-  
23 profit, and private nonprofit providers are subject to a single  
24 great start to quality rating system. The rating system must ensure  
25 that regulators process all prospective providers at the same pace  
26 on a first-come, first-served basis and must not allow 1 type of  
27 provider to receive a great start to quality rating ahead of any  
28 other type of provider.

29 (d) Not later than March 1 of each year, compile the results



1 of the information reported by each intermediate district or  
2 consortium under subsection (13) and report to the legislature a  
3 list by intermediate district or consortium with the number and  
4 percentage of each intermediate district's or consortium's total  
5 allocation allocated to community-based providers by provider type,  
6 including private for-profit, private nonprofit, community college  
7 or university, Head Start grantee or delegate, and district or  
8 intermediate district.

9 (16) A recipient of funds under this section shall report to  
10 the center in a form and manner prescribed by the center the  
11 information necessary to derive the number of children  
12 participating in the program who meet the program eligibility  
13 criteria under subsection (5)(b), the number of eligible children  
14 not participating in the program and on a waitlist, and the total  
15 number of children participating in the program by various  
16 demographic groups and eligibility factors necessary to analyze  
17 equitable and priority access to services for the purposes of  
18 subsection (3).

19 (17) As used in this section:

20 (a) "GSRP/Head Start blended program" means a part-day program  
21 funded under this section and a Head Start program, which are  
22 combined for a school-day program.

23 (b) "Federal poverty guidelines" means the guidelines  
24 published annually in the Federal Register by the United States  
25 Department of Health and Human Services under its authority to  
26 revise the poverty line under 42 USC 9902.

27 (c) "Part-day program" means a program that operates at least  
28 4 days per week, 30 weeks per year, for at least 3 hours of  
29 teacher-child contact time per day but for fewer hours of teacher-



1 child contact time per day than a school-day program.

2 (d) "School-day program" means a program that operates for at  
3 least the same length of day as a district's first grade program  
4 for a minimum of 4 days per week, 30 weeks per year. A classroom  
5 that offers a school-day program must enroll all children for the  
6 school day to be considered a school-day program.

7 (18) An intermediate district or consortium of intermediate  
8 districts receiving funds under this section shall establish and  
9 charge tuition according to a sliding scale of tuition rates based  
10 upon household income for children participating in an eligible  
11 great start readiness program who live with families with a  
12 household income that is more than 250% of the federal poverty  
13 guidelines to be used by all of its providers, as approved by the  
14 department.

15 (19) From the amount allocated in subsection (2), there is  
16 allocated for ~~2021-2022~~**2022-2023** an amount not to exceed  
17 \$10,000,000.00 for reimbursement of transportation costs for  
18 children attending great start readiness programs funded under this  
19 section. To receive reimbursement under this subsection, not later  
20 than November 1 of each year, a program funded under this section  
21 that provides transportation shall submit to the intermediate  
22 district that is the fiscal agent for the program a projected  
23 transportation budget. The amount of the reimbursement for  
24 transportation under this subsection is no more than the projected  
25 transportation budget or \$300.00 multiplied by the number of  
26 children funded for the program under this section. If the amount  
27 allocated under this subsection is insufficient to fully reimburse  
28 the transportation costs for all programs that provide  
29 transportation and submit the required information, the department



1 shall prorate the reimbursement in an equal amount per child  
2 funded. The department shall make payments to the intermediate  
3 district that is the fiscal agent for each program, and the  
4 intermediate district shall then reimburse the program provider for  
5 transportation costs as prescribed under this subsection.

6 (20) Subject to, and from the funds allocated under,  
7 subsection (19), the department shall reimburse a program for  
8 transportation costs related to parent- or guardian-accompanied  
9 transportation provided by transportation service companies, buses,  
10 or other public transportation services. To be eligible for  
11 reimbursement under this subsection, a program must submit to the  
12 intermediate district or consortia of intermediate districts all of  
13 the following:

14 (a) The names of families provided with transportation support  
15 along with a documented reason for the need for transportation  
16 support and the type of transportation provided.

17 (b) Financial documentation of actual transportation costs  
18 incurred by the program, including, but not limited to, receipts  
19 and mileage reports, as determined by the department.

20 (c) Any other documentation or information determined  
21 necessary by the department.

22 (21) The department shall implement a process to review and  
23 approve age-appropriate comprehensive classroom level quality  
24 assessments for GSRP grantees that support the early childhood  
25 standards of quality for prekindergarten children adopted by the  
26 state board. The department shall make available to intermediate  
27 districts at least 2 classroom level quality assessments that were  
28 approved in 2018.

29 (22) An intermediate district that is a GSRP grantee may



1 approve the use of a supplemental curriculum that aligns with and  
2 enhances the age-appropriate educational curriculum in the  
3 classroom. If the department objects to the use of a supplemental  
4 curriculum approved by an intermediate district, the superintendent  
5 shall establish a review committee independent of the department.  
6 The review committee shall meet within 60 days of the department  
7 registering its objection in writing and provide a final  
8 determination on the validity of the objection within 60 days of  
9 the review committee's first meeting.

10 (23) The department shall implement a process to evaluate and  
11 approve age-appropriate educational curricula that are in  
12 compliance with the early childhood standards of quality for  
13 prekindergarten children adopted by the state board.

14 (24) From the funds allocated under subsection (1), there is  
15 allocated for ~~2021-2022~~**2022-2023** an amount not to exceed  
16 \$2,000,000.00 for payments to intermediate districts or consortia  
17 of intermediate districts for professional development and training  
18 materials for educators in programs implementing new curricula or  
19 child assessment tools approved for use in the great start  
20 readiness program.

21 (25) A great start readiness program or a GSRP/Head Start  
22 blended program funded under this section is permitted to utilize  
23 AmeriCorps Pre-K Reading Corps members in classrooms implementing  
24 research-based early literacy intervention strategies.

25 **Sec. 32n. (1) From the federal funding appropriated under**  
26 **section 11, there is allocated for 2022-2023 an amount not to**  
27 **exceed \$50,000,000.00 from the federal funding awarded to this**  
28 **state from the coronavirus state fiscal recovery fund under the**  
29 **American rescue plan act of 2021, title IX, subtitle M of Public**



1 Law 117-2, for the purposes of this section. The department shall  
2 develop a competitive grant program to distribute this funding to  
3 eligible entities, as described in subsection (2), as prescribed  
4 under this section.

5 (2) The department shall establish competitive grant criteria  
6 for the grant program described in subsection (1) for eligible  
7 applicants to expand access to quality, affordable programming  
8 before and after the school day for young people. To be eligible  
9 for a grant under this section, the applicant must meet, at a  
10 minimum, all of the following criteria:

11 (a) Serve children in any of grades K to 12.

12 (b) Be a community-based organization that is exempt from  
13 federal income tax under section 501(c)(3) of the internal revenue  
14 code, 26 USC 501, or an intermediate district.

15 (c) Provide before-school, after-school, or before-and-after-  
16 school programming to children described in subdivision (a). These  
17 programs must be used to support expanded learning opportunities,  
18 including, but not limited to, mentoring, leadership, community  
19 engagement, agriculture, art, music, literacy, science, technology,  
20 engineering, mathematics, health, and recreation programming.

21 (d) Address measurable goals, including, but not limited to,  
22 improved school attendance, academic outcomes, positive behaviors,  
23 and skill acquisition, and include activities linked to research or  
24 quality practices.

25 (3) The department shall establish a competitive grant process  
26 for awarding funding under this section. The process must be posted  
27 publicly at least 30 days prior to the grant application period.  
28 The department shall develop the form and manner for applying for  
29 the grants. The application must include a request for information



1 on the applicant's outreach to children, youth, and families who  
2 qualify for free or reduced-price lunch. The application must be  
3 open for not less than 30 calendar days. At least 30 days before  
4 the application is opened, the department must publish on its  
5 public website the criteria that will be used in evaluating the  
6 application that must include, but are not limited to, priorities  
7 under subsection (5).

8 (4) In determining award amounts under this subsection, the  
9 department shall, to the extent practicable, ensure that eligible  
10 entities in all geographic regions of this state are represented in  
11 the distribution of grant funding under this section.

12 (5) The department shall prioritize the distribution of grant  
13 funding under this section based on, at a minimum, the following:

14 (a) An applicant's demonstrated need.

15 (b) The percentage of low-income families in the geographic  
16 area being served. Prioritization must be determined by the average  
17 percentage of pupils in the school district where eligible entities  
18 will provide before-and-after-school programs who are eligible for  
19 free and reduced-priced meals as determined under the Richard B.  
20 Russell national school lunch act, 42 USC 1751 to 1769j.

21 (c) Whether the application provides services for the full  
22 school year.

23 (d) The applicant's track record for providing quality,  
24 affordable before-and-after-school services.

25 (e) Whether an applicant serving children in any of grades K  
26 through 8 is licensed or is in the process of becoming licensed or  
27 has implemented the Michigan State Board of Education Michigan Out-  
28 of-School Time Standards of Quality. This does not preclude a  
29 nonlicensed entity from applying and being funded.



1 (6) An eligible entity that receives grant funding under this  
2 section shall use the funding only to provide before-school, after-  
3 school, or before-and-after-school programming to children  
4 described in subsection (2) (a). The programming offered under this  
5 subsection must meet all of the following:

6 (a) Be provided to children in a manner in which the children  
7 are physically present at a building or location designated by the  
8 eligible entity.

9 (b) Provide educational programming in core subject areas,  
10 including, but not limited to, mathematics, reading, and science.

11 (c) Provide data to evaluate the program in a form and manner  
12 as prescribed by the department.

13 (7) The department shall award 50% of the funding under this  
14 section to community-based organizations and the other 50% of the  
15 funding under this section to intermediate districts.

16 (8) Notwithstanding section 17b, the department shall make  
17 payments under this section in full upon grant award. Grantees that  
18 do not comply with reporting requirements, fail to provide the  
19 services proposed in their grant application, or close during the  
20 grant period may be required to repay the funding they received  
21 under this section to the department.

22 (9) The federal funding allocated under this section is  
23 intended to respond to the COVID-19 public health emergency and its  
24 negative impacts.

25 Sec. 32p. (1) From the state school aid fund money  
26 appropriated in section 11, there is allocated an amount not to  
27 exceed \$13,400,000.00 to intermediate districts for ~~2021-2022-2022-~~  
28 **2023** for the purpose of providing early childhood funding to  
29 intermediate districts to support the goals and outcomes under



1 subsection (2) and subsection (4), and to provide **supports for**  
2 early childhood programs for children from birth through age 8. The  
3 funding provided to each intermediate district under this section  
4 is determined by the distribution formula established by the  
5 department's office of great start to provide equitable funding  
6 statewide. In order to receive funding under this section, each  
7 intermediate district must provide an application to the office of  
8 great start not later than September 15 of the immediately  
9 preceding fiscal year indicating the strategies planned to be  
10 provided.

11 (2) Each intermediate district or consortium of intermediate  
12 districts that receives funding under this section shall convene a  
13 local great start collaborative and a parent coalition that  
14 includes an active partnership with at least 1 community-based  
15 organization. The goal of each great start collaborative and parent  
16 coalition is to ensure the coordination and expansion of local  
17 early childhood infrastructure and programs that allow every child  
18 in the community to achieve the following outcomes:

19 (a) Children born healthy.

20 (b) Children healthy, thriving, and developmentally on track  
21 from birth to grade 3.

22 (c) Children developmentally ready to succeed in school at the  
23 time of school entry.

24 (d) Children prepared to succeed in fourth grade and beyond by  
25 reading proficiently by the end of third grade.

26 (3) Each local great start collaborative and parent coalition  
27 shall convene workgroups to make recommendations about community  
28 services designed to achieve the outcomes described in subsection  
29 (2) and to ensure that its local great start system includes the



1 following supports for children from birth through age 8:

2 (a) Physical health.

3 (b) Social-emotional health.

4 (c) Family supports, ~~and including~~, **but not limited to, the**  
5 **provision of basic needs and economic self-sufficiency.**

6 (d) Parent ~~education~~. **leadership and family engagement.**

7 (e) Early education, including the child's development of  
8 skills linked to success in foundational literacy, and care.

9 (4) From the funds allocated in subsection (1), at least  
10 \$2,500,000.00 must be used for the purpose of providing home visits  
11 to at-risk children and their families. The home visits must be  
12 conducted as part of a locally coordinated, family-centered,  
13 evidence-based, data-driven home visit strategic plan that is  
14 approved by the department. The goals of the home visits funded  
15 under this subsection are to improve school readiness using  
16 evidence-based methods, including a focus on developmentally  
17 appropriate outcomes for early literacy, to improve positive  
18 parenting practices, and to improve family economic self-  
19 sufficiency while reducing the impact of high-risk factors through  
20 community resources and referrals. The department shall coordinate  
21 the goals of the home visit strategic plans approved under this  
22 subsection with other state agency home visit programs in a way  
23 that strengthens Michigan's home visiting infrastructure and  
24 maximizes federal funds available for the purposes of at-risk  
25 family home visits. The coordination among departments and agencies  
26 is intended to avoid duplication of state services and spending,  
27 and should emphasize efficient service delivery of home visiting  
28 programs.

29 (5) Not later than December 1 of each year, each intermediate



1 district shall provide a report to the department detailing the  
 2 strategies actually implemented during the immediately preceding  
 3 school year and the families and children actually served. At a  
 4 minimum, the report must include an evaluation of the services  
 5 provided with additional funding under subsection (4) for home  
 6 visits, using the goals identified in subsection (4) as the basis  
 7 for the evaluation, including the degree to which school readiness  
 8 was improved, the degree to which positive parenting practices were  
 9 improved, the degree to which there was improved family economic  
 10 self-sufficiency, and the degree to which community resources and  
 11 referrals were utilized. The department shall compile and summarize  
 12 these reports and submit its summary to the house and senate  
 13 appropriations subcommittees on school aid and to the house and  
 14 senate fiscal agencies not later than February 15 of each year.

15 (6) An intermediate district or consortium of intermediate  
 16 districts that receives funding under this section may carry over  
 17 any unexpended funds received under this section into the next  
 18 fiscal year and may expend those unused funds through June 30 of  
 19 the next fiscal year. However, an intermediate district or  
 20 consortium of intermediate districts that receives funding for the  
 21 purposes described in subsection (2) in fiscal year ~~2021-2022-2022-~~  
 22 **2023** shall not carry over into the next fiscal year any amount  
 23 exceeding ~~20%~~**15%** of the amount awarded to the intermediate  
 24 district or consortium in the ~~2021-2022-2022-2023~~ fiscal year. ~~It~~  
 25 ~~is intended that the amount carried over from funding awarded for~~  
 26 ~~the purposes described in subsection (2) in fiscal year 2022-2023~~  
 27 ~~not exceed 15% of the amount awarded in that fiscal year. A~~  
 28 recipient of a grant shall return any unexpended grant funds to the  
 29 department in the manner prescribed by the department not later



1 than September 30 of the next fiscal year after the fiscal year in  
2 which the funds are received.

3       Sec. 35a. (1) From the appropriations in section 11, there is  
4 allocated for ~~2021-2022-2022-2023~~ for the purposes of this section  
5 an amount not to exceed \$61,400,000.00 from the state school aid  
6 fund and there is allocated for ~~2021-2022-2022-2023~~ for the  
7 purposes of subsection (8) an amount not to exceed \$3,500,000.00  
8 from the general fund. Excluding staff or contracted employees  
9 funded under subsection (8), the superintendent shall designate  
10 staff or contracted employees funded under this section as critical  
11 shortage. Programs funded under this section are intended to ensure  
12 that this state will be a top 10 state in grade 4 reading  
13 proficiency by 2025 according to the National Assessment of  
14 Educational Progress (NAEP). By December 31 ~~, 2021,~~ **of each year,**  
15 the superintendent of public instruction shall do both of the  
16 following:

17       (a) Report in person to the house and senate appropriations  
18 subcommittees on school aid regarding progress on the goal  
19 described in this subsection and be available for questioning as  
20 prescribed through a process developed by the chairs of the house  
21 and senate appropriations subcommittees on school aid.

22       (b) Submit a written report to the house and senate  
23 appropriations subcommittees on school aid regarding progress on  
24 the goal described in this subsection.

25       (2) A district that receives funds under subsection (5) may  
26 spend up to 5% of those funds for professional development for  
27 educators in a department-approved research-based training program  
28 related to current state literacy standards for pupils in grades  
29 pre-K to 3. The professional development must also include training



1 in the use of screening and diagnostic tools, progress monitoring,  
2 and intervention methods used to address barriers to learning and  
3 delays in learning that are diagnosed through the use of these  
4 tools.

5 (3) A district that receives funds under subsection (5) may  
6 use up to 5% of those funds to administer department-approved  
7 screening and diagnostic tools to monitor the development of early  
8 literacy and early reading skills, and risk factors for word-level  
9 reading difficulties of pupils in grades pre-K to 3 and to support  
10 evidence-based professional learning described in subsection (11)  
11 for educators in administering and using screening, progress  
12 monitoring, and diagnostic assessment data to inform instruction  
13 through prevention and intervention in a multi-tiered system of  
14 supports framework. A department-approved screening and diagnostic  
15 tool administered by a district using funding under this section  
16 must include all of the following components: phonemic awareness,  
17 phonics, fluency, rapid automatized naming (RAN), and  
18 comprehension. Further, all of the following sub-skills must be  
19 assessed within each of these components:

20 (a) Phonemic awareness - segmentation, blending, and sound  
21 manipulation (deletion and substitution).

22 (b) Phonics - decoding (reading) and encoding (spelling).

23 (c) Fluency.

24 (d) Comprehension - making meaning of text.

25 (4) From the allocation under subsection (1), there is  
26 allocated an amount not to exceed \$31,500,000.00 for ~~2021-2022~~  
27 **2022-2023** for the purpose of providing early literacy coaches at  
28 intermediate districts to assist teachers in developing and  
29 implementing instructional strategies for pupils in grades pre-K to



1 3 so that pupils are reading at grade level by the end of grade 3.  
2 All of the following apply to funding under this subsection:

3 (a) The department shall develop an application process  
4 consistent with the provisions of this subsection. An application  
5 must provide assurances that literacy coaches funded under this  
6 subsection are knowledgeable about at least the following:

7 (i) Current state literacy standards for pupils in grades pre-K  
8 to 3.

9 (ii) Implementing an instructional delivery model based on  
10 frequent use of formative, screening, and diagnostic tools, known  
11 as a multi-tiered system of supports, to determine individual  
12 progress for pupils in grades pre-K to 3 so that pupils are reading  
13 at grade level by the end of grade 3.

14 (iii) The use of data from diagnostic tools to determine the  
15 necessary additional supports and interventions needed by  
16 individual pupils in grades pre-K to 3 in order to be reading at  
17 grade level.

18 (b) From the allocation under this subsection, the department  
19 shall award grants to intermediate districts for the support of  
20 early literacy coaches. The department shall provide this funding  
21 in the following manner:

22 (i) The department shall award each intermediate district grant  
23 funding to support the cost of 1 early literacy coach in an equal  
24 amount per early literacy coach, not to exceed \$112,500.00.

25 (ii) After distribution of the grant funding under subparagraph  
26 (i), the department shall distribute the remainder of grant funding  
27 for additional early literacy coaches in an amount not to exceed  
28 \$112,500.00 per early literacy coach. The number of funded early  
29 literacy coaches for each intermediate district is based on the



1 percentage of the total statewide number of pupils in grades K to 3  
2 who meet the income eligibility standards for the federal free and  
3 reduced-price lunch programs who are enrolled in districts in the  
4 intermediate district.

5 (c) If an intermediate district that receives funding under  
6 this subsection uses an assessment tool that screens for  
7 characteristics of dyslexia, the intermediate district shall use  
8 the assessment results from that assessment tool to identify pupils  
9 who demonstrate characteristics of dyslexia.

10 (5) From the allocation under subsection (1), there is  
11 allocated an amount not to exceed \$19,900,000.00 for ~~2021-2022~~  
12 **2022-2023** to districts that provide additional instructional time  
13 to those pupils in grades pre-K to 3 who have been identified by  
14 using department-approved screening and diagnostic tools as needing  
15 additional supports and interventions in order to be reading at  
16 grade level by the end of grade 3. Additional instructional time  
17 may be provided before, during, and after regular school hours or  
18 as part of a year-round balanced school calendar. All of the  
19 following apply to funding under this subsection:

20 (a) In order to be eligible to receive funding, a district  
21 must demonstrate to the satisfaction of the department that the  
22 district has done all of the following:

23 (i) Implemented a multi-tiered system of supports instructional  
24 delivery model that is an evidence-based model that uses data-  
25 driven problem solving to integrate academic and behavioral  
26 instruction and that uses intervention delivered to all pupils in  
27 varying intensities based on pupil needs. The multi-tiered system  
28 of supports must provide at least all of the following essential  
29 components:



- 1 (A) Team-based leadership.
- 2 (B) A tiered delivery system.
- 3 (C) Selection and implementation of instruction,  
4 interventions, and supports.
- 5 (D) A comprehensive screening and assessment system.
- 6 (E) Continuous data-based decision making.
- 7 (ii) Used department-approved research-based diagnostic tools  
8 to identify individual pupils in need of additional instructional  
9 time.
- 10 (iii) Used a reading instruction method that focuses on the 5  
11 fundamental building blocks of reading: phonics, phonemic  
12 awareness, fluency, vocabulary, and comprehension and content  
13 knowledge.
- 14 (iv) Provided teachers of pupils in grades pre-K to 3 with  
15 research-based professional development in diagnostic data  
16 interpretation.
- 17 (v) Complied with the requirements under section 1280f of the  
18 revised school code, MCL 380.1280f.
- 19 (b) The department shall distribute funding allocated under  
20 this subsection to eligible districts on an equal per-first-grade-  
21 pupil basis.
- 22 (c) If the funds allocated under this subsection are  
23 insufficient to fully fund the payments under this subsection,  
24 payments under this subsection are prorated on an equal per-pupil  
25 basis based on grade 1 pupils.
- 26 (6) Not later than September 1 of each year, a district that  
27 receives funding under subsection (5) in conjunction with the  
28 Michigan student data system, if possible, shall provide to the  
29 department a report that includes at least both of the following,



1 in a form and manner prescribed by the department:

2 (a) For pupils in grades pre-K to 3, the teachers, pupils,  
3 schools, and grades served with funds under this section and the  
4 categories of services provided.

5 (b) For pupils in grades pre-K to 3, pupil proficiency and  
6 growth data that allows analysis both in the aggregate and by each  
7 of the following subgroups, as applicable:

8 (i) School.

9 (ii) Grade level.

10 (iii) Gender.

11 (iv) Race.

12 (v) Ethnicity.

13 (vi) Economically disadvantaged status.

14 (vii) Disability.

15 (viii) Pupils identified as having reading deficiencies.

16 (7) From the allocation under subsection (1), there is  
17 allocated an amount not to exceed \$6,000,000.00 for ~~2021-2022~~**2022-**  
18 **2023** to an intermediate district in which the combined total number  
19 of pupils in membership of all of its constituent districts is the  
20 fewest among all intermediate districts. All of the following apply  
21 to the funding under this subsection:

22 (a) Funding under this subsection must be used by the  
23 intermediate district, in partnership with an association that  
24 represents intermediate district administrators in this state, to  
25 implement all of the following:

26 (i) Literacy essentials teacher and principal training modules.

27 (ii) Face-to-face and online professional learning of literacy  
28 essentials teacher and principal training modules for literacy  
29 coaches, principals, and teachers.



1           (iii) The placement of regional lead literacy coaches to  
2 facilitate professional learning for early literacy coaches. These  
3 regional lead literacy coaches shall provide support for new  
4 literacy coaches, building teachers, and administrators and shall  
5 facilitate regional data collection to evaluate the effectiveness  
6 of statewide literacy coaches funded under this section.

7           (iv) Provide \$500,000.00 from this subsection for literacy  
8 training, modeling, coaching, and feedback for district principals  
9 or chief administrators, as applicable. The training described in  
10 this subparagraph must use the pre-K and K to 3 essential  
11 instructional practices in literacy created by the general  
12 education leadership network as the framework for all training  
13 provided under this subparagraph.

14           (v) Job-embedded professional learning opportunities for  
15 mathematics teachers through mathematics instructional coaching.  
16 Funding must be used for professional learning for coaches,  
17 professional developers, administrators, and teachers; coaching for  
18 early mathematics educators; the development of statewide and  
19 regional professional learning networks in mathematics  
20 instructions; and the development and support of digital  
21 professional learning modules.

22           (b) Not later than September 1 of each year, the intermediate  
23 district described in this subsection, in consultation with grant  
24 recipients, shall submit a report to the chairs of the senate and  
25 house appropriations subcommittees on school aid, the chairs of the  
26 senate and house standing committees responsible for education  
27 legislation, the house and senate fiscal agencies, and the state  
28 budget director. The report described under this subdivision must  
29 include student achievement results in English language arts and



1 mathematics and survey results with feedback from parents and  
2 teachers regarding the initiatives implemented under this  
3 subsection.

4 (c) Up to 2% of funds allocated under this subsection may be  
5 used by the association representing intermediate district  
6 administrators that is in partnership with the intermediate  
7 district specified in this subsection to administer this  
8 subsection.

9 (8) From the general fund money allocated in subsection (1),  
10 the department shall allocate the amount of \$3,500,000.00 for ~~2021-~~  
11 ~~2022-2022-2023~~ to the Michigan Education Corps for the PreK Reading  
12 Corps, the K3 Reading Corps, and the Math Corps. All of the  
13 following apply to funding under this subsection:

14 (a) By September 1 of the current fiscal year, the Michigan  
15 Education Corps shall provide a report concerning its use of the  
16 funding to the senate and house appropriations subcommittees on  
17 ~~state~~ school aid, the senate and house fiscal agencies, and the  
18 senate and house caucus policy offices on outcomes and performance  
19 measures of the Michigan Education Corps, including, but not  
20 limited to, the degree to which the Michigan Education Corps'  
21 replication of the PreK Reading Corps, the K3 Reading Corps, and  
22 the Math Corps programs is demonstrating sufficient efficacy and  
23 impact. The report must include data pertaining to at least all of  
24 the following:

25 (i) The current impact of the programs on this state in terms  
26 of numbers of children and schools receiving support. This portion  
27 of the report must specify the number of children tutored,  
28 including dosage and completion, and the demographics of those  
29 children.



1           (ii) Whether the assessments and interventions are implemented  
2 with fidelity. This portion of the report must include details on  
3 the total number of assessments and interventions completed and the  
4 range, mean, and standard deviation.

5           (iii) Whether the literacy or math improvement of children  
6 participating in the programs is consistent with expectations. This  
7 portion of the report must detail at least all of the following:

8           (A) Growth rate by grade or age level, in comparison to  
9 targeted growth rate.

10           (B) Average linear growth rates.

11           (C) Exit rates.

12           (D) Percentage of children who exit who also meet or exceed  
13 spring benchmarks.

14           (iv) The impact of the programs on organizations and  
15 stakeholders, including, but not limited to, school administrators,  
16 internal coaches, and AmeriCorps members.

17           (b) If the department determines that the Michigan Education  
18 Corps has misused the funds allocated under this subsection, the  
19 Michigan Education Corps shall reimburse this state for the amount  
20 of state funding misused.

21           (c) The department may not reserve any portion of the  
22 allocation provided under this subsection for an evaluation of the  
23 Michigan Education Corps, the Michigan Education Corps' funding, or  
24 the Michigan Education Corps' programming unless agreed to in  
25 writing by the Michigan Education Corps. The department shall award  
26 the entire \$3,500,000.00 allocated under this subsection to the  
27 Michigan Education Corps and shall not condition the awarding of  
28 this funding on the implementation of an 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 for ~~2021-2022-2022-~~  
29 **2023** for professional learning described in subsection (11), first



1 to educators in pre-K, kindergarten, and grade 1 and then to  
2 educators in grade 2 and grade 3. All of the following apply to  
3 funding under this subsection:

4 (a) The department must establish and manage professional  
5 learning opportunities that are open to all pre-K through grade 3  
6 teachers as follows:

7 (i) The department must open voluntary enrollment for any pre-K  
8 through grade 3 teacher on a first-come, first-served basis, with  
9 voluntary enrollment prioritized for pre-K, kindergarten, and grade  
10 1 teachers.

11 (ii) The department must maintain open enrollment until all  
12 funds are expended.

13 (b) The department shall distribute funding allocated under  
14 this subsection to eligible districts on an equal per-first-grade-  
15 pupil basis.

16 (c) If the funds allocated under this subsection are  
17 insufficient to fully fund the payments under this subsection,  
18 payments under this subsection are prorated on an equal per-pupil  
19 basis based on grade 1 pupils.

20 (11) The department shall provide a list of 1 or more approved  
21 providers of professional learning outlined in this subsection for  
22 pre-K to grade 3 teachers, administrators, and early literacy  
23 coaches. In order to be approved, a provider of professional  
24 learning must meet all of the following:

25 (a) Be offered through a system of training that provides  
26 educators with the knowledge base to effectively implement any  
27 class-wide, supplemental, or intervention reading approach and to  
28 determine why some students struggle with reading, writing,  
29 spelling, and language.



1 (b) Provide training activities that direct educators to  
2 implement effective reading and spelling instruction supported by  
3 scientifically based research and foster a direct explicit  
4 instructional sequence that uses techniques to support teachers'  
5 independence in using their newly-learned skills with students in  
6 the classroom.

7 (c) Include integrated components for educators and  
8 administrators in pre-K to grade 3 with embedded evaluation or  
9 assessment of knowledge. Evaluation or assessment of knowledge  
10 under this subdivision must incorporate evaluations of learning  
11 throughout each unit and include a summative assessment that must  
12 be completed to demonstrate successful course completion.

13 (d) Build teacher content knowledge and pedagogical knowledge  
14 of the critical components of literacy including how the brain  
15 learns to read, phonological and phonemic awareness; letter  
16 knowledge; phonics; advanced phonics; vocabulary and oral language;  
17 fluency; comprehension; spelling and writing; and the organization  
18 of language.

19 (e) Support educators in understanding how to effectively use  
20 screening, progress monitoring, and diagnostic assessment data to  
21 improve literacy outcomes through prevention and intervention for  
22 reading difficulties in a multi-tiered system of supports. The  
23 multi-tiered system of supports must include at least all of the  
24 following essential components:

25 (i) Team-based leadership.

26 (ii) A tiered delivery system.

27 (iii) Selection and implementation of instruction,  
28 interventions, and supports.

29 (iv) A comprehensive screening and assessment system.



1 (v) Continuous data-based decision making.

2 (12) Notwithstanding section 17b, the department shall make  
3 payments made under subsections (7) and (8) on a schedule  
4 determined by the department.

5 (13) As used in this section:

6 (a) "Dyslexia" means both of the following:

7 (i) A specific learning disorder that is neurobiological in  
8 origin and characterized by difficulties with accurate or fluent  
9 word recognition and by poor spelling and decoding abilities that  
10 typically result from a deficit in the phonological component of  
11 language that is often unexpected in relation to other cognitive  
12 abilities and the provision of effective classroom instruction.

13 (ii) A specific learning disorder that may include secondary  
14 consequences, such as problems in reading comprehension and a  
15 reduced reading experience that can impede the growth of vocabulary  
16 and background knowledge and lead to social, emotional, and  
17 behavioral difficulties.

18 (b) "Evidence-based" means an activity, program, process,  
19 service, strategy, or intervention that demonstrates statistically  
20 significant effects on improving pupil outcomes or other relevant  
21 outcomes and that meets at least both of the following:

22 (i) At least 1 of the following:

23 (A) Is based on strong evidence from at least 1 well-designed  
24 and well-implemented experimental study.

25 (B) Is based on moderate evidence from at least 1 well-  
26 designed and well-implemented quasi-experimental study.

27 (C) Is based on promising evidence from at least 1 well-  
28 designed and well-implemented correlational study with statistical  
29 controls for selection bias.



1 (D) Demonstrates a rationale based on high-quality research  
2 findings or positive evaluation that the activity, program,  
3 process, service, strategy, or intervention is likely to improve  
4 pupil outcomes or other relevant outcomes.

5 (ii) Includes ongoing efforts to examine the effects of the  
6 activity, program, process, service, strategy, or intervention.

7 (c) "Explicit" means direct and deliberate instruction through  
8 continuous pupil-teacher interaction that includes teacher  
9 modeling, guided practice, and independent practice.

10 (d) "Fluency" means the ability to read with speed, accuracy,  
11 and proper expression.

12 (e) "Multi-tiered system of supports" means a comprehensive  
13 framework that includes 3 distinct tiers of instructional support  
14 and is composed of a collection of evidence-based strategies  
15 designed to meet the individual needs and assets of a whole pupil  
16 at all achievement levels.

17 (f) "Phonemic awareness" means the conscious awareness of all  
18 of the following:

19 (i) Individual speech sounds, including, but not limited to,  
20 consonants and vowels, in spoken syllables.

21 (ii) The ability to consciously manipulate through, including,  
22 but not limited to, matching, blending, segmenting, deleting, or  
23 substituting, individual speech sounds described in subparagraph  
24 (i).

25 (iii) All levels of the speech sound system, including, but not  
26 limited to, word boundaries, rhyme recognition, stress patterns,  
27 syllables, onset-rime units, and phonemes.

28 (g) "Phonological" means relating to the system of contrastive  
29 relationships among the speech sounds that constitute the



1 fundamental components of a language.

2 (h) "Progress monitoring" means the assessing of students'  
3 academic performance, quantifying students' rates of improvement or  
4 progress toward goals, and determining how students are responding  
5 to instruction.

6 (i) "Rapid automatized naming (RAN)" means a task that  
7 measures how quickly individuals can name objects; pictures;  
8 colors; or symbols, including letters and digits, aloud, which can  
9 predict later reading abilities for preliterate children.

10 Sec. 35g. (1) From the state school aid fund money  
11 appropriated in section 11, there is allocated an amount not to  
12 exceed \$1,000,000.00 for ~~2021-2022~~**2022-2023** for competitive grants  
13 to eligible districts that have established innovative community  
14 libraries.

15 (2) A district that has established an innovative community  
16 library that meets all of the following is an eligible district  
17 under this section:

18 (a) The library provides for the engagement and connection of  
19 readers.

20 (b) The library provides for resources that are used to  
21 further reading skills.

22 (c) The library provides for the involvement of community  
23 volunteers and donations.

24 (3) An eligible district may partner with an existing library  
25 to provide an innovative community library described in subsection  
26 (2).

27 (4) For the purpose of this section, an innovative community  
28 library described in subsection (2) does not need to be in a  
29 physical building.



1 (5) To receive funding under this section, an eligible  
 2 district must apply for the funding to the department's innovation  
 3 council, in a form and manner prescribed by the department's  
 4 innovation council, by not later than March 15 ~~, 2022.~~ **of each**  
 5 **year**. The department's innovation council must develop an  
 6 application process for the submission of applications for funding  
 7 under this section by not later than December 15 ~~, 2021.~~ **of each**  
 8 **year**. The department's innovation council must score applications  
 9 and award up to 20 grants under this section based on the following  
 10 criteria by not later than July 15 ~~, 2022.~~ **of each year:**

11 (a) How the innovative community library has addressed early  
 12 childhood literacy gaps.

13 (b) How community partners of the innovative community library  
 14 have engaged in addressing literacy gaps.

15 (c) How the innovative community library has connected  
 16 different readers together.

17 (d) How the innovative community library will promote its  
 18 approach to other districts or communities in addressing early  
 19 literacy gaps.

20 (6) The grant awards under subsection (5) must be ranked in a  
 21 manner in which there are 2 first-place grant awards, 2 second-  
 22 place grant awards, 2 third-place grant awards, 2 fourth-place  
 23 grant awards, 2 fifth-place grant awards, 2 sixth-place grant  
 24 awards, 2 seventh-place grant awards, 2 eighth-place grant awards,  
 25 2 ninth-place grant awards, and 2 tenth-place grant awards. The  
 26 first-place grant awards described in this subsection must receive  
 27 the highest award of funding under this section and the amount of  
 28 funding awarded under this section must decline sequentially with  
 29 each numerical-place award described in this subsection, with the



1 lowest award of funding under this section going to the tenth-place  
2 grant award recipients.

3 (7) Notwithstanding section 17b, subject to subsection (5),  
4 the department shall make payments to eligible districts under this  
5 section on a schedule determined by the department.

6 **Sec. 35i. (1) From the state school aid fund money**  
7 **appropriated in section 11, there is allocated an amount not to**  
8 **exceed \$500,000.00 for 2022-2023 for learner vanguard grants to**  
9 **eligible districts.**

10 (2) To receive a grant under this section, a district must  
11 apply to the department's innovation council for the grant, in a  
12 form and manner prescribed by the department's innovation council.

13 (3) A district that, in its grant application described in  
14 subsection (2), demonstrates that its initiative meets all of the  
15 following criteria is an eligible district under this section:

16 (a) The initiative is learner-led.

17 (b) The initiative has positive impacts on school culture that  
18 are proven by evidence of learner actions.

19 (c) The initiative connects learners to communities.

20 (d) The initiative exalts and empowers learners by means of  
21 its personal reputation in the community, its online footprint, and  
22 its reputation within the student body.

23 (e) The initiative builds interpersonal skills.

24 (f) The initiative is replicable.

25 (g) The initiative empowers student voice.

26 (4) Notwithstanding section 17b, the department shall make  
27 payments to eligible districts under this section on a schedule  
28 determined by the department.

29 **Sec. 35j. (1) From the state school aid fund money**



1 appropriated in section 11, there is allocated for 2022-2023 an  
2 amount not to exceed \$5,000,000.00, and from the federal funding  
3 appropriated in section 11, there is allocated for 2022-2023 an  
4 amount not to exceed \$10,000,000.00 from the federal funding  
5 awarded to this state from the elementary and secondary school  
6 emergency relief (ESSER) fund under the American rescue plan act of  
7 2021, title II, subtitle A, part 1 of Public Law 117-2, to  
8 districts and intermediate districts for the purposes of this  
9 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 and local community-based  
16 organizations, in a school setting or community setting, pupils  
17 enrolled in any of grades K to 8 in the district or intermediate  
18 district with only a high-dosage tutoring (HDT) pilot program that  
19 is designed to address unfinished learning that resulted from the  
20 COVID-19 pandemic.

21 (4) The state school aid fund money allocated under this  
22 section for 2022-2023 is a work project appropriation, and any  
23 unexpended funds for 2022-2023 are carried forward into 2023-2024.  
24 The purpose of the work project is to continue to provide support  
25 to districts and intermediate districts for the provision of high-  
26 dosage tutoring (HDT) pilot programs as described in this section.  
27 The estimated completion date of the work project is September 30,  
28 2024.

29 (5) Notwithstanding section 17b, the department shall make



1 **payments under this section on a schedule determined by the**  
2 **department.**

3       Sec. 39. (1) An eligible applicant receiving funds under  
4 section 32d shall submit an application, in a form and manner  
5 prescribed by the department, by a date specified by the department  
6 in the immediately preceding fiscal year. An eligible applicant is  
7 not required to amend the applicant's current accounting cycle or  
8 adopt this state's fiscal year accounting cycle in accounting for  
9 financial transactions under this section. The application must  
10 include all of the following:

11       (a) The estimated total number of children in the community  
12 who meet the criteria of section 32d, as provided to the applicant  
13 by the department utilizing the most recent population data  
14 available from the American Community Survey conducted by the  
15 United States Census Bureau. The department shall ensure that it  
16 provides updated American Community Survey population data at least  
17 once every 3 years.

18       (b) The estimated number of children in the community who meet  
19 the criteria of section 32d and are being served exclusively by  
20 Head Start programs operating in the community.

21       (c) The number of children whom the applicant has the capacity  
22 to serve who meet the criteria of section 32d including a  
23 verification of physical facility and staff resources capacity.

24       (2) After notification of funding allocations, an applicant  
25 receiving funds under section 32d shall also submit an  
26 implementation plan for approval, in a form and manner prescribed  
27 by the department, by a date specified by the department, that  
28 details how the applicant complies with the program components  
29 established by the department ~~pursuant to~~ **under** section 32d.



1 (3) The initial allocation to each eligible applicant under  
2 section 32d is the lesser of the following:

3 (a) The sum of the number of children served in a school-day  
4 program in the preceding school year multiplied by ~~\$8,700.00~~  
5 **\$9,000.00** and the number of children served in a GSRP/Head Start  
6 blended program or a part-day program in the preceding school year  
7 multiplied by ~~\$4,350.00~~ **\$4,500.00**.

8 (b) The sum of the number of children the applicant has the  
9 capacity to serve in the current school year in a school-day  
10 program multiplied by ~~\$8,700.00~~ **\$9,000.00** and the number of  
11 children served in a GSRP/Head Start blended program or a part-day  
12 program the applicant has the capacity to serve in the current  
13 school year multiplied by ~~\$4,350.00~~ **\$4,500.00**.

14 (4) If funds remain after the allocations under subsection  
15 (3), the department shall distribute the remaining funds to each  
16 intermediate district or consortium of intermediate districts that  
17 serves less than the state percentage benchmark determined under  
18 subsection (5). The department shall distribute these remaining  
19 funds to each eligible applicant based upon each applicant's  
20 proportionate share of the remaining unserved children necessary to  
21 meet the statewide percentage benchmark in intermediate districts  
22 or consortia of intermediate districts serving less than the  
23 statewide percentage benchmark. When all applicants have been given  
24 the opportunity to reach the statewide percentage benchmark, the  
25 statewide percentage benchmark may be reset, as determined by the  
26 department, until greater equity of opportunity to serve eligible  
27 children across all intermediate school districts has been  
28 achieved.

29 (5) For the purposes of subsection (4), the department shall



1 calculate a percentage of children served by each intermediate  
2 district or consortium of intermediate districts by adding the  
3 number of children served in the immediately preceding year by that  
4 intermediate district or consortium with the number of eligible  
5 children under section 32d served exclusively by head start, as  
6 reported in a form and manner prescribed by the department, within  
7 the intermediate district or consortia service area and dividing  
8 that total by the total number of children within the intermediate  
9 district or consortium of intermediate districts who meet the  
10 criteria of section 32d as determined by the department utilizing  
11 the most recent population data available from the American  
12 Community Survey conducted by the United States Census Bureau. The  
13 department shall compare the resulting percentage of eligible  
14 children served to a statewide percentage benchmark to determine if  
15 the intermediate district or consortium is eligible for additional  
16 funds under subsection (4). The statewide percentage benchmark is  
17 100%.

18 (6) If, taking into account the total amount to be allocated  
19 to the applicant as calculated under this section, an applicant  
20 determines that it is able to include additional eligible children  
21 in the great start readiness program without additional funds under  
22 section 32d, the applicant may include additional eligible children  
23 but does not receive additional funding under section 32d for those  
24 children.

25 (7) The department shall review the program components under  
26 section 32d and under this section at least biennially. The  
27 department also shall convene a committee of internal and external  
28 stakeholders at least once every 5 years to ensure that the funding  
29 structure under this section reflects current system needs under



1 section 32d.

2 (8) As used in this section, "GSRP/Head Start blended  
3 program", "part-day program", and "school-day program" mean those  
4 terms as defined in section 32d.

5 ~~(9) For the 2020-2021 program year only, the number of~~  
6 ~~children reported on the application described in subsection~~  
7 ~~(1)(a), (b), and (c) must not be used by the department for the~~  
8 ~~purpose of calculating hold harmless funding levels for 2021-2022.~~  
9 ~~Hold harmless funding for 2021-2022 must be determined based on the~~  
10 ~~2019-2020 final allocations calculated and paid under section 32d~~  
11 ~~in 2019-2020.~~

12 Sec. 39a. (1) From the federal funds appropriated in section  
13 11, there is allocated for ~~2020-2021 to districts, intermediate~~  
14 ~~districts, and other eligible entities all available federal~~  
15 ~~funding, estimated at \$752,300,000.00 and there is allocated for~~  
16 ~~2021-2022-2022-2023~~ to districts, intermediate districts, and other  
17 eligible entities all available federal funding, estimated at  
18 \$752,300,000.00, for the federal programs under the no child left  
19 behind act of 2001, Public Law 107-110, or the every student  
20 succeeds act, Public Law 114-95. These funds are allocated as  
21 follows:

22 (a) An amount estimated at ~~\$1,200,000.00 for 2020-2021 and~~  
23 ~~estimated at \$1,200,000.00 for 2021-2022-2022-2023~~ to provide  
24 students with drug- and violence-prevention programs and to  
25 implement strategies to improve school safety, funded from DED-  
26 OESE, drug-free schools and communities funds.

27 (b) An amount estimated at ~~\$100,000,000.00 for 2020-2021 and~~  
28 ~~estimated at \$100,000,000.00 for 2021-2022-2022-2023~~ for the  
29 purpose of preparing, training, and recruiting high-quality



1 teachers and class size reduction, funded from DED-OESE, improving  
2 teacher quality funds.

3 (c) An amount estimated at ~~\$13,000,000.00 for 2020-2021 and~~  
4 ~~estimated at \$13,000,000.00 for 2021-2022-2022-2023~~ for programs to  
5 teach English to limited English proficient (LEP) children, funded  
6 from DED-OESE, language acquisition state grant funds.

7 (d) An amount estimated at ~~\$2,800,000.00 for 2020-2021 and~~  
8 ~~estimated at \$2,800,000.00 for 2021-2022-2022-2023~~ for rural and  
9 low-income schools, funded from DED-OESE, rural and low income  
10 school funds.

11 (e) An amount estimated at ~~\$535,000,000.00 for 2020-2021 and~~  
12 ~~estimated at \$535,000,000.00 for 2021-2022-2022-2023~~ to provide  
13 supplemental programs to enable educationally disadvantaged  
14 children to meet challenging academic standards, funded from DED-  
15 OESE, title I, disadvantaged children funds.

16 (f) An amount estimated at ~~\$9,200,000.00 for 2020-2021 and~~  
17 ~~estimated at \$9,200,000.00 for 2021-2022-2022-2023~~ for the purpose  
18 of identifying and serving migrant children, funded from DED-OESE,  
19 title I, migrant education funds.

20 (g) An amount estimated at ~~\$39,000,000.00 for 2020-2021 and~~  
21 ~~estimated at \$39,000,000.00 for 2021-2022-2022-2023~~ for the purpose  
22 of providing high-quality extended learning opportunities, after  
23 school and during the summer, for children in low-performing  
24 schools, funded from DED-OESE, twenty-first century community  
25 learning center funds.

26 (h) An amount estimated at ~~\$14,000,000.00 for 2020-2021 and~~  
27 ~~estimated at \$14,000,000.00 for 2021-2022-2022-2023~~ to help support  
28 local school improvement efforts, funded from DED-OESE, title I,  
29 local school improvement grants.



1 (i) An amount estimated at ~~\$35,000,000.00 for 2020-2021 and~~  
2 ~~estimated at \$35,000,000.00 for 2021-2022-2022-2023~~ to improve the  
3 academic achievement of students, funded from DED-OESE, title IV,  
4 student support and academic enrichment grants.

5 (j) An amount estimated at ~~\$3,100,000.00 for 2020-2021 and~~  
6 ~~estimated at \$3,100,000.00 for 2021-2022-2022-2023~~ for literacy  
7 programs that advance literacy skills for students from birth  
8 through grade 12, including, but not limited to, English-proficient  
9 students and students with disabilities, funded from DED-OESE,  
10 striving readers comprehensive literacy program.

11 (2) From the federal funds appropriated in section 11, there  
12 is allocated to districts, intermediate districts, and other  
13 eligible entities all available federal funding, estimated at  
14 ~~\$77,867,000.00 for 2020-2021 and estimated at \$56,500,000.00 for~~  
15 ~~2021-2022-2022-2023~~ for the following programs that are funded by  
16 federal grants:

17 (a) An amount estimated at ~~\$24,367,000.00 for 2020-2021 and~~  
18 ~~estimated at \$3,000,000.00 for 2021-2022-2022-2023~~ to provide  
19 services to homeless children and youth, funded from DED-OVAE,  
20 homeless children and youth funds.

21 (b) An amount estimated at ~~\$24,000,000.00 for 2020-2021 and~~  
22 ~~estimated at \$24,000,000.00 for 2021-2022-2022-2023~~ for providing  
23 career and technical education services to pupils, funded from DED-  
24 OVAE, basic grants to states.

25 (c) An amount estimated at ~~\$14,000,000.00 for 2020-2021 and~~  
26 ~~estimated at \$14,000,000.00 for 2021-2022-2022-2023~~ for the  
27 Michigan charter school subgrant program, funded from DED-OII,  
28 public charter schools program funds.

29 (d) An amount estimated at ~~\$14,000,000.00 for 2020-2021 and~~



1 ~~estimated at \$14,000,000.00 for 2021-2022~~**2022-2023** for the purpose  
2 of promoting and expanding high-quality preschool services, funded  
3 from HHS-OCC, preschool development funds.

4 (e) An amount estimated at ~~\$1,500,000.00 for 2020-2021 and~~  
5 ~~estimated at \$1,500,000.00 for 2021-2022~~**2022-2023** for the purpose  
6 of addressing priority substance abuse treatment, prevention, and  
7 mental health needs, funded from HHS-SAMHSA.

8 (3) The department shall distribute all federal funds  
9 allocated under this section in accordance with federal law and  
10 with flexibility provisions outlined in Public Law 107-116, and in  
11 the education flexibility partnership act of 1999, Public Law 106-  
12 25. Notwithstanding section 17b, the department shall make payments  
13 of federal funds to districts, intermediate districts, and other  
14 eligible entities under this section on a schedule determined by  
15 the department.

16 (4) For the purposes of applying for federal grants  
17 appropriated under this article, the department shall allow an  
18 intermediate district to submit a consortium application on behalf  
19 of 2 or more districts with the agreement of those districts as  
20 appropriate according to federal rules and guidelines.

21 (5) For the purposes of funding federal title I grants under  
22 this article, in addition to any other federal grants for which the  
23 strict discipline academy is eligible, the department shall  
24 allocate to a strict discipline academy out of title I, part A an  
25 amount equal to what the strict discipline academy would have  
26 received if included and calculated under title I, part D, or what  
27 it would receive under the formula allocation under title I, part  
28 A, whichever is greater.

29 (6) As used in this section:



1 (a) "DED" means the United States Department of Education.

2 (b) "DED-OESE" means the DED Office of Elementary and  
3 Secondary Education.

4 (c) "DED-OII" means the DED Office of Innovation and  
5 Improvement.

6 (d) "DED-OVAE" means the DED Office of Vocational and Adult  
7 Education.

8 (e) "HHS" means the United States Department of Health and  
9 Human Services.

10 (f) "HHS-OCC" means the HHS Office of Child Care.

11 (g) "HHS-SAMHSA" means the HHS Substance Abuse and Mental  
12 Health Services Project.

13 Sec. 41. (1) For a district to be eligible to receive funding  
14 under this section, the district must administer to English  
15 language learners the English language proficiency assessment known  
16 as the "WIDA ACCESS for English language learners" or the "WIDA  
17 Alternate ACCESS". From the state school aid fund money  
18 appropriated in section 11, there is allocated an amount not to  
19 exceed \$25,200,000.00 for ~~2021-2022~~**2022-2023** for payments to  
20 eligible districts for services for English language learners who  
21 have been administered the WIDA ACCESS for English language  
22 learners.

23 (2) The department shall distribute funding allocated under  
24 subsection (1) to eligible districts based on the number of full-  
25 time equivalent English language learners as follows:

26 (a) \$935.00 per full-time equivalent English language learner  
27 who has been assessed under the WIDA ACCESS for English language  
28 learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA  
29 Alternate ACCESS composite score between 1.0 and 1.9, or less, as



1 applicable to each assessment.

2 (b) \$645.00 per full-time equivalent English language learner  
3 who has been assessed under the WIDA ACCESS for English language  
4 learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA  
5 Alternate ACCESS composite score between 2.0 and 2.9, or less, as  
6 applicable to each assessment.

7 (c) \$105.00 per full-time equivalent English language learner  
8 who has been assessed under the WIDA ACCESS for English language  
9 learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA  
10 Alternate ACCESS composite score between 3.0 and 3.9, or less, as  
11 applicable to each assessment.

12 (3) If funds allocated under subsection (1) are insufficient  
13 to fully fund the payments as prescribed under subsection (2), the  
14 department shall prorate payments on an equal percentage basis,  
15 with the same percentage proration applied to all funding  
16 categories.

17 (4) Each district receiving funds under subsection (1) shall  
18 submit to the department by July 15 of each fiscal year a report,  
19 not to exceed 10 pages, on the usage by the district of funds under  
20 subsection (1) in a form and manner determined by the department,  
21 including a brief description of each program conducted or services  
22 performed by the district using funds under subsection (1) and the  
23 amount of funds under subsection (1) allocated to each of those  
24 programs or services. If a district does not comply with this  
25 subsection, the department shall withhold an amount equal to the  
26 August payment due under this section until the district complies  
27 with this subsection. If the district does not comply with this  
28 subsection by the end of the fiscal year, the withheld funds are  
29 forfeited to the **state** school aid fund.



1 (5) In order to receive funds under subsection (1), a district  
 2 must allow access for the department or the department's designee  
 3 to audit all records related to the program for which it receives  
 4 those funds. The district shall reimburse this state for all  
 5 disallowances found in the audit.

6 (6) Beginning July 1, 2020, and every 3 years thereafter, the  
 7 department shall review the per-pupil distribution under subsection  
 8 (2), to ensure that funding levels are appropriate and make  
 9 recommendations for adjustments to the members of the senate and  
 10 house subcommittees on K-12 school aid appropriations.

11 **Sec. 41b. From the state school aid fund money appropriated in**  
 12 **section 11, there is allocated for 2022-2023 an amount not to**  
 13 **exceed \$1,250,000.00 for KEYS Grace Academy to, in partnership with**  
 14 **Kalasho Education and Youth Services, provide English-as-a-second-**  
 15 **language services, provide early childhood learning, improve**  
 16 **progress toward high school graduation attainment, and provide K to**  
 17 **12 education-support services to legal immigrants, including, but**  
 18 **not limited to, those individuals who recently arrived to the**  
 19 **United States from Afghanistan with an application before the**  
 20 **United States Department of Homeland Security for temporary**  
 21 **protected status or federal humanitarian parole.**

22 Sec. 51a. (1) From the state school aid fund money in section  
 23 11, there is allocated an amount not to exceed ~~\$1,079,296,100.00~~  
 24 **\$1,089,396,100.00** for ~~2020-2021-2021-2022~~ and there is allocated an  
 25 amount not to exceed ~~\$1,123,696,100.00~~ **\$1,124,396,100.00** for ~~2021-~~  
 26 ~~2022-2022-2023~~ from state sources and all available federal funding  
 27 under sections 1411 to 1419 of part B of the individuals with  
 28 disabilities education act, 20 USC 1411 to 1419, estimated at  
 29 ~~\$456,752,000.00~~ **\$380,000,000.00** for ~~2020-2021-2021-2022~~ and



1 ~~\$380,000,000.00~~ **\$390,000,000.00** for ~~2021-2022,~~ **2022-2023**, plus any  
 2 carryover federal funds from previous year appropriations. The  
 3 allocations under this subsection are for the purpose of  
 4 reimbursing districts and intermediate districts for special  
 5 education programs, services, and special education personnel as  
 6 prescribed in article 3 of the revised school code, MCL 380.1701 to  
 7 380.1761; net tuition payments made by intermediate districts to  
 8 the Michigan Schools for the Deaf and Blind; and special education  
 9 programs and services for pupils who are eligible for special  
 10 education programs and services according to statute or rule. For  
 11 meeting the costs of special education programs and services not  
 12 reimbursed under this article, a district or intermediate district  
 13 may use money in general funds or special education funds, not  
 14 otherwise restricted, or contributions from districts to  
 15 intermediate districts, tuition payments, gifts and contributions  
 16 from individuals or other entities, or federal funds that may be  
 17 available for this purpose, as determined by the intermediate  
 18 district plan prepared under article 3 of the revised school code,  
 19 MCL 380.1701 to 380.1761. Notwithstanding section 17b, the  
 20 department shall make payments of federal funds to districts,  
 21 intermediate districts, and other eligible entities under this  
 22 section on a schedule determined by the department.

23 (2) From the funds allocated under subsection (1), there is  
 24 allocated the amount necessary, estimated at ~~\$319,000,000.00~~  
 25 **\$311,900,000.00** for ~~2020-2021~~ **2021-2022** and estimated at  
 26 ~~\$332,000,000.00~~ **\$323,300,000.00** for ~~2021-2022,~~ **2022-2023**, for  
 27 payments toward reimbursing districts and intermediate districts  
 28 for 28.6138% of total approved costs of special education,  
 29 excluding costs reimbursed under section 53a, and 70.4165% of total



1 approved costs of special education transportation. Allocations  
2 under this subsection are made as follows:

3 (a) The department shall calculate the initial amount  
4 allocated to a district under this subsection toward fulfilling the  
5 specified percentages by multiplying the district's special  
6 education pupil membership, excluding pupils described in  
7 subsection (11), times the foundation allowance under section 20 of  
8 the pupil's district of residence, plus the amount of the  
9 district's per-pupil allocation under section 20m, not to exceed  
10 the target foundation allowance for the current fiscal year, or,  
11 for a special education pupil in membership in a district that is a  
12 public school academy, times an amount equal to the amount per  
13 membership pupil calculated under section 20(6). For an  
14 intermediate district, the amount allocated under this subdivision  
15 toward fulfilling the specified percentages is an amount per  
16 special education membership pupil, excluding pupils described in  
17 subsection (11), and is calculated in the same manner as for a  
18 district, using the foundation allowance under section 20 of the  
19 pupil's district of residence, not to exceed the target foundation  
20 allowance for the current fiscal year, and that district's per-  
21 pupil allocation under section 20m.

22 (b) After the allocations under subdivision (a), the  
23 department shall pay a district or intermediate district for which  
24 the payments calculated under subdivision (a) do not fulfill the  
25 specified percentages the amount necessary to achieve the specified  
26 percentages for the district or intermediate 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 allocated to a district or intermediate district for a fiscal year  
4 under subsection (2)(b) is less than the sum of the amounts  
5 allocated to the district or intermediate district for 1996-97  
6 under sections 52 and 58, there is allocated to the district or  
7 intermediate district for the fiscal year an amount equal to that  
8 difference, adjusted by applying the same proration factor that was  
9 used in the distribution of funds under section 52 in 1996-97 as  
10 adjusted to the district's or intermediate district's necessary  
11 costs of special education used in calculations for the fiscal  
12 year. This adjustment is to reflect reductions in special education  
13 program operations or services between 1996-97 and subsequent  
14 fiscal years. The department shall make adjustments for reductions  
15 in special education program operations or services in a manner  
16 determined by the department and shall include adjustments for  
17 program or service shifts.

18 (4) If the department determines that the sum of the amounts  
19 allocated for a fiscal year to a district or intermediate district  
20 under subsection (2)(a) and (b) is not sufficient to fulfill the  
21 specified percentages in subsection (2), then the department shall  
22 pay the shortfall to the district or intermediate district during  
23 the fiscal year beginning on the October 1 following the  
24 determination and shall adjust payments under subsection (3) as  
25 necessary. If the department determines that the sum of the amounts  
26 allocated for a fiscal year to a district or intermediate district  
27 under subsection (2)(a) and (b) exceeds the sum of the amount  
28 necessary to fulfill the specified percentages in subsection (2),  
29 then the department shall deduct the amount of the excess from the



1 district's or intermediate district's payments under this article  
2 for the fiscal year beginning on the October 1 following the  
3 determination and shall adjust payments under subsection (3) as  
4 necessary. However, if the amount allocated under subsection (2)(a)  
5 in itself exceeds the amount necessary to fulfill the specified  
6 percentages in subsection (2), there is no deduction under this  
7 subsection.

8 (5) State funds are allocated on a total approved cost basis.  
9 Federal funds are allocated under applicable federal requirements.

10 (6) From the amount allocated in subsection (1), there is  
11 allocated an amount not to exceed \$2,200,000.00 for ~~2020-2021-2021-~~  
12 **2022** and there is allocated an amount not to exceed \$2,200,000.00  
13 for ~~2021-2022-2022-2023~~ to reimburse 100% of the net increase in  
14 necessary costs incurred by a district or intermediate district in  
15 implementing the revisions in the administrative rules for special  
16 education that became effective on July 1, 1987. As used in this  
17 subsection, "net increase in necessary costs" means the necessary  
18 additional costs incurred solely because of new or revised  
19 requirements in the administrative rules minus cost savings  
20 permitted in implementing the revised rules. The department shall  
21 determine net increase in necessary costs in a manner specified by  
22 the department.

23 (7) For purposes of this section and sections 51b to 58, all  
24 of the following apply:

25 (a) "Total approved costs of special education" are determined  
26 in a manner specified by the department and may include indirect  
27 costs, but must not exceed 115% of approved direct costs for  
28 section 52 and section 53a programs. The total approved costs  
29 include salary and other compensation for all approved special



1 education personnel for the program, including payments for Social  
2 Security and Medicare and public school employee retirement system  
3 contributions. The total approved costs do not include salaries or  
4 other compensation paid to administrative personnel who are not  
5 special education personnel as that term is defined in section 6 of  
6 the revised school code, MCL 380.6. Costs reimbursed by federal  
7 funds, other than those federal funds included in the allocation  
8 made under this article, are not included. Special education  
9 approved personnel not utilized full time in the evaluation of  
10 students or in the delivery of special education programs,  
11 ancillary, and other related services are reimbursed under this  
12 section only for that portion of time actually spent providing  
13 these programs and services, with the exception of special  
14 education programs and services provided to youth placed in child  
15 caring institutions or juvenile detention programs approved by the  
16 department to provide an on-grounds education program.

17 (b) ~~Beginning with the 2004-2005 fiscal year, a~~ **A** district or  
18 intermediate district that employed special education support  
19 services staff to provide special education support services in  
20 2003-2004 or in a subsequent fiscal year and that in a fiscal year  
21 after 2003-2004 receives the same type of support services from  
22 another district or intermediate district shall report the cost of  
23 those support services for special education reimbursement purposes  
24 under this article. This subdivision does not prohibit the transfer  
25 of special education classroom teachers and special education  
26 classroom aides if the pupils counted in membership associated with  
27 those special education classroom teachers and special education  
28 classroom aides are transferred and counted in membership in the  
29 other district or intermediate district in conjunction with the



1 transfer of those teachers and aides.

2 (c) If the department determines before bookclosing for a  
 3 fiscal year that the amounts allocated for that fiscal year under  
 4 subsections (2), (3), (6), and (11) and sections 53a, 54, and 56  
 5 will exceed expenditures for that fiscal year under subsections  
 6 (2), (3), (6), and (11) and sections 53a, 54, and 56, then for a  
 7 district or intermediate district whose reimbursement for that  
 8 fiscal year would otherwise be affected by subdivision (b),  
 9 subdivision (b) does not apply to the calculation of the  
 10 reimbursement for that district or intermediate district and the  
 11 department shall calculate reimbursement for that district or  
 12 intermediate district in the same manner as it was for 2003-2004.  
 13 If the amount of the excess allocations under subsections (2), (3),  
 14 (6), and (11) and sections 53a, 54, and 56 is not sufficient to  
 15 fully fund the calculation of reimbursement to those districts and  
 16 intermediate districts under this subdivision, then the department  
 17 shall prorate calculations and resulting reimbursement under this  
 18 subdivision on an equal percentage basis. ~~Beginning in 2015-2016,~~  
 19 ~~the~~ **The** amount of reimbursement under this subdivision for a fiscal  
 20 year must not exceed \$2,000,000.00 for any district or intermediate  
 21 district.

22 (d) Reimbursement for ancillary and other related services, as  
 23 that term is defined by R 340.1701c of the Michigan Administrative  
 24 Code, is not provided when those services are covered by and  
 25 available through private group health insurance carriers or  
 26 federal reimbursed program sources unless the department and  
 27 district or intermediate district agree otherwise and that  
 28 agreement is approved by the state budget director. Expenses, other  
 29 than the incidental expense of filing, must not be borne by the



1 parent. In addition, the filing of claims must not delay the  
2 education of a pupil. A district or intermediate district is  
3 responsible for payment of a deductible amount and for an advance  
4 payment required until the time a claim is paid.

5 (e) ~~Beginning with calculations for 2004-2005, if~~ **If** an  
6 intermediate district purchases a special education pupil  
7 transportation service from a constituent district that was  
8 previously purchased from a private entity; if the purchase from  
9 the constituent district is at a lower cost, adjusted for changes  
10 in fuel costs; and if the cost shift from the intermediate district  
11 to the constituent does not result in any net change in the revenue  
12 the constituent district receives from payments under sections 22b  
13 and 51c, then upon application by the intermediate district, the  
14 department shall direct the intermediate district to continue to  
15 report the cost associated with the specific identified special  
16 education pupil transportation service and shall adjust the costs  
17 reported by the constituent district to remove the cost associated  
18 with that specific service.

19 (8) A pupil who is enrolled in a full-time special education  
20 program conducted or administered by an intermediate district or a  
21 pupil who is enrolled in the Michigan Schools for the Deaf and  
22 Blind is not included in the membership count of a district, but is  
23 counted in membership in the intermediate district of residence.

24 (9) Special education personnel transferred from 1 district to  
25 another to implement the revised school code are entitled to the  
26 rights, benefits, and tenure to which the ~~person~~ **individual** would  
27 otherwise be entitled had that ~~person~~ **individual** been employed by  
28 the receiving district originally.

29 (10) If a district or intermediate district uses money



1 received under this section for a purpose other than the purpose or  
 2 purposes for which the money is allocated, the department may  
 3 require the district or intermediate district to refund the amount  
 4 of money received. The department shall deposit money that is  
 5 refunded in the state treasury to the credit of the state school  
 6 aid fund.

7 (11) From the funds allocated in subsection (1), there is  
 8 allocated the amount necessary, estimated at ~~\$2,400,000.00~~  
 9 **\$1,500,000.00** for ~~2020-2021-2021-2022~~ and estimated at  
 10 ~~\$2,900,000.00~~ **\$1,500,000.00** for ~~2021-2022, 2022-2023~~, to pay the  
 11 foundation allowances for pupils described in this subsection. The  
 12 department shall calculate the allocation to a district under this  
 13 subsection by multiplying the number of pupils described in this  
 14 subsection who are counted in membership in the district times the  
 15 sum of the foundation allowance under section 20 of the pupil's  
 16 district of residence, plus the amount of the district's per-pupil  
 17 allocation under section 20m, not to exceed the target foundation  
 18 allowance for the current fiscal year, or, for a pupil described in  
 19 this subsection who is counted in membership in a district that is  
 20 a public school academy, times an amount equal to the amount per  
 21 membership pupil under section 20(6). The department shall  
 22 calculate the allocation to an intermediate district under this  
 23 subsection in the same manner as for a district, using the  
 24 foundation allowance under section 20 of the pupil's district of  
 25 residence not to exceed the target foundation allowance for the  
 26 current fiscal year and that district's per-pupil allocation under  
 27 section 20m. This subsection applies to all of the following  
 28 pupils:

29 (a) Pupils described in section 53a.



1 (b) Pupils counted in membership in an intermediate district  
 2 who are not special education pupils and are served by the  
 3 intermediate district in a juvenile detention or child caring  
 4 facility.

5 (c) Pupils with an emotional impairment counted in membership  
 6 by an intermediate district and provided educational services by  
 7 the department of health and human services.

8 (12) If it is determined that funds allocated under subsection  
 9 (2) or (11) or under section 51c will not be expended, funds up to  
 10 the amount necessary and available may be used to supplement the  
 11 allocations under subsection (2) or (11) or under section 51c in  
 12 order to fully fund those allocations. After payments under  
 13 subsections (2) and (11) and section 51c, the department shall  
 14 expend the remaining funds from the allocation in subsection (1) in  
 15 the following order:

16 (a) ~~100%~~ **One hundred percent** of the reimbursement required  
 17 under section 53a.

18 (b) ~~100%~~ **One hundred percent** of the reimbursement required  
 19 under subsection (6).

20 (c) ~~100%~~ **One hundred percent** of the payment required under  
 21 section 54.

22 (d) ~~100%~~ **One hundred percent** of the payment required under  
 23 subsection (3).

24 (e) ~~100%~~ **One hundred percent** of the payments under section 56.

25 (13) The allocations under subsections (2), (3), and (11) are  
 26 allocations to intermediate districts only and are not allocations  
 27 to districts, but instead are calculations used only to determine  
 28 the state payments under section 22b.

29 (14) If a public school academy that is not a cyber school, as



1 that term is defined in section 551 of the revised school code, MCL  
2 380.551, enrolls under this section a pupil who resides outside of  
3 the intermediate district in which the public school academy is  
4 located and who is eligible for special education programs and  
5 services according to statute or rule, or who is a child with a  
6 disability, as that term is defined under the individuals with  
7 disabilities education act, Public Law 108-446, the intermediate  
8 district in which the public school academy is located and the  
9 public school academy shall enter into a written agreement with the  
10 intermediate district in which the pupil resides for the purpose of  
11 providing the pupil with a free appropriate public education, and  
12 the written agreement must include at least an agreement on the  
13 responsibility for the payment of the added costs of special  
14 education programs and services for the pupil. If the public school  
15 academy that enrolls the pupil does not enter into an agreement  
16 under this subsection, the public school academy shall not charge  
17 the pupil's resident intermediate district or the intermediate  
18 district in which the public school academy is located the added  
19 costs of special education programs and services for the pupil, and  
20 the public school academy is not eligible for any payouts based on  
21 the funding formula outlined in the resident or nonresident  
22 intermediate district's plan. If a pupil is not enrolled in a  
23 public school academy under this subsection, the provision of  
24 special education programs and services and the payment of the  
25 added costs of special education programs and services for a pupil  
26 described in this subsection are the responsibility of the district  
27 and intermediate district in which the pupil resides.

28 (15) For the purpose of receiving its federal allocation under  
29 part B of the individuals with disabilities education act, Public



1 Law 108-446, a public school academy that is a cyber school, as  
2 that term is defined in section 551 of the revised school code, MCL  
3 380.551, and is in compliance with section 553a of the revised  
4 school code, MCL 380.553a, directly receives the federal allocation  
5 under part B of the individuals with disabilities education act,  
6 Public Law 108-446, from the intermediate district in which the  
7 cyber school is located, as the subrecipient. If the intermediate  
8 district does not distribute the funds described in this subsection  
9 to the cyber school by the part B application due date of July 1,  
10 the department may distribute the funds described in this  
11 subsection directly to the cyber school according to the formula  
12 prescribed in 34 CFR 300.705 and 34 CFR 300.816. **Beginning July 1,**  
13 **2021, this subsection is subject to section 8c. It is the intent of**  
14 **the legislature that the immediately preceding sentence apply**  
15 **retroactively and is effective July 1, 2021.**

16 (16) For a public school academy that is a cyber school, as  
17 that term is defined in section 551 of the revised school code, MCL  
18 380.551, and is in compliance with section 553a of the revised  
19 school code, MCL 380.553a, that enrolls a pupil under this section,  
20 the intermediate district in which the cyber school is located  
21 shall ensure that the cyber school complies with sections 1701a,  
22 1703, 1704, 1751, 1752, 1756, and 1757 of the revised school code,  
23 MCL 380.1701a, 380.1703, 380.1704, 380.1751, 380.1752, 380.1756,  
24 and 380.1757; applicable rules; and the individuals with  
25 disabilities education act, Public Law 108-446. **Beginning July 1,**  
26 **2021, this subsection is subject to section 8c. It is the intent of**  
27 **the legislature that the immediately preceding sentence apply**  
28 **retroactively and is effective July 1, 2021.**

29 (17) For the purposes of this section, the department or the



1 center shall only require a district or intermediate district to  
 2 report information that is not already available from the financial  
 3 information database maintained by the center.

4 Sec. 51c. As required by the court in the consolidated cases  
 5 known as *Durant v State of Michigan*, 456 Mich 175 (1997), from the  
 6 allocation under section 51a(1), there is allocated for ~~2020-2021~~  
 7 **2021-2022** and for ~~2021-2022, 2022-2023~~, the amount necessary,  
 8 estimated at ~~\$702,500,000.00~~ **\$686,400,000.00** for ~~2020-2021-2021-~~  
 9 **2022** and ~~\$733,400,000.00~~ **\$710,000,000.00** for ~~2021-2022, 2022-2023~~,  
 10 for payments to reimburse districts for 28.6138% of total approved  
 11 costs of special education excluding costs reimbursed under section  
 12 53a, and 70.4165% of total approved costs of special education  
 13 transportation. Funds allocated under this section that are not  
 14 expended in the fiscal year for which they were allocated, as  
 15 determined by the department, may be used to supplement the  
 16 allocations under sections 22a and 22b to fully fund those  
 17 allocations for the same fiscal year. For each fund transfer as  
 18 described in the immediately preceding sentence that occurs, the  
 19 state budget director shall send notification of the transfer to  
 20 the house and senate appropriations subcommittees on state school  
 21 aid and the house and senate fiscal agencies by not later than 14  
 22 calendar days after the transfer occurs.

23 Sec. 51d. (1) From the federal funds appropriated in section  
 24 11, there is allocated for ~~2020-2021 all available federal funding,~~  
 25 ~~estimated at \$83,195,000.00, and there is allocated for 2021-2022~~  
 26 **2022-2023** all available federal funding, estimated at  
 27 \$71,000,000.00, for special education programs and services that  
 28 are funded by federal grants. The department shall distribute all  
 29 federal funds allocated under this section in accordance with



1 federal law. Notwithstanding section 17b, the department shall make  
2 payments of federal funds to districts, intermediate districts, and  
3 other eligible entities under this section on a schedule determined  
4 by the department.

5 (2) From the federal funds allocated under subsection (1), the  
6 following amounts are allocated:

7 (a) ~~For 2020-2021, an amount estimated at \$19,822,000.00 for~~  
8 ~~handicapped infants and toddlers, funded from DED-OSERS,~~  
9 ~~handicapped infants and toddlers funds. For 2021-2022, 2022-2023,~~  
10 an amount estimated at \$14,000,000.00 for handicapped infants and  
11 toddlers, funded from DED-OSERS, handicapped infants and toddlers  
12 funds.

13 (b) ~~For 2020-2021, an amount estimated at \$20,373,000.00 for~~  
14 ~~preschool grants under Public Law 94-142, funded from DED-OSERS,~~  
15 ~~handicapped preschool incentive funds. For 2021-2022, 2022-2023, an~~  
16 amount estimated at \$14,000,000.00 for preschool grants under  
17 Public Law 94-142, funded from DED-OSERS, handicapped preschool  
18 incentive funds.

19 (c) ~~For 2020-2021 and for 2021-2022, 2022-2023,~~ an amount  
20 estimated at \$43,000,000.00 for special education programs funded  
21 by DED-OSERS, handicapped program, individuals with disabilities  
22 act funds.

23 (3) As used in this section, "DED-OSERS" means the United  
24 States Department of Education Office of Special Education and  
25 Rehabilitative Services.

26 Sec. 51f. (1) From the funds appropriated under section 11,  
27 there is allocated for ~~2021-2022~~ **2022-2023** an amount not to exceed  
28 ~~\$90,207,000.00~~ **\$300,207,000.00** for payments to districts and  
29 intermediate districts to increase the level of reimbursement of



1 costs associated with providing special education services required  
2 under state and federal law.

3 (2) A district's or intermediate district's allocation under  
4 this section is equal to the level percentage multiplied by each  
5 district's or intermediate district's costs reported to the center  
6 on the special education actual cost report, known as "SE-4096" as  
7 referred to under section 18(6), as approved by the department.

8 (3) The total reimbursement under this section and under  
9 section 51c must not exceed the total reported costs for a district  
10 or intermediate district.

11 (4) For ~~2021-2022~~, **2022-2023**, the level percentage is  
12 estimated at ~~3.0%~~ **10.0%**.

13 (5) For the purposes of this section, "level percentage" means  
14 the percentage calculated by dividing the allocation in subsection  
15 (1) by the total of costs reported to the center on the special  
16 education actual cost report, known as "SE-4096" as referred to  
17 under section 18(6), as approved by the department.

18 Sec. 51g. From the general fund money appropriated in section  
19 11, \$3,000,000.00 is allocated for ~~2021-2022~~ **2022-2023** to an  
20 association for administrators of special education services to  
21 develop content for use by special education students, teachers,  
22 and others. Any content that is developed as described in this  
23 section must be accessible throughout this state. Funds received by  
24 an association under this section may be used to support the  
25 development of assessment tools to measure the needs of students  
26 with special education needs in remote learning environments and  
27 the effectiveness of various educational methods and tools, in  
28 collaboration with the department. Funds under this section may  
29 also be utilized to identify any available federal funds for



1 research related to special education in remote learning.

2       Sec. 53a. (1) For districts, reimbursement for pupils  
3 described in subsection (2) is 100% of the total approved costs of  
4 operating special education programs and services approved by the  
5 department and included in the intermediate district plan adopted  
6 under article 3 of the revised school code, MCL 380.1701 to  
7 380.1761, minus the district's foundation allowance calculated  
8 under section 20 and minus the district's per-pupil allocation  
9 under section 20m. For intermediate districts, the department shall  
10 calculate reimbursement for pupils described in subsection (2) in  
11 the same manner as for a district, using the foundation allowance  
12 under section 20 of the pupil's district of residence, not to  
13 exceed the target foundation allowance under section 20 for the  
14 current fiscal year plus the amount of the district's per-pupil  
15 allocation under section 20m.

16       (2) Reimbursement under subsection (1) is for the following  
17 special education pupils:

18       (a) Pupils assigned to a district or intermediate district  
19 through the community placement program of the courts or a state  
20 agency, if the pupil was a resident of another intermediate  
21 district at the time the pupil came under the jurisdiction of the  
22 court or a state agency.

23       (b) Pupils who are residents of institutions operated by the  
24 department of health and human services.

25       (c) Pupils who are former residents of department of community  
26 health institutions for the developmentally disabled who are placed  
27 in community settings other than the pupil's home.

28       (d) Pupils enrolled in a department-approved on-grounds  
29 educational program longer than 180 days, but not longer than 233



1 days, at a residential child care institution, if the child care  
2 institution offered in 1991-92 an on-grounds educational program  
3 longer than 180 days but not longer than 233 days.

4 (e) Pupils placed in a district by a parent for the purpose of  
5 seeking a suitable home, if the parent does not reside in the same  
6 intermediate district as the district in which the pupil is placed.

7 (3) Only those costs that are clearly and directly  
8 attributable to educational programs for pupils described in  
9 subsection (2), and that would not have been incurred if the pupils  
10 were not being educated in a district or intermediate district, are  
11 reimbursable under this section.

12 (4) The costs of transportation are funded under this section  
13 and are not reimbursed under section 58.

14 (5) The department shall not allocate more than \$10,500,000.00  
15 of the allocation for ~~2021-2022~~**2022-2023** in section 51a(1) under  
16 this section.

17 Sec. 54. Each intermediate district receives an amount per  
18 pupil for each pupil in attendance at the Michigan Schools for the  
19 Deaf and Blind. The amount is proportionate to the total  
20 instructional cost at each school. The department shall not  
21 allocate more than \$1,688,000.00 of the allocation for ~~2021-2022~~  
22 **2022-2023** in section 51a(1) under this section.

23 Sec. 54b. (1) From the general fund money appropriated in  
24 section 11, there is allocated an amount not to exceed  
25 \$1,600,000.00 for ~~2021-2022~~**2022-2023** to continue the  
26 implementation of the recommendations of the special education  
27 reform task force published in January 2016.

28 (2) The department shall use funds allocated under this  
29 section for the purpose of piloting statewide implementation of the



1 ~~Michigan Integrated Behavior and Learning Support Initiative~~  
 2 ~~(MiBLSI),~~ **MiMTSS Center**, a nationally recognized program that  
 3 includes positive behavioral intervention and supports and provides  
 4 a statewide structure to support local initiatives for an  
 5 integrated behavior and reading program. With the assistance of the  
 6 intermediate districts involved in ~~MiBLSI,~~ **the MiMTSS Center**, the  
 7 department shall identify a number of intermediate districts to  
 8 participate in the pilot that is sufficient to ensure that ~~MiBLSI~~  
 9 **the MiMTSS Center** can be implemented statewide with fidelity and  
 10 sustainability. In addition, the department shall identify an  
 11 intermediate district to act as a fiscal agent for these funds.

12 **(3) As used in this section, "MiMTSS Center" means the**  
 13 **Michigan Multi-Tiered System of Supports Center.**

14 Sec. 54d. (1) From the state school aid fund money  
 15 appropriated in section 11, there is allocated an amount not to  
 16 exceed \$14,150,000.00 for ~~2021-2022-2022-2023~~ to intermediate  
 17 districts for the purpose of providing state early on services  
 18 programs for children from birth to 3 years of age with a  
 19 developmental delay or a disability, or both, and their families,  
 20 as described in the early on Michigan state plan, as approved by  
 21 the department.

22 (2) To be eligible to receive grant funding under this  
 23 section, each intermediate district must apply in a form and manner  
 24 determined by the department.

25 (3) The grant funding allocated under this section must be  
 26 used to increase early on services and resources available to  
 27 children that demonstrate developmental delays to help prepare them  
 28 for success as they enter school. State early on services include  
 29 evaluating and providing early intervention services for eligible



1 infants and toddlers and their families to address developmental  
2 delays, including those affecting physical, cognitive,  
3 communication, adaptive, social, or emotional development. Grant  
4 funds must not be used to supplant existing services that are  
5 currently being provided.

6 (4) The department shall distribute the funds allocated under  
7 subsection (1) to intermediate districts according to the  
8 department's early on funding formula utilized to distribute the  
9 federal award to Michigan under part C of the individuals with  
10 disabilities education act, Public Law 108-446. Funds received  
11 under this section must not supplant existing funds or resources  
12 allocated for early on early intervention services. An intermediate  
13 district receiving funds under this section shall maximize the  
14 capture of Medicaid funds to support early on early intervention  
15 services to the extent possible.

16 (5) Each intermediate district that receives funds under this  
17 section shall report data and other information to the department  
18 in a form, manner, and frequency prescribed by the department to  
19 allow for monitoring and evaluation of the program and to ensure  
20 that the children described in subsection (1) received appropriate  
21 levels and types of services delivered by qualified personnel,  
22 based on the individual needs of the children and their families.

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

26 (7) Grant funds awarded and allocated to an intermediate  
27 district under this section must be expended by the grant recipient  
28 before June 30 of the fiscal year immediately following the fiscal  
29 year in which the funds were received.



1           Sec. 56. (1) For the purposes of this section:

2           (a) "Membership" means for a particular fiscal year the total  
3 membership of the intermediate district and the districts  
4 constituent to the intermediate district, except that if a district  
5 has elected not to come under part 30 of the revised school code,  
6 MCL 380.1711 to 380.1741, membership of the district is not  
7 included in the membership of the intermediate district.

8           (b) "Millage levied" means the millage levied for special  
9 education under part 30 of the revised school code, MCL 380.1711 to  
10 380.1741, including a levy for debt service obligations.

11           (c) "Taxable value" means the total taxable value of the  
12 districts constituent to an intermediate district, except that if a  
13 district has elected not to come under part 30 of the revised  
14 school code, MCL 380.1711 to 380.1741, taxable value of the  
15 district is not included in the taxable value of the intermediate  
16 district.

17           (2) From the allocation under section 51a(1), there is  
18 allocated an amount not to exceed \$40,008,100.00 for ~~2020-2021~~  
19 **2021-2022** and an amount not to exceed \$40,008,100.00 for ~~2021-2022~~  
20 **2022-2023** to reimburse intermediate districts levying millages for  
21 special education under part 30 of the revised school code, MCL  
22 380.1711 to 380.1741. The purpose, use, and expenditure of the  
23 reimbursement are limited as if the funds were generated by these  
24 millages and governed by the intermediate district plan adopted  
25 under article 3 of the revised school code, MCL 380.1701 to  
26 380.1761. As a condition of receiving funds under this section, an  
27 intermediate district distributing any portion of special education  
28 millage funds to its constituent districts must submit for  
29 departmental approval and implement a distribution plan.



1           (3) Except as otherwise provided in this subsection,  
 2 reimbursement for those millages levied in ~~2019-2020-2020-2021~~ is  
 3 made in ~~2020-2021-2021-2022~~ at an amount per ~~2019-2020-2020-2021~~  
 4 membership pupil computed by subtracting from ~~\$208,800.00~~  
 5 **\$218,200.00** the ~~2019-2020-2020-2021~~ taxable value behind each  
 6 membership pupil and multiplying the resulting difference by the  
 7 ~~2019-2020-2020-2021~~ millage levied, and then subtracting from that  
 8 amount the ~~2019-2020-2020-2021~~ local community stabilization share  
 9 revenue for special education purposes behind each membership pupil  
 10 for reimbursement of personal property exemption loss under the  
 11 local community stabilization authority act, 2014 PA 86, MCL  
 12 123.1341 to 123.1362. Reimbursement in ~~2020-2021-2021-2022~~ for an  
 13 intermediate district whose 2017-2018 allocation was affected by  
 14 the operation of subsection (5) is an amount equal to 102.5% of the  
 15 2017-2018 allocation to that intermediate district.

16           (4) Except as otherwise provided in this subsection,  
 17 reimbursement for those millages levied in ~~2020-2021-2021-2022~~ is  
 18 made in ~~2021-2022-2022-2023~~ at an amount per ~~2020-2021-2021-2022~~  
 19 membership pupil computed by subtracting from ~~\$215,900.00~~  
 20 **\$227,700.00** the ~~2020-2021-2021-2022~~ taxable value behind each  
 21 membership pupil and multiplying the resulting difference by the  
 22 ~~2020-2021-2021-2022~~ millage levied, and then subtracting from that  
 23 amount the ~~2020-2021-2021-2022~~ local community stabilization share  
 24 revenue for special education purposes **and 2021-2022 tax increment**  
 25 **revenues captured by a brownfield redevelopment authority created**  
 26 **under the brownfield redevelopment financing act, 1996 PA 381, MCL**  
 27 **125.2651 to 125.2670**, behind each membership pupil for  
 28 reimbursement of personal property exemption loss under the local  
 29 community stabilization authority act, 2014 PA 86, MCL 123.1341 to



1 123.1362, and reimbursements paid under section 26d for tax  
 2 increment revenues captured by a brownfield redevelopment authority  
 3 under the brownfield redevelopment financing act, 1996 PA 381, MCL  
 4 125.2651 to 125.2670. Reimbursement in ~~2021-2022~~**2022-2023** for an  
 5 intermediate district whose 2017-2018 allocation was affected by  
 6 the operation of subsection (5) is an amount equal to 102.5% of the  
 7 2017-2018 allocation to that intermediate district.

8 (5) The department shall ensure that the amount paid to a  
 9 single intermediate district under ~~this section~~**subsection (2)** does  
 10 not exceed 62.9% of the total amount allocated under subsection  
 11 (2).

12 (6) The department shall ensure that the amount paid to a  
 13 single intermediate district under ~~this section~~**subsection (2)** is  
 14 not less than 75% of the amount allocated to the intermediate  
 15 district under ~~this section~~**subsection (2)** for the immediately  
 16 preceding fiscal year.

17 (7) From the ~~state school aid fund money appropriated in~~  
 18 ~~section 11,~~**allocation under section 51a(1)**, there is allocated an  
 19 amount not to exceed \$34,200,000.00 for 2021-2022 **and an amount not**  
 20 **to exceed \$34,200,000.00 for 2022-2023**, to provide payments to  
 21 intermediate districts levying millages for special education under  
 22 part 30 of the revised school code, MCL 380.1711 to 380.1741. The  
 23 purpose, use, and expenditure of the payments under this subsection  
 24 are limited as if the funds were generated by these millages and  
 25 governed by the intermediate district plan adopted under article 3  
 26 of the revised school code, MCL 380.1701 to 380.1761. The  
 27 department shall provide a payment under this subsection to each  
 28 intermediate district described in this subsection as follows:

29 (a) Except as otherwise provided in this subsection, for an



1 intermediate district with a ~~2020-2021-3-year~~ average special  
2 education millage revenue per pupil **in the immediately preceding**  
3 **fiscal year** that is less than \$251.00 and that is levying at least  
4 46.2% but less than 60.0% of its maximum millage rate allowed under  
5 section 1724a of the revised school code, MCL 380.1724a, an amount  
6 computed by subtracting from \$251.00 the ~~2020-2021-3-year~~ average  
7 special education millage revenue per pupil **in the immediately**  
8 **preceding fiscal year** and, only if the millage levied by the  
9 intermediate district is less than 1, multiplying that amount by  
10 the number of mills levied divided by 1, and then multiplying that  
11 amount by the ~~2020-2021-3-year~~ average membership **in the**  
12 **immediately preceding fiscal year**, and then subtracting from that  
13 amount the amount allocated under subsection (2) for ~~2021-2022.~~**the**  
14 **current fiscal year**. If the calculation under this subdivision  
15 results in an amount below zero, there is no payment under this  
16 subdivision.

17 (b) Except as otherwise provided in this subsection, for an  
18 intermediate district with a ~~2020-2021-3-year~~ average special  
19 education millage revenue per pupil **in the immediately preceding**  
20 **fiscal year** that is less than ~~\$281.00~~**\$296.00** and that is levying  
21 at least 60.0% of its maximum millage rate allowed under section  
22 1724a of the revised school code, MCL 380.1724a, an amount computed  
23 by subtracting from \$281.00 the ~~2020-2021-3-year~~ average special  
24 education millage revenue per pupil **in the immediately preceding**  
25 **fiscal year**, and, only if the millage levied by the intermediate  
26 district is less than 1, multiplying that amount by the number of  
27 mills levied divided by 1, and then multiplying that amount by the  
28 ~~2020-2021-3-year~~ average membership **in the immediately preceding**  
29 **fiscal year**, and then subtracting from that amount the amount



1 allocated under subsection (2) for ~~2021-2022~~. **the current fiscal**  
 2 **year**. If the calculation under this subdivision results in an  
 3 amount below zero, there is no payment under this subdivision.

4 (8) As used in subsection (7):

5 (a) ~~"2020-2021 3-year"~~ **"3-year** average membership" means the 3-  
 6 year average pupil membership for ~~2018-2019, 2019-2020, and 2020-~~  
 7 ~~2021~~. **each of the 3 most recent fiscal years.**

8 (b) ~~"2020-2021 3-year"~~ **"3-year** average special education  
 9 millage revenue per pupil" means the 3-year average taxable value  
 10 per mill levied behind each membership pupil for ~~2018-2019, 2019-~~  
 11 ~~2020, and 2020-2021~~ **each of the 3 most recent fiscal years**  
 12 multiplied by the ~~2020-2021~~ millage levied **in the most recent**  
 13 **fiscal year.**

14 Sec. 61a. (1) From the state school aid fund money  
 15 appropriated in section 11, there is allocated an amount not to  
 16 exceed \$37,611,300.00 for ~~2021-2022~~ **2022-2023** to reimburse on an  
 17 added cost basis districts, except for a district that served as  
 18 the fiscal agent for a vocational education consortium in the 1993-  
 19 94 school year and that has a foundation allowance as calculated  
 20 under section 20 greater than the ~~minimum~~ **target** foundation  
 21 allowance under that section, and secondary area vocational-  
 22 technical education centers for secondary-level career and  
 23 technical education programs according to rules approved by the  
 24 superintendent. Applications for participation in the programs must  
 25 be submitted in the form prescribed by the department. The  
 26 department shall determine the added cost for each career and  
 27 technical education program area. The department shall prioritize  
 28 the allocation of added cost funds based on the capital and program  
 29 expenditures needed to operate the career and technical education



1 programs provided; the number of pupils enrolled; the advancement  
2 of pupils through the instructional program; the existence of an  
3 articulation agreement with at least 1 postsecondary institution  
4 that provides pupils with opportunities to earn postsecondary  
5 credit during the pupil's participation in the career and technical  
6 education program and transfers those credits to the postsecondary  
7 institution upon completion of the career and technical education  
8 program; and the program rank in student placement, job openings,  
9 and wages, and shall ensure that the allocation does not exceed 75%  
10 of the added cost of any program. Notwithstanding any rule or  
11 department determination to the contrary, when determining a  
12 district's allocation or the formula for making allocations under  
13 this section, the department shall include the participation of  
14 pupils in grade 9 in all of those determinations and in all  
15 portions of the formula. With the approval of the department, the  
16 board of a district maintaining a secondary career and technical  
17 education program may offer the program for the period from the  
18 close of the school year until September 1. The program shall use  
19 existing facilities and must be operated as prescribed by rules  
20 promulgated by the superintendent.

21 (2) Except for a district that served as the fiscal agent for  
22 a vocational education consortium in the 1993-94 school year, the  
23 department shall reimburse districts and intermediate districts for  
24 local career and technical education administration, shared time  
25 career and technical education administration, and career education  
26 planning district career and technical education administration.  
27 The superintendent shall adopt guidelines for the definition of  
28 what constitutes administration and shall make reimbursement  
29 pursuant to those guidelines. The department shall not distribute



1 more than \$800,000.00 of the allocation in subsection (1) under  
2 this subsection.

3 (3) A career and technical education program funded under this  
4 section may provide an opportunity for participants who are  
5 eligible to be funded under section 107 to enroll in the career and  
6 technical education program funded under this section if the  
7 participation does not occur during regular school hours.

8 Sec. 61b. (1) From the ~~funds~~ **state school aid fund money**  
9 appropriated under section 11, there is allocated for ~~2021-2022~~  
10 **2022-2023** an amount not to exceed \$8,000,000.00 ~~from the state~~  
11 ~~school aid fund appropriation~~ for CTE early middle college and CTE  
12 dual enrollment programs authorized under this section and for  
13 planning grants for the development or expansion of CTE early  
14 middle college programs. The purpose of these programs is to  
15 increase the number of Michigan residents with high-quality degrees  
16 or credentials, and to increase the number of students who are  
17 college and career ready upon high school graduation.

18 (2) From the funds allocated under subsection (1), the  
19 department shall allocate an amount as determined under this  
20 subsection to each intermediate district serving as a fiscal agent  
21 for state-approved CTE early middle college and CTE dual enrollment  
22 programs in each of the career education planning districts  
23 identified by the department. An intermediate district shall not  
24 use more than 5% of the funds allocated under this subsection for  
25 administrative costs for serving as the fiscal agent.

26 (3) To be an eligible fiscal agent, an intermediate district  
27 must agree to do all of the following in a form and manner  
28 determined by the department:

29 (a) Distribute funds to eligible CTE early middle college and



1 CTE dual enrollment programs in a career education planning  
2 district as described in this section.

3 (b) Collaborate with the career and educational advisory  
4 council in the workforce development board service delivery area to  
5 develop 1 regional strategic plan under subsection (4) that aligns  
6 CTE programs and services into an efficient and effective delivery  
7 system for high school students. The department will align career  
8 education planning districts, workforce development board service  
9 delivery areas, and intermediate districts for the purpose of  
10 creating 1 regional strategic plan for each workforce development  
11 board service delivery area.

12 (c) Implement a regional process to rank career clusters in  
13 the workforce development board service delivery area as described  
14 under subsection (4). Regional processes must be approved by the  
15 department before the ranking of career clusters.

16 (d) Report CTE early middle college and CTE dual enrollment  
17 program and student data and information as prescribed by the  
18 department and the center.

19 (e) The local education agency responsible for student  
20 reporting in the Michigan student data system (MSDS) will report  
21 the total number of college credits the student earned, at the time  
22 of high school graduation, as determined by the department and the  
23 center.

24 (f) The local education agency will report each award outcome  
25 in the Michigan student data system (MSDS) that the CTE early  
26 middle college student attained. For purposes of this subsection,  
27 an on-track CTE early middle college graduate is a graduate who  
28 obtained their high school diploma and at least 1 of the following:

29 (i) An associate's degree.



1 (ii) 60 transferrable college credits.

2 (iii) Professional certification.

3 (iv) A Michigan Early Middle College Association certificate.

4 (v) Participation in a registered apprenticeship.

5 (4) A regional strategic plan must be approved by the career  
6 and educational advisory council before submission to the  
7 department. A regional strategic plan must include, but is not  
8 limited to, the following:

9 (a) An identification of regional employer need based on a  
10 ranking of all career clusters in the workforce development board  
11 service delivery area ranked by 10-year projections of annual job  
12 openings and median wage for each standard occupational code in  
13 each career cluster as obtained from the United States Bureau of  
14 Labor Statistics. Standard occupational codes within high-ranking  
15 clusters also may be further ranked by median wage and annual job  
16 openings. The career and educational advisory council located in  
17 the workforce development board service delivery area shall review  
18 the rankings and modify them if necessary to accurately reflect  
19 employer demand for talent in the workforce development board  
20 service delivery area. A career and educational advisory council  
21 shall document that it has conducted this review and certify that  
22 it is accurate. These career cluster rankings must be determined  
23 and updated once every 4 years.

24 (b) An identification of educational entities in the workforce  
25 development board service delivery area that will provide eligible  
26 CTE early middle college and CTE dual enrollment programs including  
27 districts, intermediate districts, postsecondary institutions, and  
28 noncredit occupational training programs leading to an industry-  
29 recognized credential.



1 (c) A strategy to inform parents and students of CTE early  
2 middle college and CTE dual enrollment programs in the workforce  
3 development board service delivery area.

4 (d) Any other requirements as defined by the department.

5 (5) An eligible CTE program is a program that meets all of the  
6 following:

7 (a) Has been identified in the highest 5 career cluster  
8 rankings in any of the 16 workforce development board service  
9 delivery area strategic plans jointly approved by the department of  
10 labor and economic opportunity and the department.

11 (b) Has a coherent sequence of courses in a specific career  
12 cluster that will allow a student to earn a high school diploma and  
13 achieve at least 1 of the following:

14 (i) For CTE early middle college, outcomes as defined in  
15 subsection (3)(f).

16 (ii) For CTE dual enrollment, 1 of the following:

17 (A) An associate degree.

18 (B) An industry-recognized technical certification approved by  
19 the department of labor and economic opportunity.

20 (C) Up to 60 transferable college credits.

21 (D) Participation in a registered apprenticeship, pre-  
22 apprenticeship, or apprentice readiness program.

23 (c) Is aligned with the Michigan merit curriculum.

24 (d) Has an articulation or a college credit agreement with at  
25 least 1 postsecondary institution that provides students with  
26 opportunities to receive postsecondary credits during the student's  
27 participation in the CTE early middle college or CTE dual  
28 enrollment program and transfers those credits to the postsecondary  
29 institution upon completion of the CTE early middle college or CTE



1 dual enrollment program.

2 (e) Provides instruction that is supervised, directed, or  
3 coordinated by an appropriately certificated CTE teacher or, for  
4 concurrent enrollment courses, a postsecondary faculty member.

5 (f) Provides for highly integrated student support services  
6 that include at least the following:

7 (i) Teachers as academic advisors.

8 (ii) Supervised course selection.

9 (iii) Monitoring of student progress and completion.

10 (iv) Career planning services provided by a local one-stop  
11 service center as described in the Michigan works one-stop service  
12 center system act, 2006 PA 491, MCL 408.111 to 408.135, or by a  
13 high school counselor or advisor.

14 (g) Has courses that are taught on a college campus, are  
15 college courses offered at the high school and taught by college  
16 faculty, or are courses taught in combination with online  
17 instruction.

18 (6) The department shall distribute funds to eligible CTE  
19 early middle college and CTE dual enrollment programs as follows:

20 (a) The department shall determine statewide average CTE costs  
21 per pupil for each CIP code program by calculating statewide  
22 average costs for each CIP code program for the 3 most recent  
23 fiscal years.

24 (b) The distribution to each eligible CTE early middle college  
25 or CTE dual enrollment program is the product of 50% of CTE costs  
26 per pupil times the pupil enrollment of each eligible CTE early  
27 middle college or CTE dual enrollment program in the immediately  
28 preceding school year.

29 (7) In order to receive funds under this section, a CTE early



1 middle college or CTE dual enrollment program shall furnish to the  
2 intermediate district that is the fiscal agent identified in  
3 subsection (2), in a form and manner determined by the department,  
4 all information needed to administer this program and meet federal  
5 reporting requirements; shall allow the department or the  
6 department's designee to review all records related to the program  
7 for which it receives funds; and shall reimburse the state for all  
8 disallowances found in the review, as determined by the department.

9 (8) There is allocated for ~~2021-2022~~**2022-2023** from the funds  
10 under subsection (1) an amount not to exceed \$500,000.00 from the  
11 state school aid fund allocation for grants to intermediate  
12 districts or consortia of intermediate districts for the purpose of  
13 planning for new or expanded early middle college programs.  
14 Applications for grants must be submitted in a form and manner  
15 determined by the department. The amount of a grant under this  
16 subsection must not exceed \$50,000.00. To be eligible for a grant  
17 under this subsection, an intermediate district or consortia of  
18 intermediate districts must provide matching funds equal to the  
19 grant received under this subsection. Notwithstanding section 17b,  
20 the department shall make payments under this subsection in the  
21 manner determined by the department.

22 (9) Funds distributed under this section may be used to fund  
23 program expenditures that would otherwise be paid from foundation  
24 allowances. A program receiving funding under section 61a may  
25 receive funding under this section for allowable costs that exceed  
26 the reimbursement the program received under section 61a. The  
27 combined payments received by a program under section 61a and this  
28 section must not exceed the total allowable costs of the program. A  
29 program provider shall not use more than 5% of the funds allocated



1 under this section to the program for administrative costs.

2 (10) If the allocation under subsection (1) is insufficient to  
3 fully fund payments as otherwise calculated under this section, the  
4 department shall prorate payments under this section on an equal  
5 percentage basis.

6 (11) If pupils enrolled in a career cluster in an eligible CTE  
7 early middle college or CTE dual enrollment program qualify to be  
8 reimbursed under this section, those pupils continue to qualify for  
9 reimbursement until graduation, even if the career cluster is no  
10 longer identified as being in the highest 5 career cluster  
11 rankings.

12 (12) As used in this section:

13 (a) "Allowable costs" means those costs directly attributable  
14 to the program as jointly determined by the department of labor and  
15 economic opportunity and the department.

16 (b) "Career and educational advisory council" means an  
17 advisory council to the local workforce development boards located  
18 in a workforce development board service delivery area consisting  
19 of educational, employer, labor, and parent representatives.

20 (c) "CIP" means classification of instructional programs.

21 (d) "CTE" means career and technical education programs.

22 (e) "CTE dual enrollment program" means a 4-year high school  
23 program of postsecondary courses offered by eligible postsecondary  
24 educational institutions that leads to an industry-recognized  
25 certification or degree.

26 (f) "Early middle college program" means a 5-year high school  
27 program.

28 (g) "Eligible postsecondary educational institution" means  
29 that term as defined in section 3 of the career and technical



1 preparation act, 2000 PA 258, MCL 388.1903.

2       Sec. 61c. (1) From the ~~general~~**state school aid** fund money  
3 appropriated in section 11, there is allocated for ~~2021-2022-2022-~~  
4 **2023** an amount not to exceed ~~\$7,500,000.00-~~**\$15,000,000.00** to  
5 eligible career education planning districts for the CTE skilled  
6 trades initiative described in subsections (2) to (5). To be  
7 eligible to receive funding under this section, at least 50% of the  
8 area served by a CEPD must be located in an intermediate district  
9 that did not levy a vocational education millage in ~~2021-~~**2022**.

10       (2) To receive funding under subsection (1), each eligible  
11 CEPD must apply in a form and manner prescribed by the department.  
12 Funding to each eligible CEPD must be equal to the quotient of the  
13 allocation under subsection (1) and the sum of the number of career  
14 education planning districts applying for funding under subsection  
15 (1) that are located in an intermediate district that did not levy  
16 a vocational education millage in ~~2021-~~**2022**.

17       (3) At least 50% of the funding allocated to each eligible  
18 CEPD must be used to update equipment in current CTE programs that  
19 have been identified in the highest 5 career cluster rankings in  
20 the most recent CEPD regional strategic plans jointly approved by  
21 the Michigan talent investment agency in the department of labor  
22 and economic opportunity and the department, for training on new  
23 equipment, for professional development relating to computer  
24 science or coding, or for new and emerging certified CTE programs  
25 to allow CEPD administrators to provide programming in communities  
26 that will enhance economic development. The funding for equipment  
27 should be used to support and enhance community areas that have  
28 sustained job growth, and act as a commitment to build a more  
29 qualified and skilled workforce. In addition, each CEPD is



1 encouraged to explore the option of leasing equipment from local  
 2 private industry to encourage the use of the most advanced  
 3 equipment.

4 (4) The allocation of funds at the local level must be  
 5 determined by CEPD administrators using data from the state,  
 6 region, and local sources to make well-informed decisions on  
 7 program equipment improvements. Grants awarded by CEPD  
 8 administrators for capital infrastructure must be used to ensure  
 9 that CTE programs can deliver educational programs in high-wage,  
 10 high-skill, and high-demand occupations. Each CEPD shall continue  
 11 to ensure that program advisory boards make recommendations on  
 12 needed improvements for equipment that support job growth and job  
 13 skill development and retention for both the present and the  
 14 future.

15 (5) Not later than September 15 of each fiscal year, each CEPD  
 16 receiving funding shall annually report to the department, the  
 17 senate and house appropriations subcommittees on school aid, the  
 18 senate and house fiscal agencies, and legislature on equipment  
 19 purchased under subsection (1). In addition, the report must  
 20 identify growth data on program involvement, retention, and  
 21 development of student skills.

22 (6) As used in this section:

23 (a) "CEPD" means a career education planning district  
 24 described in this section.

25 (b) "CTE" means career and technical education.

26 Sec. 61d. (1) From the appropriation in section 11, there is  
 27 allocated for ~~2021-2022-2022-2023~~ an amount not to exceed  
 28 ~~\$5,000,000.00~~ **\$6,000,000.00** from the state school aid fund for  
 29 additional payments to districts for career and technical education



1 programs for the purpose of increasing the number of Michigan  
2 residents with high-quality degrees or credentials, and to increase  
3 the number of pupils who are college- and career-ready upon high  
4 school graduation.

5 (2) The department shall calculate payments to districts under  
6 this section in the following manner:

7 (a) A payment of \$35.00 multiplied by the number of pupils in  
8 grades 9 to 12 who are counted in membership in the district and  
9 are enrolled in at least 1 career and technical education program.

10 (b) An additional payment of \$35.00 multiplied by the number  
11 of pupils in grades 9 to 12 who are counted in membership in the  
12 district and are enrolled in at least 1 career and technical  
13 education program that provides instruction in critical skills and  
14 high-demand career fields.

15 (3) If the allocation under subsection (1) is insufficient to  
16 fully fund payments under subsection (2), the department shall  
17 prorate payments under this section on an equal per-pupil basis.

18 (4) As used in this section:

19 (a) "Career and technical education program" means a state-  
20 approved career and technical education program, as determined by  
21 the department.

22 (b) "Career and technical education program that provides  
23 instruction in critical skills and high-demand career field" means  
24 a career and technical education program classified under any of  
25 the following 2-digit classification of instructional programs  
26 (CIP) codes:

27 (i) 01, which refers to "agriculture, agriculture operations,  
28 and related sciences".

29 (ii) 03, which refers to "natural resources and conservation".



1 (iii) 10 through 11, which refers to "communications  
2 technologies/technicians and support services" and "computer and  
3 information sciences and support services".

4 (iv) 14 through 15, which refers to "engineering" and  
5 "engineering technologies and engineering-related fields".

6 (v) 26, which refers to "biological and biomedical sciences".

7 (vi) 46 through 48, which refers to "construction trades",  
8 "mechanic and repair technologies/technicians", and "precision  
9 production".

10 (vii) 51, which refers to "health professions and related  
11 programs".

12 **Sec. 61i. (1) From the federal funding appropriated in section**  
13 **11, there is allocated for 2022-2023 an amount not to exceed**  
14 **\$14,000,000.00 from the federal funding awarded to this state from**  
15 **the coronavirus state fiscal recovery fund under the American**  
16 **rescue plan act of 2021, title IX, subtitle M of Public Law 117-2,**  
17 **to eligible intermediate districts as provided under this section.**

18 (2) To receive funding under this section, an intermediate  
19 district must apply for the funding in a form and manner prescribed  
20 by the department.

21 (3) The department shall not allocate more than 1% of the  
22 total funding allocated under this section to an eligible  
23 intermediate district in the first round of funding under this  
24 section.

25 (4) An intermediate district that meets either of the  
26 following is an eligible intermediate district under this section:

27 (a) It has a CTE teacher on staff.

28 (b) It pledges in its application described in subsection (2)  
29 to hire a CTE teacher.



1 (5) An eligible intermediate district that receives funding  
 2 under this section shall use the funding only for the recruitment  
 3 of, retention of, and coverage of continued education costs for CTE  
 4 teachers.

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

8 (7) Funds allocated under this section for 2022-2023 are a  
 9 work project appropriation, and any unexpended funds for 2022-2023  
 10 are carried forward into 2023-2024. The purpose of the work project  
 11 is to continue providing funding for the recruitment of, retention  
 12 of, and coverage of continued education costs for CTE teachers as  
 13 described in this section. The estimated completion date of the  
 14 work project is September 30, 2024.

15 (8) The federal funding allocated under this section is  
 16 intended to respond to the COVID-19 public health emergency and its  
 17 negative impacts.

18 (9) As used in this section, "CTE" means career and technical  
 19 education.

20 Sec. 62. (1) For the purposes of this section:

21 (a) "Membership" means for a particular fiscal year the total  
 22 membership of the intermediate district and the districts  
 23 constituent to the intermediate district or the total membership of  
 24 the area vocational-technical program, except that if a district  
 25 has elected not to come under sections 681 to 690 of the revised  
 26 school code, MCL 380.681 to 380.690, the membership of that  
 27 district are not included in the membership of the intermediate  
 28 district. However, the membership of a district that has elected  
 29 not to come under sections 681 to 690 of the revised school code,



1 MCL 380.681 to 380.690, is included in the membership of the  
2 intermediate district if the district meets both of the following:

3 (i) The district operates the area vocational-technical  
4 education program pursuant to a contract with the intermediate  
5 district.

6 (ii) The district contributes an annual amount to the operation  
7 of the program that is commensurate with the revenue that would  
8 have been raised for operation of the program if millage were  
9 levied in the district for the program under sections 681 to 690 of  
10 the revised school code, MCL 380.681 to 380.690.

11 (b) "Millage levied" means the millage levied for area  
12 vocational-technical education under sections 681 to 690 of the  
13 revised school code, MCL 380.681 to 380.690, including a levy for  
14 debt service obligations incurred as the result of borrowing for  
15 capital outlay projects and in meeting capital projects fund  
16 requirements of area vocational-technical education.

17 (c) "Taxable value" means the total taxable value of the  
18 districts constituent to an intermediate district or area  
19 vocational-technical education program, except that if a district  
20 has elected not to come under sections 681 to 690 of the revised  
21 school code, MCL 380.681 to 380.690, the taxable value of that  
22 district is not included in the taxable value of the intermediate  
23 district. However, the taxable value of a district that has elected  
24 not to come under sections 681 to 690 of the revised school code,  
25 MCL 380.681 to 380.690, is included in the taxable value of the  
26 intermediate district if the district meets both of the following:

27 (i) The district operates the area vocational-technical  
28 education program pursuant to a contract with the intermediate  
29 district.



1           (ii) The district contributes an annual amount to the operation  
2 of the program that is commensurate with the revenue that would  
3 have been raised for operation of the program if millage were  
4 levied in the district for the program under sections 681 to 690 of  
5 the revised school code, MCL 380.681 to 380.690.

6           (2) From the appropriation in section 11, there is allocated  
7 an amount not to exceed \$9,190,000.00 each fiscal year for ~~2020-~~  
8 ~~2021-2021-2022~~ and for ~~2021-2022-2022-2023~~ to reimburse  
9 intermediate districts and area vocational-technical education  
10 programs established under section 690(3) of the revised school  
11 code, MCL 380.690, levying millages for area vocational-technical  
12 education under sections 681 to 690 of the revised school code, MCL  
13 380.681 to 380.690. The purpose, use, and expenditure of the  
14 reimbursement are limited as if the funds were generated by those  
15 millages.

16           (3) Reimbursement for those millages levied in ~~2019-2020-2020-~~  
17 ~~2021~~ is made in ~~2020-2021-2021-2022~~ at an amount per ~~2019-2020~~  
18 ~~2020-2021~~ membership pupil computed by subtracting from ~~\$218,700.00~~  
19 ~~\$227,300.00~~ the ~~2019-2020-2020-2021~~ taxable value behind each  
20 membership pupil and multiplying the resulting difference by the  
21 ~~2019-2020-2020-2021~~ millage levied, and then subtracting from that  
22 amount the ~~2019-2020-2020-2021~~ local community stabilization share  
23 revenue for area vocational technical education behind each  
24 membership pupil for reimbursement of personal property exemption  
25 loss under the local community stabilization authority act, 2014 PA  
26 86, MCL 123.1341 to 123.1362.

27           (4) Reimbursement for those millages levied in ~~2020-2021-2021-~~  
28 ~~2022~~ is made in ~~2021-2022-2022-2023~~ at an amount per ~~2020-2021~~  
29 ~~2021-2022~~ membership pupil computed by subtracting from ~~\$224,800.00~~



1 **\$235,000** the ~~2020-2021-2021-2022~~ taxable value behind each  
 2 membership pupil and multiplying the resulting difference by the  
 3 ~~2020-2021-2021-2022~~ millage levied, and then subtracting from that  
 4 amount the ~~2020-2021-2021-2022~~ local community stabilization share  
 5 revenue for area vocational technical education **and 2021-2022 tax**  
 6 **increment revenues captured by a brownfield redevelopment authority**  
 7 **created under the brownfield redevelopment financing act, 1996 PA**  
 8 **381, MCL 125.2651 to 125.2670**, behind each membership pupil for  
 9 reimbursement of personal property exemption loss under the local  
 10 community stabilization authority act, 2014 PA 86, MCL 123.1341 to  
 11 123.1362, **and reimbursements paid under section 26d for tax**  
 12 **increment revenues captured by a brownfield redevelopment authority**  
 13 **under the brownfield redevelopment financing act, 1996 PA 381, MCL**  
 14 **125.2651 to 125.2670.**

15 (5) The department shall ensure that the amount paid to a  
 16 single intermediate district under this section does not exceed  
 17 38.4% of the total amount allocated under subsection (2).

18 (6) The department shall ensure that the amount paid to a  
 19 single intermediate district under this section is not less than  
 20 75% of the amount allocated to the intermediate district under this  
 21 section for the immediately preceding fiscal year.

22 Sec. 65. (1) From the appropriation under section 11, there is  
 23 allocated an amount not to exceed \$400,000.00 for ~~2021-2022-2022-~~  
 24 **2023** for a pre-college engineering K-12 educational program that is  
 25 focused on the development of a diverse future Michigan workforce,  
 26 that serves multiple communities within southeast Michigan, that  
 27 enrolls pupils from multiple districts, and that received funds  
 28 appropriated for this purpose in the appropriations act that  
 29 provided the Michigan strategic fund budget for 2014-2015.



1 (2) To be eligible for funding under this section, a program  
 2 must have the ability to expose pupils to, and motivate and prepare  
 3 pupils for, science, technology, engineering, and mathematics  
 4 careers and postsecondary education with special attention given to  
 5 groups of pupils who are at-risk and underrepresented in technical  
 6 professions and careers.

7 Sec. 67a. (1) From the general fund money appropriated under  
 8 section 11, there is allocated an amount not to exceed \$50,000.00  
 9 for ~~2021-2022~~ **2022-2023** for a grant to be distributed by the  
 10 department to an organization to provide industrial and  
 11 technological education and workforce preparation for students and  
 12 professional development opportunities and support for teachers.

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

16 Sec. 74. (1) From the state school aid fund money appropriated  
 17 in section 11, there is allocated an amount not to exceed  
 18 ~~\$3,805,800.00~~ **\$3,964,800.00** for 2021-2022 **and there is allocated an**  
 19 **amount not to exceed \$3,844,200.00 for 2022-2023** for the purposes  
 20 of this section.

21 (2) From the allocation in subsection (1), there is allocated  
 22 for 2021-2022 **and for 2022-2023** the amount necessary for payments  
 23 to state supported colleges or universities and intermediate  
 24 districts providing school bus driver safety instruction under  
 25 section 51 of the pupil transportation act, 1990 PA 187, MCL  
 26 257.1851. The department shall make payments in an amount  
 27 determined by the department not to exceed the actual cost of  
 28 instruction and driver compensation for each public or nonpublic  
 29 school bus driver attending a course of instruction. For the



1 purpose of computing compensation, the hourly rate allowed each  
2 school bus driver must not exceed the hourly rate received for  
3 driving a school bus. The department shall make reimbursement  
4 compensating the driver during the course of instruction to the  
5 college or university or intermediate district providing the course  
6 of instruction.

7 (3) From the allocation in subsection (1), there is allocated  
8 for 2021-2022 **and for 2022-2023** the amount necessary to pay the  
9 reasonable costs of nonspecial education auxiliary services  
10 transportation provided under section 1323 of the revised school  
11 code, MCL 380.1323. Districts funded under this subsection do not  
12 receive funding under any other section of this article for  
13 nonspecial education auxiliary services transportation.

14 (4) From the funds allocated in subsection (1), there is  
15 allocated an amount not to exceed \$1,780,800.00 for 2021-2022 **and**  
16 **there is allocated an amount not to exceed \$1,819,200.00 for 2022-**  
17 **2023** for reimbursement to districts and intermediate districts for  
18 costs associated with the inspection of school buses and pupil  
19 transportation vehicles by the department of state police as  
20 required under section 715a of the Michigan vehicle code, 1949 PA  
21 300, MCL 257.715a, and section 39 of the pupil transportation act,  
22 1990 PA 187, MCL 257.1839. The department of state police shall  
23 prepare a statement of costs attributable to each district for  
24 which bus inspections are provided and submit it to the department  
25 and to an intermediate district serving as fiduciary in a time and  
26 manner determined jointly by the department and the department of  
27 state police. Upon review and approval of the statement of cost,  
28 the department shall forward to the designated intermediate  
29 district serving as fiduciary the amount of the reimbursement on



1 behalf of each district and intermediate district for costs  
 2 detailed on the statement within 45 days after receipt of the  
 3 statement. The designated intermediate district shall make payment  
 4 in the amount specified on the statement to the department of state  
 5 police within 45 days after receipt of the statement. The total  
 6 reimbursement of costs under this subsection must not exceed the  
 7 amount allocated under this subsection. Notwithstanding section  
 8 17b, the department shall make payments to eligible entities under  
 9 this subsection on a schedule prescribed by the department.

10       Sec. 81. (1) From the state school aid fund money appropriated  
 11 in section 11, there is allocated for ~~2020-2021 to the intermediate~~  
 12 ~~districts the sum necessary, but not to exceed \$69,138,000.00, and~~  
 13 ~~there is allocated for 2021-2022~~ **2022-2023** to the intermediate  
 14 districts the sum necessary, but not to exceed \$71,903,600.00 to  
 15 provide state aid to intermediate districts under this section.

16       (2) ~~The amount allocated under this section for 2020-2021 to~~  
 17 ~~each intermediate district is an amount equal to 100% of the amount~~  
 18 ~~allocated to the intermediate district under this section for 2019-~~  
 19 ~~2020.~~ The amount allocated under this section for ~~2021-2022~~ **2022-**  
 20 **2023** to each intermediate district is an amount equal to ~~104%~~ **100%**  
 21 of the amount allocated to the intermediate district under this  
 22 section for ~~2020-2021.~~ **2021-2022**. An intermediate district shall  
 23 use funding provided under this section to comply with requirements  
 24 of this article and the revised school code that are applicable to  
 25 intermediate districts, and for which funding is not provided  
 26 elsewhere in this article, and to provide technical assistance to  
 27 districts as authorized by the intermediate school board.

28       (3) Intermediate districts receiving funds under this section  
 29 shall collaborate with the department to develop expanded



1 professional development opportunities for teachers to update and  
2 expand their knowledge and skills needed to support the Michigan  
3 merit curriculum.

4 (4) From the allocation in subsection (1), there is allocated  
5 to an intermediate district, formed by the consolidation or  
6 annexation of 2 or more intermediate districts or the attachment of  
7 a total intermediate district to another intermediate district or  
8 the annexation of all of the constituent K-12 districts of a  
9 previously existing intermediate district which has disorganized,  
10 an additional allotment of \$3,500.00 each fiscal year for each  
11 intermediate district included in the new intermediate district for  
12 3 years following consolidation, annexation, or attachment.

13 (5) In order to receive funding under this section, an  
14 intermediate district shall do all of the following:

15 (a) Demonstrate to the satisfaction of the department that the  
16 intermediate district employs at least 1 person who is trained in  
17 pupil accounting and auditing procedures, rules, and regulations.

18 (b) Demonstrate to the satisfaction of the department that the  
19 intermediate district employs at least 1 person who is trained in  
20 rules, regulations, and district reporting procedures for the  
21 individual-level student data that serves as the basis for the  
22 calculation of the district and high school graduation and dropout  
23 rates.

24 (c) Comply with sections 1278a and 1278b of the revised school  
25 code, MCL 380.1278a and 380.1278b.

26 (d) Furnish data and other information required by state and  
27 federal law to the center and the department in the form and manner  
28 specified by the center or the department, as applicable.

29 (e) Comply with section 1230g of the revised school code, MCL



1 380.1230g.

2 (f) Provide advice, guidance, and leadership to assist all  
 3 districts located within its geographic boundaries to assist in the  
 4 preparedness and response efforts toward addressing COVID-19. At a  
 5 minimum, this must include the coordination and collaboration with  
 6 any local public health agency that has jurisdiction within the  
 7 intermediate district's geographic boundaries and may include the  
 8 coordination of bulk purchasing of personal protective equipment,  
 9 technology, or other products or services necessary for students to  
 10 return to school.

11 (g) ~~An intermediate district shall ensure~~ **Ensure** that all  
 12 districts located within its geographic boundaries have equitable  
 13 access to the intermediate district's coordination activities and  
 14 services, intermediate district-wide or regional meetings,  
 15 regularly scheduled superintendent meetings, programming, events,  
 16 or other coordination or collaboration activities. In ensuring that  
 17 all districts located within the geographic boundaries of the  
 18 intermediate district have equitable access to services, meetings,  
 19 programming, events, or activities as described in the immediately  
 20 preceding sentence, the intermediate district shall ensure that  
 21 districts that are public school academies that are located within  
 22 its geographic boundaries are not excluded from said services,  
 23 meetings, programming, events, or activities if districts that are  
 24 not public school academies that are located within the geographic  
 25 boundaries of the intermediate district are not excluded.

26 Sec. 94. (1) From the general fund money appropriated in  
 27 section 11, there is allocated to the department for ~~2021-2022~~  
 28 **2022-2023** an amount not to exceed \$1,200,000.00 for efforts to  
 29 increase the number of pupils who participate and succeed in



1 advanced placement and international baccalaureate programs, and to  
2 support the college-level examination program (CLEP).

3 (2) From the funds allocated under this section, the  
4 department shall award funds to cover all or part of the costs of  
5 advanced placement test fees or international baccalaureate test  
6 fees and international baccalaureate registration fees for low-  
7 income pupils who take an advanced placement or an international  
8 baccalaureate test and CLEP fees for low-income pupils who take a  
9 CLEP test.

10 (3) The department shall only award funds under this section  
11 if the department determines that all of the following criteria are  
12 met:

13 (a) Each pupil for whom payment is made meets eligibility  
14 requirements of the federal advanced placement test fee program  
15 under ~~section 1701 of the no child left behind act of 2001, Public~~  
16 ~~Law 107-110, or under a corresponding provision of the every~~  
17 ~~student succeeds act, Public Law 114-95, as applicable.~~

18 (b) The tests are administered by the college board, the  
19 international baccalaureate organization, or another test provider  
20 approved by the department.

21 (c) The pupil for whom payment is made pays at least \$5.00  
22 toward the cost of each test for which payment is made.

23 (4) The department shall establish procedures for awarding  
24 funds under this section.

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

28 Sec. 94a. (1) There is created within the state budget office  
29 in the department of technology, management, and budget the center



1 for educational performance and information. The center shall do  
2 all of the following:

3 (a) Coordinate the collection of all data required by state  
4 and federal law from districts, intermediate districts, and  
5 postsecondary institutions.

6 (b) Create, maintain, and enhance this state's P-20  
7 longitudinal data system and ensure that it meets the requirements  
8 of subsection (4).

9 (c) Collect data in the most efficient manner possible in  
10 order to reduce the administrative burden on reporting entities,  
11 including, but not limited to, electronic transcript services.

12 (d) Create, maintain, and enhance this state's web-based  
13 educational portal to provide information to school leaders,  
14 teachers, researchers, and the public in compliance with all  
15 federal and state privacy laws. Data must include, but are not  
16 limited to, all of the following:

17 (i) Data sets that link teachers to student information,  
18 allowing districts to assess individual teacher impact on student  
19 performance and consider student growth factors in teacher and  
20 principal evaluation systems.

21 (ii) Data access or, if practical, data sets, provided for  
22 regional data hubs that, in combination with local data, can  
23 improve teaching and learning in the classroom.

24 (iii) Research-ready data sets for researchers to perform  
25 research that advances this state's educational performance.

26 (e) Provide data in a useful manner to allow state and local  
27 policymakers to make informed policy decisions.

28 (f) Provide public reports to the residents of this state to  
29 allow them to assess allocation of resources and the return on



1 their investment in the education system of this state.

2 (g) Other functions as assigned by the state budget director.

3 (2) Each state department, officer, or agency that collects  
4 information from districts, intermediate districts, or  
5 postsecondary institutions as required under state or federal law  
6 shall make arrangements with the center to ensure that the state  
7 department, officer, or agency is in compliance with subsection  
8 (1). This subsection does not apply to information collected by the  
9 department of treasury under the uniform budgeting and accounting  
10 act, 1968 PA 2, MCL 141.421 to 141.440a; the revised municipal  
11 finance act, 2001 PA 34, MCL 141.2101 to 141.2821; the school bond  
12 qualification, approval, and loan act, 2005 PA 92, MCL 388.1921 to  
13 388.1939; or section 1351a of the revised school code, MCL  
14 380.1351a.

15 (3) The center may enter into any interlocal agreements  
16 necessary to fulfill its functions.

17 (4) The center shall ensure that the P-20 longitudinal data  
18 system required under subsection (1)(b) meets all of the following:

19 (a) Includes data at the individual student level from  
20 preschool through postsecondary education and into the workforce.

21 (b) Supports interoperability by using standard data  
22 structures, data formats, and data definitions to ensure linkage  
23 and connectivity in a manner that facilitates the exchange of data  
24 among agencies and institutions within the state and between  
25 states.

26 (c) Enables the matching of individual teacher and student  
27 records so that an individual student may be matched with those  
28 teachers providing instruction to that student.

29 (d) Enables the matching of individual teachers with



1 information about their certification and the institutions that  
2 prepared and recommended those teachers for state certification.

3 (e) Enables data to be easily generated for continuous  
4 improvement and decision-making, including timely reporting to  
5 parents, teachers, and school leaders on student achievement.

6 (f) Ensures the reasonable quality, validity, and reliability  
7 of data contained in the system.

8 (g) Provides this state with the ability to meet federal and  
9 state reporting requirements.

10 (h) For data elements related to preschool through grade 12  
11 and postsecondary, meets all of the following:

12 (i) Contains a unique statewide student identifier that does  
13 not permit a student to be individually identified by users of the  
14 system, except as allowed by federal and state law.

15 (ii) Contains student-level enrollment, demographic, and  
16 program participation information.

17 (iii) Contains student-level information about the points at  
18 which students exit, transfer in, transfer out, drop out, or  
19 complete education programs.

20 (iv) Has the capacity to communicate with higher education data  
21 systems.

22 (i) For data elements related to preschool through grade 12  
23 only, meets all of the following:

24 (i) Contains yearly test records of individual students for  
25 assessments approved by DED-OESE for accountability purposes under  
26 section 1111(b) of the elementary and secondary education act of  
27 1965, 20 USC 6311, including information on individual students not  
28 tested, by grade and subject.

29 (ii) Contains student-level transcript information, including



1 information on courses completed and grades earned.

2 (iii) Contains student-level college readiness test scores.

3 (j) For data elements related to postsecondary education only:

4 (i) Contains data that provide information regarding the extent  
5 to which individual students transition successfully from secondary  
6 school to postsecondary education, including, but not limited to,  
7 all of the following:

8 (A) Enrollment in remedial coursework.

9 (B) Completion of 1 year's worth of college credit applicable  
10 to a degree within 2 years of enrollment.

11 (ii) Contains data that provide other information determined  
12 necessary to address alignment and adequate preparation for success  
13 in postsecondary education.

14 (5) From the general fund money appropriated in section 11,  
15 there is allocated an amount not to exceed ~~\$18,802,500.00~~  
16 **\$19,032,300.00** for ~~2021-2022-2022-2023~~ to the department of  
17 technology, management, and budget to support the operations of the  
18 center. In addition, from the federal funds appropriated in section  
19 11, there is allocated for ~~2021-2022-2022-2023~~ the amount  
20 necessary, estimated at \$193,500.00, to support the operations of  
21 the center and to establish a P-20 longitudinal data system  
22 necessary for state and federal reporting purposes. The center  
23 shall cooperate with the department to ensure that this state is in  
24 compliance with federal law and is maximizing opportunities for  
25 increased federal funding to improve education in this state.

26 (6) From the funds allocated in subsection (5), the center may  
27 use an amount determined by the center for competitive grants for  
28 ~~2021-2022-2022-2023~~ to support collaborative efforts on the P-20  
29 longitudinal data system. All of the following apply to grants



1 awarded under this subsection:

2 (a) The center shall award competitive grants to eligible  
3 intermediate districts or a consortium of intermediate districts  
4 based on criteria established by the center.

5 (b) Activities funded under the grant must support the P-20  
6 longitudinal data system portal and may include portal hosting,  
7 hardware and software acquisition, maintenance, enhancements, user  
8 support and related materials, and professional learning tools and  
9 activities aimed at improving the utility of the P-20 longitudinal  
10 data system.

11 (c) An applicant that received a grant under this subsection  
12 for the immediately preceding fiscal year has priority for funding  
13 under this section. However, after 3 fiscal years of continuous  
14 funding, an applicant is required to compete openly with new  
15 applicants.

16 (7) Funds allocated under this section that are not expended  
17 in the fiscal year in which they were allocated may be carried  
18 forward to a subsequent fiscal year and are appropriated for the  
19 purposes for which the funds were originally allocated.

20 (8) The center may bill departments as necessary in order to  
21 fulfill reporting requirements of state and federal law. The center  
22 may also enter into agreements to supply custom data, analysis, and  
23 reporting to other principal executive departments, state agencies,  
24 local units of government, and other individuals and organizations.  
25 The center may receive and expend funds in addition to those  
26 authorized in subsection (5) to cover the costs associated with  
27 salaries, benefits, supplies, materials, and equipment necessary to  
28 provide such data, analysis, and reporting services.

29 (9) As used in this section, "DED-OESE" means the United



1 States Department of Education Office of Elementary and Secondary  
2 Education.

3       **Sec. 94e. (1) From the general fund money appropriated in**  
4 **section 11, there is allocated for 2022-2023 an amount not to**  
5 **exceed \$7,600,000.00 and, in addition, for 2022-2023 only, from the**  
6 **federal funding appropriated in section 11, there is allocated**  
7 **\$76,000,000.00 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 **to the department of technology, management, and budget for data**  
11 **system development and the following purposes as provided in this**  
12 **section:**

13       **(a) To upgrade this state's information technology**  
14 **infrastructure to improve data quality, transparency, and**  
15 **governance.**

16       **(b) To ensure that state agencies and departments have the**  
17 **talent and information technology infrastructure to provide**  
18 **meaningful data for policy, education, and workforce leaders.**

19       **(2) The department of technology, management, and budget shall**  
20 **use the funding it receives under this section to do only the**  
21 **following:**

22       **(a) Establish and lead a Michigan data analytics governing**  
23 **board that ensures coordination across state agencies with**  
24 **oversight by the department of technology, management, and budget.**  
25 **This coordination must include, but is not limited to, the merging**  
26 **of data sets from different state agencies to fulfill aggregate**  
27 **data requests from policy makers, education and program providers,**  
28 **and research institutions to provide for a better understanding of**  
29 **the efficacy of state and local education and workforce development**



1 activities.

2 (b) Create a portal, managed by the department of technology,  
3 management, and budget, to establish a clear entry for aggregated  
4 data requests and a repository of fulfilled requests that includes  
5 clear rules for access to public state data.

6 (c) In collaboration with the center, expand the P-20  
7 longitudinal data system advisory council to include the following  
8 members:

9 (i) One representative that represents the interests of the  
10 Michigan Education Research Institute (MERI).

11 (ii) Two directors that represent the interests of Michigan  
12 Works!.

13 (iii) Three individuals who represent the interests of  
14 education-related businesses or industries.

15 (iv) One individual appointed by the speaker of the house of  
16 representatives, 1 individual appointed by the senate majority  
17 leader, 1 individual appointed by the minority leader of the house  
18 of representatives, and 1 individual appointed by the minority  
19 leader of the senate.

20 (d) In collaboration with the center, expand the role of the  
21 P-20 longitudinal data system advisory council to see that it  
22 ensures that data it receives is understood and used correctly,  
23 that requests for aggregate data are delivered in a timely manner,  
24 and that the data are used to inform state policy and  
25 appropriations.

26 (e) Improve and expand the grade K to age 16 data made  
27 available through MiSchoolData by expanding it to include pre-K and  
28 making data more usable for research.

29 (f) Upgrade the state longitudinal data system, including, but



1 not limited to, upgrading back-end systems in local and state  
2 agencies, establishing the capability to merge data sets for  
3 individuals from birth to death, and ensuring data security and  
4 privacy.

5 (g) Assign a unique identifier code to every individual in  
6 this state at first engagement with state government, removing the  
7 Social Security number as a primary identifier of individuals.

8 (h) Expand the Michigan unemployment insurance agency's form,  
9 UC 1017, by adding all of the following in the requested  
10 information portion of the form and require that the form is  
11 collected at least twice annually with the first and third employer  
12 filing:

13 (i) Job title.

14 (ii) Primary job location.

15 (iii) Hours worked.

16 (i) Upgrade the information technology for the department of  
17 technology, management, and budget's analytic services.

18 (j) Increase, as necessary, FTEs at the department of  
19 technology, management, and budget or other state agencies to  
20 manage data or fulfill requests.

21 (3) It is the intent of the legislature that the general fund  
22 allocation in this section will be appropriated continually to fund  
23 ongoing costs as described in this section.

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

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 supporting the department of technology, management,  
 2 and budget as prescribed in this section. The estimated completion  
 3 date of the work project is September 30, 2024.

4 (6) The federal funding allocated under this section is  
 5 intended to respond to the COVID-19 public health emergency and its  
 6 negative impacts.

7 Sec. 95b. (1) From the general fund money appropriated under  
 8 section 11, there is allocated an amount not to exceed  
 9 ~~\$2,000,000.00~~ **\$100.00** for ~~2021-2022~~ **2022-2023** for the model value-  
 10 added growth and projection analytics system. The department shall  
 11 continue the model value-added growth and projection analytics  
 12 system and incorporate that model into its reporting requirements  
 13 under the every student succeeds act, Public Law 114-95. The model  
 14 described in this subsection must do at least all of the following:

15 (a) Utilize existing assessments and any future assessments  
 16 that are suitable for measuring student growth.

17 (b) Report student growth measures at the district, school,  
 18 teacher, and subgroup levels.

19 (c) Recognize the growth of tested students, including those  
 20 who may have missing assessment data.

21 (d) Include all available prior standardized assessment data  
 22 that meet inclusion criteria across grades, subjects, and state and  
 23 local assessments.

24 (e) Allow student growth results to be disaggregated.

25 (f) Provide individual student projections showing the  
 26 probability of a student reaching specific performance levels on  
 27 future assessments. Given school closures and extended  
 28 cancellations related to COVID-19, the data under this subdivision  
 29 may be used to inform decisions about student placement or students



1 that could benefit from additional supports or interventions.

2 (g) Demonstrate any prior success with this state's  
3 assessments through the Michigan council of educator effectiveness  
4 teacher evaluation pilot.

5 (h) Demonstrate prior statewide implementation in at least 2  
6 other states for at least 10 years.

7 (i) Have a native roster verification system built into the  
8 value-added reporting platform that has been implemented statewide  
9 in at least 2 other states.

10 (j) Have a "help/contact us" ticketing system built into the  
11 value-added reporting platform.

12 (k) Given school closures that have occurred pursuant to an  
13 executive order issued by the governor, the value-added reporting  
14 platform must provide continued hosting and delivery of reporting  
15 and offer the department additional supports in the areas of  
16 research, analysis, web reporting, and training.

17 (l) The department and the platform vendor shall provide  
18 statewide training for educators to understand the reporting that  
19 details the impact to student learning and growth.

20 (2) The department shall provide internet-based electronic  
21 student growth and projection reporting based on the model under  
22 subsection (1) to educators at the school, district, and state  
23 levels. The model must include role-based permissions that allow  
24 educators to access information about the performance of the  
25 students within their immediate responsibility in accordance with  
26 applicable privacy laws.

27 (3) The model under subsection (1) must not be a mandatory  
28 part of teacher evaluation or educator pay-for-performance systems.

29 (4) The model under subsection (1) must be a model that



1 received funding under this section in 2018-2019.

2 (5) By March 31 ~~, 2022,~~ **of each year,** the department shall  
 3 work with the center to ~~provide a report to the senate and house~~  
 4 ~~appropriations subcommittees on school aid and the senate and house~~  
 5 ~~fiscal agencies regarding the number of districts that are not~~  
 6 ~~public school academies that opted in to student-teacher linkages~~  
 7 ~~in their use of the model value-added growth and projection~~  
 8 ~~analytics system under this section. The report under this~~  
 9 ~~subsection must also include verification that the value-added~~  
 10 ~~reporting platform continued hosting and delivery of historical~~  
 11 ~~reporting and specify any additional research and analysis offered~~  
 12 ~~to the department.~~ **make data publicly available on an external**  
 13 **website that provides student growth metrics provided by the value-**  
 14 **added reporting platform at the district and school level by grade**  
 15 **and subject.**

16 Sec. 97. (1) For ~~2021-2022,~~ **2022-2023,** from the state school  
 17 aid fund money appropriated under section 11, there is allocated an  
 18 amount not to exceed ~~\$7,500,000.00~~ **\$217,500,000.00** and from the  
 19 general fund money appropriated under section 11, there is  
 20 allocated an amount not to exceed ~~\$2,500,000.00~~ **\$10,000,000.00** for  
 21 competitive grants to public schools, nonpublic schools, districts,  
 22 and intermediate districts to purchase technology equipment,  
 23 upgrade hardening measures, or conduct school building safety  
 24 assessments to improve the safety and security of school buildings,  
 25 pupils or students, and school staff with the goal of creating a  
 26 safer school environment through equipment and technology  
 27 enhancements. The department of state police, grants and community  
 28 services division, shall administer the grant program described in  
 29 this subsection. All grants under this subsection must be funded on



1 a reimbursement-only basis. Grants under this subsection must not  
2 exceed ~~\$50,000.00~~ **\$1,150,000.00** for each public school or nonpublic  
3 school and ~~\$250,000.00~~ **\$5,700,000.00** for each district or  
4 intermediate district.

5 (2) All of the following apply to the application process for  
6 funding under subsection (1):

7 (a) To receive funding under subsection (1), a public school,  
8 nonpublic school, district, or intermediate district shall submit  
9 an application for funding under subsection (1) directly to the  
10 department of state police, grants and community services division.

11 (b) An application from a district or intermediate district  
12 under this subsection must be for 1 or more buildings that have  
13 some or all of pre-K to grade 12 classrooms and pupils.

14 (c) An applicant may submit only 1 application.

15 **(d) Applicants must document how they used community input to**  
16 **guide the development of their applications.**

17 **(e)** ~~(d)~~—An individual public school may submit its own  
18 application but must not also be included in its district's  
19 application if the district submits an application under this  
20 subsection.

21 **(f)** ~~(e)~~—The department of state police shall award grants to  
22 applicants based on eligibility, the project description, and  
23 whether the project reflects the highest security need of the  
24 applicant within grant funding constraints, the budget narrative,  
25 the budget, project goals, objectives, and performance measures.

26 **(g)** ~~(f)~~—The department of state police shall give priority to  
27 all of the following applicants:

28 **(i)** Applicants seeking funding for projects that involve  
29 multiple agencies working in partnership.



1           (ii) Applicants seeking funding for proposals that seek to  
2 secure exterior access points of school buildings.

3           (iii) Applicants that did not receive a school safety grant in  
4 the past.

5           (iv) Applicants that did not receive a grant under section 1001  
6 of article XX of 2018 PA 207 or under section 115 of 2018 PA 618.

7           (v) **Applicants that implemented a risk assessment on at least**  
8 **1 school building in the last year.**

9           (h) ~~(g)~~—To be awarded a grant, an applicant must demonstrate  
10 proof that the public school, nonpublic school, district, or  
11 intermediate district has an emergency operation plan that was  
12 updated after August 1, 2017 to align with the state emergency  
13 operations plan guidance and statewide school safety information  
14 policy developed under section 1308 of the revised school code, MCL  
15 380.1308.

16           (i) ~~(h)~~—The department of state police shall issue grant  
17 guidance and application materials, including required performance  
18 measures, not later than February 1 ~~, 2022.~~ **of each year.**

19           (3) The department of state police shall not award funding  
20 under subsection (1) to a public school, nonpublic school,  
21 district, or intermediate district in relation to the same school  
22 building more than once **in a single grant application period.** If a  
23 district submits an application under subsection (2) relating to a  
24 school building and a public school within that district also  
25 submits an application for funding in relation to that same school  
26 building, the department of state police shall not allocate funding  
27 under subsection (1) twice for that school building. If a public  
28 school, nonpublic school, district, or intermediate district  
29 submits more than 1 application, the department of state police



1 shall first consider the most recent application submitted in  
2 considering funding under subsection (1).

3 (4) Eligible expenses for reimbursement under subsection (1)  
4 must be consistent with the recommendations of the school safety  
5 ~~task force created by Executive Order No. 2018-5.~~ **commission**  
6 **created under the comprehensive school safety plan act, 2018 PA**  
7 **548, MCL 28.803 to 28.1308a.** The department of state police shall  
8 list the eligible expenses in the grant guidance and application  
9 materials described under subsection (2). **However, a firearms-**  
10 **detection software that integrates to existing security cameras to**  
11 **detect and alert school personnel and first responders to visible**  
12 **firearms on school property is an eligible expense under this**  
13 **section. The software described in the immediately preceding**  
14 **sentence must be organically developed and proprietary to the**  
15 **company it is purchased from and should not include any third-party**  
16 **or open-source data.** The following items are not eligible expenses  
17 for which grant funds under subsection (1) may be applied:

- 18 (a) Weapons, including tasers.  
19 (b) Personal body armor for routine use.  
20 (c) Construction of new facilities.  
21 (d) Costs in applying for the grant, such as consultants and  
22 grant writers.  
23 (e) Expenses incurred before the date of the award or after  
24 the end of the performance period of the grant award.  
25 (f) Personnel costs or operation costs related to a capital  
26 improvement.  
27 (g) Indirect costs or indirect administrative expenses.  
28 (h) Travel.  
29 (i) Contributions or donations.



1 (j) Management or administrative training and conferences,  
2 except as otherwise preapproved by the department of state police.

3 (k) Management studies or research and development.

4 (l) Memberships and dues, except for a specific requirement of  
5 the project that has been preapproved by the department of state  
6 police.

7 (m) Vehicles, watercraft, or aircraft, including unmanned or  
8 remotely piloted aircraft and vehicles.

9 (n) Service contracts and training beyond the performance  
10 period of the grant award.

11 (o) Food, refreshments, and snacks.

12 **(5) A grant recipient under this section that has implemented**  
13 **a risk assessment on at least 1 school building operated by the**  
14 **recipient within the last year shall use the grant funding under**  
15 **this section only to implement the recommendations of that risk**  
16 **assessment or risk assessments.**

17 **(6) A grant recipient under this section shall host at least 1**  
18 **community conversation about school safety and student mental**  
19 **health.**

20 **(7) ~~(5)~~**A grantee under section 1001 of article XX of 2018 PA  
21 207 that is a public school, nonpublic school, district, or  
22 intermediate district or a grantee under section 115 of 2018 PA 618  
23 that is a public school, nonpublic school, district, or  
24 intermediate district is not prohibited from applying for, and  
25 receiving, a grant award under this section.

26 **(8) ~~(6)~~**The department of state police shall begin issuing  
27 awards for grants under subsection (1) not later than May 1 ~~, 2022.~~  
28 **of each year.** A project that is awarded a grant under this section  
29 must be completed by July 1 ~~, 2023.~~**of each year.**



1           **(9)** ~~(7)~~—The department of state police shall report on grant  
2 activities under this section, including available performance  
3 outcomes as identified in individual grant agreements, to the  
4 senate and house appropriations subcommittees on state police, the  
5 senate and house fiscal agencies, and the state budget office by  
6 August 1 ~~, 2023.~~ **of each year.**

7           **(10)** ~~(8)~~—The funds allocated for school safety grants under  
8 this section for ~~2021-2022-2022-2023~~ are a work project  
9 appropriation, and any unexpended funds for ~~2021-2022-2022-2023~~ do  
10 not lapse to the state school aid fund or general fund and are  
11 carried forward into ~~2022-2023.~~ **2023-2024.** The purpose of the work  
12 project is to continue promoting safer school environments. The  
13 estimated completion date of the work project is July 1, ~~2023.~~ **2024.**

14           **(11)** ~~(9)~~—The department of state police shall ensure that a  
15 grant to a nonpublic school under this section is funded from the  
16 general fund money allocated under this section.

17           Sec. 97a. From the general fund money appropriated in section  
18 11, there is allocated an amount not to exceed \$1,947,000.00 for  
19 ~~2021-2022-2022-2023~~ for Michigan Virtual University to support  
20 Navigate 360.

21           **Sec. 97b. (1) From the state school aid fund money**  
22 **appropriated in section 11, there is allocated for 2022-2023 an**  
23 **amount not to exceed \$50,000,000.00 to public schools, districts,**  
24 **and intermediate districts as prescribed in this section.**

25           **(2) To receive funding under this section, a public school,**  
26 **district, or intermediate district must apply for the funding to**  
27 **the department of state police, grants and community services**  
28 **division, in a form and manner prescribed by the department of**  
29 **state police.**



1           (3) The department of state police shall not award funding  
2 under subsection (1) to a public school, district, or intermediate  
3 district in relation to the same school building more than once in  
4 a single grant application period. If a district submits an  
5 application under subsection (2) relating to a school building and  
6 a public school within that district also submits an application  
7 for funding in relation to that same school building, the  
8 department of state police shall not allocate funding under  
9 subsection (1) twice for that school building. If a public school,  
10 district, or intermediate district submits more than 1 application,  
11 the department of state police shall first consider the most recent  
12 application submitted in considering funding under subsection (1).

13           (4) A public school, district, or intermediate district that  
14 receives funding under this section shall use the funding only to  
15 ensure that it has at least 1 school resource officer at its  
16 school, district, or intermediate district to do 1 or more of the  
17 following in his or her service at the school, district, or  
18 intermediate district:

19           (a) Assist school administration in ensuring the physical  
20 safety of school buildings of the school, district, or intermediate  
21 district and the individuals inside the school buildings.

22           (b) Work with school administration to develop safety  
23 procedures for potential threats in school buildings of the school,  
24 district, or intermediate district.

25           (c) Welcome, counsel, and mentor students.

26           (d) Educate students about law-related topics, as appropriate.

27           (e) De-escalate aggression that occurs between students or  
28 between students and school, district, or intermediate district  
29 staff.



1 (f) Mentor students as advisors and role models.

2 (5) Funds allocated under this section for 2022-2023 are a  
3 work project appropriation, and any unexpended funds for 2022-2023  
4 are carried forward into 2023-2024. The purpose of the work project  
5 is to continue providing funding to support public schools,  
6 districts, and intermediate districts in having school resource  
7 officers at schools, districts, or intermediate districts. The  
8 estimated completion date of the work project is September 30,  
9 2027.

10 (6) Notwithstanding section 17b, the department shall make  
11 payments under this section on a schedule determined by the  
12 department.

13 (7) As used in this section, "public school" means that term  
14 as defined in section 5 of the revised school code, MCL 380.5.

15 Sec. 97c. (1) From the state school aid fund money  
16 appropriated in section 11, there is allocated for 2022-2023 an  
17 amount not to exceed \$16,000,000.00 to districts as prescribed in  
18 this section.

19 (2) To receive funding under this section, a district must  
20 apply for the funding in a form and manner prescribed by the  
21 department. An application described in this subsection must  
22 include the number of school buildings for which the district  
23 intends to implement or, in the last year, has implemented, a risk  
24 assessment.

25 (3) A district that receives funding under this section shall  
26 use the funding only to implement risk assessments on all school  
27 buildings operated by the district that were specified in its  
28 application described in subsection (2) or for the reimbursement of  
29 costs incurred in the implementation of a risk assessment in the



1 last year.

2 (4) Except as otherwise provided in this subsection, each  
3 district shall receive funding under this section in an amount  
4 equal to \$2,000.00 per school building, as included in its  
5 application described in subsection (2).

6 (5) A district that receives funding under this section shall  
7 ensure that all of the following apply to a vendor selected by the  
8 district for the implementation of a risk assessment described in  
9 subsection (3):

10 (a) The vendor, in its provision of risk assessments, includes  
11 an assessment of physical security and policies and procedures  
12 related to school safety and security, and provides a process  
13 assessment that includes providing the district with actionable  
14 recommendations that are documented and within best practice for  
15 what is typical in the K to 12 environment. The vendor must also  
16 provide a description of the process they follow to complete an  
17 assessment that includes fees and costs associated with the  
18 assessment.

19 (b) The vendor has a history of assessing K to 12 schools and  
20 can provide a list of references in both public and private  
21 schools. The vendor is able to provide examples of findings reports  
22 that include a comprehensive review of all elements of safety and  
23 security to include reviews of board policies, emergency operations  
24 plans, environment, exterior and interior, policy and procedures,  
25 and training and equipment.

26 (c) The vendor operates in the best interest of the district  
27 without any external vendor influence. The vendor should not  
28 represent companies who sell safety and security products and  
29 should not accept referral fees for recommending products. The



1 vendor should not accept or solicit referral fees or operate on  
2 behalf of any equipment or technology vendors.

3 (d) The vendor has experience in safety and security or law  
4 enforcement.

5 (6) Funds allocated under this section for 2022-2023 are a  
6 work project appropriation, and any unexpended funds for 2022-2023  
7 are carried forward into 2023-2024. The purpose of the work project  
8 is to continue providing funding to districts for risk assessments  
9 of school buildings operated by the districts. The estimated  
10 completion date of the work project is September 30, 2027.

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

14 Sec. 98. (1) From the general fund money appropriated in  
15 section 11, there is allocated an amount not to exceed  
16 \$7,500,000.00 for ~~2021-2022~~**2022-2023** for the purposes described in  
17 this section. The Michigan Virtual University shall provide a  
18 report to the legislature not later than November 1 of each year  
19 that includes its mission, its plans, and proposed benchmarks it  
20 must meet, including a plan to achieve the organizational  
21 priorities identified in this section, in order to receive full  
22 funding for ~~2022-2023~~**the next fiscal year**. Not later than March 1  
23 of each year, the Michigan Virtual University shall provide an  
24 update to the house and senate appropriations subcommittees on  
25 school aid to show the progress being made to meet the benchmarks  
26 identified.

27 (2) The Michigan Virtual University shall operate the Michigan  
28 Virtual Learning Research Institute. The Michigan Virtual Learning  
29 Research Institute shall do all of the following:



1 (a) Support and accelerate innovation in education through the  
2 following activities:

3 (i) Test, evaluate, and recommend as appropriate new  
4 technology-based instructional tools and resources.

5 (ii) Research, design, and recommend virtual education delivery  
6 models for use by pupils and teachers that include age-appropriate  
7 multimedia instructional content.

8 (iii) Research, develop, and recommend annually to the  
9 department criteria by which cyber schools and virtual course  
10 providers should be monitored and evaluated to ensure a quality  
11 education for their pupils.

12 (iv) Based on pupil completion and performance data reported to  
13 the department or the center from cyber schools and other virtual  
14 course providers operating in this state, analyze the effectiveness  
15 of virtual learning delivery models in preparing pupils to be  
16 college- and career-ready and publish a report that highlights  
17 enrollment totals, completion rates, and the overall impact on  
18 pupils. The Michigan Virtual Learning Research Institute shall  
19 submit the report to the house and senate appropriations  
20 subcommittees on school aid, the state budget director, the house  
21 and senate fiscal agencies, the department, districts, and  
22 intermediate districts not later than March 31 of each year.

23 (v) Provide an extensive professional development program to  
24 at least 30,000 educational personnel, including teachers, school  
25 administrators, and school board members, that focuses on the  
26 effective integration of virtual learning into curricula and  
27 instruction. The Michigan Virtual Learning Research Institute is  
28 encouraged to work with the MiSTEM council described in section 99s  
29 to coordinate professional development of teachers in applicable



1 fields. In addition, the Michigan Virtual Learning Research  
 2 Institute and external stakeholders are encouraged to coordinate  
 3 with the department for professional development in this state. Not  
 4 later than December 1 of each year, the Michigan Virtual Learning  
 5 Research Institute shall submit a report to the house and senate  
 6 appropriations subcommittees on school aid, the state budget  
 7 director, the house and senate fiscal agencies, and the department  
 8 on the number of teachers, school administrators, and school board  
 9 members who have received professional development services from  
 10 the Michigan Virtual University. The report must also ~~identify~~  
 11 **include both of the following:**

12 **(A) The identification of** barriers and other opportunities to  
 13 encourage the adoption of virtual learning in the public education  
 14 system.

15 **(B) A link to, and explanation of, the Michigan Virtual**  
 16 **University's online course standards for professional development**  
 17 **programming. The standards described in this sub-subparagraph must**  
 18 **inform learners how to file a complaint about course content and**  
 19 **detail the steps that will be taken for the review and resolution**  
 20 **of complaints.**

21 (vi) Identify and share best practices for planning,  
 22 implementing, and evaluating virtual and blended education delivery  
 23 models with intermediate districts, districts, and public school  
 24 academies to accelerate the adoption of innovative education  
 25 delivery models statewide.

26 (b) Provide leadership for this state's system of virtual  
 27 learning education by doing the following activities:

28 (i) Develop and report policy recommendations to the governor  
 29 and the legislature that accelerate the expansion of effective



1 virtual learning in this state's schools.

2 (ii) Provide a clearinghouse for research reports, academic  
3 studies, evaluations, and other information related to virtual  
4 learning.

5 (iii) Promote and distribute the most current instructional  
6 design standards and guidelines for virtual teaching.

7 (iv) In collaboration with the department and interested  
8 colleges and universities in this state, support implementation and  
9 improvements related to effective virtual learning instruction.

10 (v) Pursue public/private partnerships that include districts  
11 to study and implement competency-based technology-rich virtual  
12 learning models.

13 (vi) Create a statewide network of school-based mentors serving  
14 as liaisons between pupils, virtual instructors, parents, and  
15 school staff, as provided by the department or the center, and  
16 provide mentors with research-based training and technical  
17 assistance designed to help more pupils be successful virtual  
18 learners.

19 (vii) Convene focus groups and conduct annual surveys of  
20 teachers, administrators, pupils, parents, and others to identify  
21 barriers and opportunities related to virtual learning.

22 (viii) Produce an annual consumer awareness report for schools  
23 and parents about effective virtual education providers and  
24 education delivery models, performance data, cost structures, and  
25 research trends.

26 (ix) Provide an internet-based platform that educators can use  
27 to create student-centric learning tools and resources for sharing  
28 in the state's open educational resource repository and facilitate  
29 a user network that assists educators in using the content creation



1 platform and state repository for open educational resources. As  
2 part of this initiative, the Michigan Virtual University shall work  
3 collaboratively with districts and intermediate districts to  
4 establish a plan to make available virtual resources that align to  
5 Michigan's K-12 curriculum standards for use by students,  
6 educators, and parents.

7 (x) Create and maintain a public statewide catalog of virtual  
8 learning courses being offered by all public schools and community  
9 colleges in this state. The Michigan Virtual Learning Research  
10 Institute shall identify and develop a list of nationally  
11 recognized best practices for virtual learning and use this list to  
12 support reviews of virtual course vendors, courses, and  
13 instructional practices. The Michigan Virtual Learning Research  
14 Institute shall also provide a mechanism for intermediate districts  
15 to use the identified best practices to review content offered by  
16 constituent districts. The Michigan Virtual Learning Research  
17 Institute shall review the virtual course offerings of the Michigan  
18 Virtual University, and make the results from these reviews  
19 available to the public as part of the statewide catalog. The  
20 Michigan Virtual Learning Research Institute shall ensure that the  
21 statewide catalog is made available to the public on the Michigan  
22 Virtual University website and shall allow the ability to link it  
23 to each district's website as provided for in section 21f. The  
24 statewide catalog must also contain all of the following:

25 (A) The number of enrollments in each virtual course in the  
26 immediately preceding school year.

27 (B) The number of enrollments that earned 60% or more of the  
28 total course points for each virtual course in the immediately  
29 preceding school year.



1 (C) The pass rate for each virtual course.

2 (xi) Support registration, payment services, and transcript  
3 functionality for the statewide catalog and train key stakeholders  
4 on how to use new features.

5 (xii) Collaborate with key stakeholders to examine district  
6 level accountability and teacher effectiveness issues related to  
7 virtual learning under section 21f and make findings and  
8 recommendations publicly available.

9 (xiii) Provide a report on the activities of the Michigan  
10 Virtual Learning Research Institute.

11 (3) To further enhance its expertise and leadership in virtual  
12 learning, the Michigan Virtual University shall continue to operate  
13 the Michigan Virtual School as a statewide laboratory and quality  
14 model of instruction by implementing virtual and blended learning  
15 solutions for Michigan schools in accordance with the following  
16 parameters:

17 (a) The Michigan Virtual School must maintain its  
18 accreditation status from recognized national and international  
19 accrediting entities.

20 (b) The Michigan Virtual University shall use no more than  
21 \$1,000,000.00 of the amount allocated under this section to  
22 subsidize the cost paid by districts for virtual courses.

23 (c) In providing educators responsible for the teaching of  
24 virtual courses as provided for in this section, the Michigan  
25 Virtual School shall follow the requirements to request and assess,  
26 and the department of state police shall provide, a criminal  
27 history check and criminal records check under sections 1230 and  
28 1230a of the revised school code, MCL 380.1230 and 380.1230a, in  
29 the same manner as if the Michigan Virtual School were a school



1 district under those sections.

2 (4) From the funds allocated under subsection (1), the  
3 Michigan Virtual University shall allocate up to \$500,000.00 to  
4 support the expansion of new online and blended educator  
5 professional development programs.

6 (5) If the course offerings are included in the statewide  
7 catalog of virtual courses under subsection (2)(b)(x), the Michigan  
8 Virtual School operated by the Michigan Virtual University may  
9 offer virtual course offerings, including, but not limited to, all  
10 of the following:

11 (a) Information technology courses.

12 (b) College level equivalent courses, as that term is defined  
13 in section 1471 of the revised school code, MCL 380.1471.

14 (c) Courses and dual enrollment opportunities.

15 (d) Programs and services for at-risk pupils.

16 (e) High school equivalency test preparation courses for  
17 adjudicated youth.

18 (f) Special interest courses.

19 (g) Professional development programs for teachers, school  
20 administrators, other school employees, and school board members.

21 (6) If a home-schooled or nonpublic school student is a  
22 resident of a district that subscribes to services provided by the  
23 Michigan Virtual School, the student may use the services provided  
24 by the Michigan Virtual School to the district without charge to  
25 the student beyond what is charged to a district pupil using the  
26 same services.

27 (7) Not later than December 1 of each fiscal year, the  
28 Michigan Virtual University shall provide a report to the house and  
29 senate appropriations subcommittees on school aid, the state budget



1 director, the house and senate fiscal agencies, and the department  
2 that includes at least all of the following information related to  
3 the Michigan Virtual School for the preceding state fiscal year:

4 (a) A list of the districts served by the Michigan Virtual  
5 School.

6 (b) A list of virtual course titles available to districts.

7 (c) The total number of virtual course enrollments and  
8 information on registrations and completions by course.

9 (d) The overall course completion rate percentage.

10 (8) In addition to the information listed in subsection (7),  
11 the report under subsection (7) must also include a plan to serve  
12 at least 600 schools with courses from the Michigan Virtual School  
13 or with content available through the internet-based platform  
14 identified in subsection (2) (b) (ix).

15 (9) The governor may appoint an advisory group for the  
16 Michigan Virtual Learning Research Institute established under  
17 subsection (2). The members of the advisory group serve at the  
18 pleasure of the governor and without compensation. The purpose of  
19 the advisory group is to make recommendations to the governor, the  
20 legislature, and the president and board of the Michigan Virtual  
21 University that will accelerate innovation in this state's  
22 education system in a manner that will prepare elementary and  
23 secondary students to be career and college ready and that will  
24 promote the goal of increasing the percentage of residents of this  
25 state with high-quality degrees and credentials to at least 60% by  
26 2025.

27 (10) Not later than November 1 of each year, the Michigan  
28 Virtual University shall submit to the house and senate  
29 appropriations subcommittees on school aid, the state budget



1 director, and the house and senate fiscal agencies a detailed  
2 budget for that fiscal year that includes a breakdown on its  
3 projected costs to deliver virtual educational services to  
4 districts and a summary of the anticipated fees to be paid by  
5 districts for those services. Not later than March 1 each year, the  
6 Michigan Virtual University shall submit to the house and senate  
7 appropriations subcommittees on school aid, the state budget  
8 director, and the house and senate fiscal agencies a breakdown on  
9 its actual costs to deliver virtual educational services to  
10 districts and a summary of the actual fees paid by districts for  
11 those services based on audited financial statements for the  
12 immediately preceding fiscal year.

13 (11) As used in this section:

14 (a) "Blended learning" means a hybrid instructional delivery  
15 model where pupils are provided content, instruction, and  
16 assessment, in part at a supervised educational facility away from  
17 home where the pupil and a teacher with a valid Michigan teaching  
18 certificate are in the same physical location and in part through  
19 internet-connected learning environments with some degree of pupil  
20 control over time, location, and pace of instruction.

21 (b) "Cyber school" means a full-time instructional program of  
22 virtual courses for pupils that may or may not require attendance  
23 at a physical school location.

24 (c) "Virtual course" means a course of study that is capable  
25 of generating a credit or a grade and that is provided in an  
26 interactive learning environment in which the majority of the  
27 curriculum is delivered using the internet and in which pupils are  
28 separated from their instructor or teacher of record by time or  
29 location, or both.



1           Sec. 98b. (1) In order to receive state aid under this article  
2 for ~~2021-2022, the current fiscal year~~, a district must do all of  
3 the following:

4           (a) By not later than the first meeting of the board that  
5 occurs in February of ~~2022~~ **the current fiscal year** and by not later  
6 than the last day of the ~~2021-2022~~ **school year in the current**  
7 **fiscal year**, the district superintendent or chief administrator of  
8 the district, as applicable, shall present both of the following at  
9 a public meeting of the board:

10           (i) Subject to state and federal privacy laws, the results from  
11 benchmark assessments and local benchmark assessments, as  
12 applicable, administered under section ~~104a-104h~~ **or 104i**, as  
13 **applicable**.

14           (ii) For each school operated by the district, each school's  
15 progress toward meeting the educational goals described in  
16 subdivision (d).

17           (b) The district shall ensure that the information presented  
18 under subdivision (a) is disaggregated by grade level, by student  
19 demographics, and by the mode of instruction received by the pupils  
20 to which the information applies.

21           (c) The information presented under subdivision (a) must also  
22 be compiled into a report that the district shall make available  
23 through the transparency reporting link located on the district's  
24 website.

25           (d) The district shall ensure that, by not later than  
26 September 15 ~~, 2021,~~ **of the current school year**, each school  
27 building leader of each school operated by the district, in  
28 conjunction with all teachers and school administrators of the  
29 school, establishes educational goals expected to be achieved for



1 the ~~2021-2022~~ school year **in the current fiscal year** for the  
 2 school. The goals described in this subdivision must specify which  
 3 educational goals are expected to be achieved by not later than the  
 4 middle of the school year and which goals are expected to be  
 5 achieved by not later than the last day of the ~~2021-2022~~ school  
 6 year **in the current fiscal year**. All the following apply to the  
 7 educational goals 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 current**  
 11 **fiscal year.**

12 (3) By not later than June 15 ~~, 2022,~~ **of the current fiscal**  
 13 **year,** subject to state and federal privacy laws, the superintendent  
 14 of public instruction shall submit a report to the house and senate  
 15 appropriations subcommittees on school aid and the house and senate  
 16 standing committees on education that includes the results of  
 17 benchmark assessments administered under section ~~104a-104h or 104i,~~  
 18 **as applicable,** that the superintendent of public instruction has  
 19 received from districts. All of the following apply to the data  
 20 included in the report described in this subsection:

21 (a) It must be disaggregated by grade level, student  
 22 demographics, and the modes of instruction received by pupils.

23 (b) It must be broken down so as to show a comparison of  
 24 growth among pupils within a grade level, within certain student  
 25 demographics, and based on the modes of instruction received by the  
 26 pupils.

27 (4) If requested to do so by the chairs of the house and  
 28 senate appropriations subcommittees on school aid and the chairs of  
 29 the house and senate standing committees on education, the



1 superintendent of public instruction shall present his or her  
2 report submitted under subsection (3) in person to the house and  
3 senate appropriations subcommittees on school aid and the house and  
4 senate standing committees on education.

5       Sec. 98d. (1) From the state school aid fund money  
6 appropriated under section 11, there is allocated for ~~2021-2022~~  
7 **2022-2023** an amount not to exceed ~~\$2,000,000.00~~ **\$3,000,000.00** to  
8 Northern Michigan University to support the MLC as described in  
9 this section. Northern Michigan University shall not retain any  
10 portion of the funding received under this section for  
11 administrative purposes and shall provide funding to support the  
12 MLC. All of the following apply to the MLC:

13       (a) The MLC must be created to help bridge equity gaps in K to  
14 12 education linked to a student's ability to engage in distance  
15 learning because of inadequate internet access or a lack of devices  
16 in the home.

17       (b) The MLC shall provide over-the-air broadcasts 24 hours  
18 each day for 7 days each week of quality instructional content that  
19 is aligned with this state's K to 12 educational standards. Over-  
20 the-air broadcasts as described in this subdivision must be  
21 streamed live and must be archived for on-demand viewing on a  
22 companion website, along with additional learning materials  
23 relevant to lessons.

24       (c) The MLC must be managed and operated by DPTV, and DPTV  
25 shall assume all risk, liability, and responsibility for the MLC in  
26 accordance with regulations by the United States Federal  
27 Communications Commission, PBS broadcast standards, and standard  
28 nonprofit business standards. DPTV shall serve as the fiduciary  
29 agent and service manager for the MLC. The MLC shall originate from



1 a central operations center that is responsible for providing the  
 2 infrastructure, content, and engagement of the MLC in partnership  
 3 with this state's educational leadership organizations.

4 (d) The MLC shall require that DPTV provide technology,  
 5 funding, staff training, and central management of the MLC to  
 6 station partners to insert additional channels into each station's  
 7 broadcast streams and to support staffing and engagement as  
 8 outlined in a memorandum of understanding among the stations.

9 (e) The MLC shall require that DPTV partner with at least 5  
 10 other Michigan public television stations including, but not  
 11 limited to, WKAR, WGVU, WDCQ, WCMU, and WNMU, to deliver the over-  
 12 the-air MLC broadcasts described in this section and to support  
 13 engagement with local educators. Stations described in this  
 14 subdivision must be able to use the infrastructure provided by the  
 15 MLC to develop their own local content that best serves their  
 16 communities.

17 (f) The MLC shall not use the funds received from Northern  
 18 Michigan University under this section in support of the MLC for  
 19 any purposes fully funded by the governor's emergency education  
 20 relief fund grant.

21 (2) Not later than February 1 ~~, 2022,~~ **of each year**, the MLC  
 22 shall provide a report to the house and senate appropriations  
 23 subcommittees responsible for school aid, the house and senate  
 24 fiscal agencies, and the state budget director detailing the MLC's  
 25 compliance with ensuring that conditions listed under subsection  
 26 (1) were met.

27 (3) Notwithstanding section 17b, the department shall make  
 28 payments under this section not later than December 1, ~~2021,~~ **of each**  
 29 **year.**



1 (4) As used in this section:

2 (a) "DPTV" means Detroit public television.

3 (b) "MLC" means the Michigan learning channel.

4 **Sec. 98e. (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 \$750,000.00 to Michigan Technological**  
 7 **University to support professional learning for teachers**  
 8 **implementing the Mi-STAR curriculum for middle school students.**

9 (2) **Notwithstanding section 17b, the department shall make**  
 10 **payments under this section on a schedule determined by the**  
 11 **department.**

12 Sec. 99h. (1) From the state school aid fund money  
 13 appropriated in section 11, there is allocated an amount not to  
 14 exceed \$4,723,200.00 for ~~2021-2022~~**2022-2023** for competitive grants  
 15 to districts and intermediate districts, and from the general fund  
 16 money appropriated in section 11, there is allocated \$600,000.00  
 17 for ~~2021-2022~~**2022-2023** for competitive grants to nonpublic  
 18 schools, that provide pupils in grades pre-K to 12 with expanded  
 19 opportunities to improve mathematics, science, and technology  
 20 skills by participating in events hosted by a science and  
 21 technology development program known as FIRST (for inspiration and  
 22 recognition of science and technology) Robotics, including JR FIRST  
 23 Lego League, FIRST Lego League, FIRST Tech challenge, and FIRST  
 24 Robotics competition, or other competitive robotics programs,  
 25 including VEX, Square One, and those hosted by the Robotics  
 26 Education and Competition (REC) Foundation. Programs funded under  
 27 this section are intended to increase the number of pupils  
 28 demonstrating proficiency in science and mathematics on the state  
 29 assessments and to increase the number of pupils who are college-



1 and career-ready upon high school graduation. Notwithstanding  
2 section 17b, the department shall make grant payments to districts,  
3 nonpublic schools, and intermediate districts under this section on  
4 a schedule determined by the department. The department shall set  
5 maximum grant awards for each different level of programming and  
6 competition in a manner that both maximizes the number of teams  
7 that will be able to receive funds and expands the geographical  
8 distribution of teams.

9 (2) A district, nonpublic school, or intermediate district  
10 applying for a grant under this section shall submit an application  
11 in a form and manner prescribed by the department. To be eligible  
12 for a grant, a district, nonpublic school, or intermediate district  
13 must demonstrate in its application that the district, nonpublic  
14 school, or intermediate district has established a partnership for  
15 the purposes of the robotics program with at least 1 sponsor,  
16 business entity, higher education institution, or technical school,  
17 shall submit a spending plan, and shall provide a local in-kind or  
18 cash match from other private or local funds of at least 25% of the  
19 cost of the robotics program award.

20 (3) The department shall distribute the grant funding under  
21 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 (4) The funds allocated under this section for ~~2021-2022-2022-~~  
5 **2023** are a work project appropriation, and any unexpended funds for  
6 ~~2021-2022-2022-2023~~ are carried forward into ~~2022-2023-~~**2023-2024**.  
7 The purpose of the work project is to continue support of FIRST  
8 Robotics and must not be used to support other robotics  
9 competitions. The estimated completion date of the work project is  
10 September 30, ~~2023-~~**2024**.

11 (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 (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 **Sec. 99r. (1) From the state school aid fund money**  
19 **appropriated under section 11, there is allocated for 2022-2023 an**  
20 **amount not to exceed \$350,000.00 for grants to districts,**  
21 **intermediate districts, or a consortium of districts to implement**  
22 **fabrication laboratories (Fab Labs). The department shall only**  
23 **award 10 grants described in the immediately preceding sentence in**  
24 **an amount not to exceed \$35,000.00 each.**

25 (2) The funds allocated under this section for 2022-2023 are a  
26 work project appropriation and any unexpended funds for 2022-2023  
27 are carried forward into 2023-2024. The purpose of the work project  
28 is to continue support of the implementation of fabrication  
29 laboratories (Fab Labs). The estimated completion date of the work



1 **project is September 30, 2025.**

2       Sec. 99s. (1) From the funds appropriated under section 11,  
 3 there is allocated for ~~2021-2022~~**2022-2023** an amount not to exceed  
 4 \$7,634,300.00 from the state school aid fund appropriation and an  
 5 amount not to exceed \$300,000.00 from the general fund  
 6 appropriation for Michigan science, technology, engineering, and  
 7 mathematics (MiSTEM) programs. ~~In addition, from the federal funds~~  
 8 ~~appropriated in section 11, there is allocated to the department~~  
 9 ~~for 2021-2022 an amount estimated at \$235,000.00 from DED-OESE,~~  
 10 ~~title II, mathematics and science partnership grants.~~ The MiSTEM  
 11 network may receive funds from private sources. If the MiSTEM  
 12 network receives funds from private sources, the MiSTEM network  
 13 shall expend those funds in alignment with the statewide STEM  
 14 strategy. Programs funded under this section are intended to  
 15 increase the number of pupils demonstrating proficiency in science  
 16 and mathematics on the state assessments, to increase the number of  
 17 pupils who are college- and career-ready upon high school  
 18 graduation, and to promote certificate and degree attainment in  
 19 STEM fields. Notwithstanding section 17b, the department shall make  
 20 payments under this section on a schedule determined by the  
 21 department.

22       (2) The MiSTEM council annually shall review and make  
 23 recommendations to the governor, the legislature, and the  
 24 department concerning changes to the statewide strategy adopted by  
 25 the council for delivering STEM education-related opportunities to  
 26 pupils. The MiSTEM council shall use funds received under this  
 27 subsection to ensure that its members or their designees are  
 28 trained in the Change the Equation STEMworks rating system program  
 29 for the purpose of rating STEM programs.



1 (3) The MiSTEM council shall make specific funding  
2 recommendations for the funds allocated under subsection (4) by  
3 December 15 of each fiscal year. Each specific funding  
4 recommendation must be for a program approved by the MiSTEM  
5 council. All of the following apply:

6 (a) To be eligible for MiSTEM council approval as described in  
7 this subsection, a program must satisfy all of the following:

8 (i) Align with this state's academic standards.

9 (ii) Have STEMworks certification.

10 (iii) Provide project-based experiential learning, student  
11 programming, or educator professional learning experiences.

12 (iv) Focus predominantly on classroom-based STEM experiences or  
13 professional learning experiences.

14 (b) The MiSTEM council shall approve programs that represent  
15 all network regions and include a diverse array of options for  
16 students and educators and at least 1 program in each of the  
17 following areas:

18 (i) Robotics.

19 (ii) Computer science or coding.

20 (iii) Engineering or bioscience.

21 (c) The MiSTEM council is encouraged to work with the MiSTEM  
22 network to develop locally and regionally developed programs and  
23 professional learning experiences for the programs on the list of  
24 approved programs.

25 (d) If the MiSTEM council is unable to make specific funding  
26 recommendations by December 15 of a fiscal year, the department  
27 shall award and distribute the funds allocated under subsection (4)  
28 on a competitive grant basis that at least follows the statewide  
29 STEM strategy plan and rating system recommended by the MiSTEM



1 council. Each grant must provide STEM education-related  
2 opportunities for pupils.

3 (e) The MiSTEM council shall work with the department of labor  
4 and economic opportunity to implement the statewide STEM strategy  
5 adopted by the MiSTEM council.

6 (4) ~~Except as otherwise provided in this subsection, from~~ **From**  
7 the state school aid fund money allocated under subsection (1),  
8 there is allocated for ~~2021-2022~~ **2022-2023** an amount not to exceed  
9 \$3,050,000.00 for the purpose of funding programs under this  
10 section for ~~2021-2022~~ **2022-2023** as recommended by the MiSTEM  
11 council. ~~However, from the allocation under this subsection, the~~  
12 ~~MiSTEM council shall recommend and the department shall award~~  
13 ~~\$350,000.00 in grants to intermediate districts to implement~~  
14 ~~fabrication laboratories (Fab Labs). The MiSTEM council shall~~  
15 ~~recommend and the department shall only award 10 grants described~~  
16 ~~in the immediately preceding sentence in an amount not to exceed~~  
17 ~~\$35,000.00 each.~~

18 (5) From the state school aid fund money allocated under  
19 subsection (1), there is allocated an amount not to exceed  
20 \$3,834,300.00 for ~~2021-2022~~ **2022-2023** to support the activities and  
21 programs of the MiSTEM network regions. ~~In addition, from the~~  
22 ~~federal funds allocated under subsection (1), there is allocated~~  
23 ~~for 2021-2022 an amount estimated at \$235,000.00 from DED-OESE,~~  
24 ~~title II, mathematics and science partnership grants, for the~~  
25 ~~purposes of this subsection.~~ From the money allocated under this  
26 subsection, the department shall award the fiscal agent for each  
27 MiSTEM network region \$200,000.00 for the base operations of each  
28 region. The department shall distribute the remaining funds to each  
29 fiscal agent in an equal amount per pupil, based on the number of K



1 to 12 pupils enrolled in districts within each region in the  
2 immediately preceding fiscal year.

3 (6) A MiSTEM network region shall do all of the following:

4 (a) Collaborate with the career and educational advisory  
5 council that is located in the MiSTEM region to develop a regional  
6 strategic plan for STEM education that creates a robust regional  
7 STEM culture, that empowers STEM teachers, that integrates business  
8 and education into the STEM network, and that ensures high-quality  
9 STEM experiences for pupils. At a minimum, a regional STEM  
10 strategic plan should do all of the following:

11 (i) Identify regional employer need for STEM.

12 (ii) Identify processes for regional employers and educators to  
13 create guided pathways for STEM careers that include internships or  
14 externships, apprenticeships, and other experiential engagements  
15 for pupils.

16 (iii) Identify educator professional learning opportunities,  
17 including internships or externships and apprenticeships, that  
18 integrate this state's science standards into high-quality STEM  
19 experiences that engage pupils.

20 (b) Facilitate regional STEM events such as educator and  
21 employer networking and STEM career fairs to raise STEM awareness.

22 (c) Contribute to the MiSTEM website and engage in other  
23 MiSTEM network functions to further the mission of STEM in this  
24 state in coordination with the MiSTEM council and the department of  
25 labor and economic opportunity.

26 (d) Facilitate application and implementation of state and  
27 federal funds under this subsection and any other grants or funds  
28 for the MiSTEM network region.

29 (e) Work with districts to provide STEM programming and



1 professional learning.

2 (f) Coordinate recurring discussions and work with the career  
3 and educational advisory council to ensure that feedback and best  
4 practices are being shared, including funding, program,  
5 professional learning opportunities, and regional strategic plans.

6 (7) From the state school aid fund money allocated under  
7 subsection (1), the department shall distribute for ~~2021-2022-2022-~~  
8 **2023** an amount not to exceed \$750,000.00, in a form and manner  
9 determined by the department, to those network regions able to  
10 further the statewide STEM strategy recommended by the MiSTEM  
11 council.

12 (8) In order to receive state or federal funds under  
13 subsection (5) or (7), or to receive funds from private sources as  
14 authorized under subsection (1), a grant recipient must allow  
15 access for the department or the department's designee to audit all  
16 records related to the program for which it receives those funds.  
17 The grant recipient shall reimburse the state for all disallowances  
18 found in the audit.

19 (9) In order to receive state funds under subsection (5) or  
20 (7), a grant recipient must provide at least a 10% local match from  
21 local public or private resources for the funds received under this  
22 subsection.

23 (10) Not later than July 1 of each year, a MiSTEM network  
24 region that receives funds under subsection (5) shall report to the  
25 executive director of the MiSTEM network in a form and manner  
26 prescribed by the executive director on performance measures  
27 developed by the MiSTEM network regions and approved by the  
28 executive director. The performance measures must be designed to  
29 ensure that the activities of the MiSTEM network are improving



1 student academic outcomes.

2 (11) Not more than 5% of a MiSTEM network region grant under  
3 subsection (5) or (7) may be retained by a fiscal agent for serving  
4 as the fiscal agent of a MiSTEM network region.

5 (12) From the general fund money allocated under subsection  
6 (1), there is allocated an amount not to exceed \$300,000.00 to the  
7 department of labor and economic opportunity to support the staff  
8 for the MiSTEM network, and for administrative, training, and  
9 travel costs related to the MiSTEM council. The staff for the  
10 MiSTEM network shall do all of the following:

11 (a) Serve as a liaison among and between the department, the  
12 department of labor and economic opportunity, the MiSTEM council,  
13 the governor's workforce development board, the MiSTEM regions, and  
14 any other relevant organization or entity in a manner that creates  
15 a robust statewide STEM culture, that empowers STEM teachers, that  
16 integrates business and education into the STEM network, and that  
17 ensures high-quality STEM experiences for pupils.

18 (b) Coordinate the implementation of a marketing campaign,  
19 including, but not limited to, a website that includes dashboards  
20 of outcomes, to build STEM awareness and communicate STEM needs and  
21 opportunities to pupils, parents, educators, and the business  
22 community.

23 (c) Work with the department and the MiSTEM council to  
24 coordinate, award, and monitor MiSTEM state and federal grants to  
25 the MiSTEM network regions and conduct reviews of grant recipients,  
26 including, but not limited to, pupil experience and feedback.

27 (d) Report to the governor, the legislature, the department,  
28 and the MiSTEM council annually on the activities and performance  
29 of the MiSTEM network regions.



1 (e) Coordinate recurring discussions and work with regional  
 2 staff to ensure that a network or loop of feedback and best  
 3 practices are shared, including funding, programming, professional  
 4 learning opportunities, discussion of MiSTEM strategic vision, and  
 5 regional objectives.

6 (f) Coordinate major grant application efforts with the MiSTEM  
 7 council to assist regional staff with grant applications on a local  
 8 level. The MiSTEM council shall leverage private and nonprofit  
 9 relationships to coordinate and align private funds in addition to  
 10 funds appropriated under this section.

11 (g) Train state and regional staff in the STEMworks rating  
 12 system, in collaboration with the MiSTEM council and the  
 13 department.

14 (h) Hire MiSTEM network region staff in collaboration with the  
 15 network region fiscal agent.

16 (13) As used in this section:

17 (a) "Career and educational advisory council" means an  
 18 advisory council to the local workforce development boards located  
 19 in a prosperity region consisting of educational, employer, labor,  
 20 and parent representatives.

21 (b) "DED" means the United States Department of Education.

22 (c) "DED-OESE" means the DED Office of Elementary and  
 23 Secondary Education.

24 (d) "MiSTEM Council" means the Michigan Science, Technology,  
 25 Engineering, and Mathematics Education Advisory Council created as  
 26 an advisory body within the department of labor and economic  
 27 opportunity by Executive Reorganization Order No. 2019-3, MCL  
 28 125.1998.

29 (e) "STEM" means science, technology, engineering, and



1 mathematics delivered in an integrated fashion using cross-  
 2 disciplinary learning experiences that can include language arts,  
 3 performing and fine arts, and career and technical education.

4 Sec. 99u. (1) From the general fund money appropriated under  
 5 section 11, there is allocated for ~~2021-2022~~**2022-2023** an amount  
 6 not to exceed ~~\$6,000,000.00~~**\$100.00** to a provider that is a  
 7 provider 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~~.  
7 **of each year.**

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** an amount not to exceed ~~\$1,000,000.00~~ **\$20,000,000.00 from**  
11 **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.**

23 (2) Teach for America must have recruited or invested in the  
24 retention and development of 100 teachers in this state since  
25 December 15, 2021 to be eligible for the first \$10,000,000.00 of  
26 the funding allocated under this section. Teach for America must  
27 have recruited or invested in the retention and development of a  
28 total of 450 teachers in this state since December 15, 2021 to be  
29 eligible for the remaining \$10,000,000.00 of the funding allocated



1 under this section.

2 (3) Teach for America shall engage with an external evaluator  
3 and produce semi-annual reports to the legislature that provide  
4 information concerning the recruitment, development, and retention  
5 of high-performing educators that can be scaled or shared with  
6 other similar programs.

7 (4) ~~(2)~~ Notwithstanding section 17b, the department shall make  
8 payments under this section ~~by not later than December 1, 2021.~~ **on a**  
9 **schedule determined by the department.**

10 (5) The department shall not make payments under this section  
11 on a reimbursement basis.

12 (6) The funds allocated under this section for 2022-2023 are a  
13 work project appropriation, and any unexpended funds for 2022-2023  
14 are carried forward into 2023-2024. The purpose of the work project  
15 is to continue to provide support to Teach for America as  
16 prescribed in this section. The estimated completion date of the  
17 work project is September 30, 2027.

18 (7) The federal funding allocated under this section is  
19 intended to respond to the COVID-19 public health emergency and its  
20 negative impacts.

21 Sec. 99bb. (1) From the **state school aid fund money**  
22 **appropriated in section 11, there is allocated an amount not to**  
23 **exceed \$2,750,000.00 for 2022-2023 and from the** general fund money  
24 appropriated in section 11, there is allocated an amount not to  
25 exceed ~~\$3,750,000.00~~ **\$1,000,000.00** for ~~2021-2022 to the State~~  
26 ~~Alliance of Michigan YMCAs 2022-2023~~ for competitive grants to  
27 eligible districts, intermediate districts, and nonpublic schools  
28 to, **in partnership with the State Alliance of Michigan YMCAs,**  
29 provide students in grades 6 to 12 with hands-on civics and model-



1 government programs that offer statewide engagement with peers  
2 across this state for the purpose of expanding those students'  
3 opportunities to improve their social studies knowledge, thinking  
4 skills, and intellectual processes and dispositions required for  
5 active engagement in fulfilling responsibilities of civic  
6 participation.

7 (2) In making grant payments to eligible districts,  
8 intermediate districts, and nonpublic schools under this section,  
9 the ~~State Alliance of Michigan YMCAs~~ **department** shall set a maximum  
10 grant award for each grant recipient in a manner that accomplishes  
11 both of the following:

12 (a) Maximizes the geographical distribution of grant  
13 recipients that will be able to participate in offering programs  
14 described in this section.

15 (b) Prioritizes funding levels for grant recipients based on  
16 geographic location, with consideration given to the travel that  
17 will be required of grant recipients for statewide events and  
18 conferences.

19 (3) Maximum grant award amounts under subsection (2) do not  
20 have to be the same for all grant recipients.

21 (4) To receive a grant award under this section, a district,  
22 intermediate district, or nonpublic school must submit an  
23 application for the grant award in a form and manner prescribed by  
24 the ~~State Alliance of Michigan YMCAs~~ **department**.

25 (5) A district, intermediate district, or nonpublic school to  
26 which all of the following apply is an eligible district,  
27 intermediate district, or nonpublic school under this section:

28 (a) Has established a relationship with at least 1 elected  
29 official who serves the community in which the district,



1 intermediate district, or nonpublic school is located.

2 (b) Submits a spending plan with its application for a grant  
3 award under this section.

4 (c) Pledges to provide a local in-kind or cash match from  
5 other private or local funds of at least 10% of the grant award it  
6 receives under this section.

7 (d) For a nonpublic school, is registered as a nonpublic  
8 school with the department and must meet all applicable state  
9 reporting requirements for nonpublic schools.

10 (6) An eligible district, intermediate district, or nonpublic  
11 school that receives a grant award under this section shall ~~only~~  
12 use the funding for **only** the following purposes:

13 (a) To pay Civic Health Champion stipends for up to 1 teacher  
14 advisor per school operated by the district, intermediate district,  
15 or nonpublic school. Each stipend to a teacher advisor under this  
16 subdivision must not be in an amount exceeding \$1,500.00.

17 (b) Event registrations, materials, travel costs, and other  
18 expenses associated with the preparation for and attendance to  
19 associated mock-government conferences and events.

20 (c) Awards to students who advance to national mock government  
21 events and competitions, as determined by the State Alliance of  
22 Michigan YMCAs. For the purpose of determining the amount of an  
23 award under this subdivision to a student described in this  
24 subdivision, the ~~State Alliance of Michigan YMCAs~~ **department** shall  
25 determine an equal amount per student for each eligible district,  
26 intermediate district, or nonpublic school.

27 (7) The funds allocated under this section for ~~2021-2022-2022-~~  
28 **2023** are a work project appropriation, and any unexpended funds for  
29 ~~2021-2022-2022-2023~~ are carried forward to ~~2022-2023-~~ **2023-2024**.



1 The purpose of the work project is to continue the support of  
 2 civics-education experiences. The estimated completion date of the  
 3 work project is September 30, ~~2023~~-2024.

4 (8) It is the intent of the legislature that programs  
 5 implemented from the funding allocated under this section increase  
 6 the number of students who engage with the pillars of responsible  
 7 citizenship and engage, beyond the classroom, in civic  
 8 perspectives, inquiry, public discourse, and decision making.

9 **Sec. 99cc. (1) From the state school aid fund money**  
 10 **appropriated in section 11, there is allocated for 2022-2023 an**  
 11 **amount not to exceed \$750,000.00 for competitive grants to eligible**  
 12 **districts and eligible intermediate districts to provide pupils in**  
 13 **grades 9 to 12 with expanded opportunities through programs for**  
 14 **work-based learning that are hosted in partnership with NAF. It is**  
 15 **the intent of the legislature that the programs described in this**  
 16 **subsection increase the number of pupils who are college- and**  
 17 **career-ready after high school graduation.**

18 (2) To receive grant funding under this section, a district or  
 19 intermediate district must apply for the grant in a form and manner  
 20 prescribed by the department.

21 (3) A district or intermediate district that meets all of the  
 22 following is an eligible district or eligible intermediate district  
 23 under this section:

24 (a) It has an established partnership with NAF.

25 (b) As part of its partnership described in subdivision (a),  
 26 it implements an advisory board that includes at least 1 business  
 27 entity.

28 (c) As part of its partnership described in subdivision (a),  
 29 it implements an advisory board that includes an institution of



1 higher education or a technical school.

2 (d) In its application described in subsection (2), it submits  
3 a spending plan for its intended spending of funding under this  
4 section.

5 (4) The department shall prioritize awarding grant funding  
6 under this section to eligible districts and eligible intermediate  
7 districts that demonstrate partnership with local businesses that  
8 target disciplines that have been identified as critical shortage  
9 disciplines by the superintendent of public instruction under  
10 section 61 of the public school employees retirement act of 1979,  
11 1980 PA 300, MCL 38.1361.

12 (5) The department shall award grant funding under this  
13 section as follows:

14 (a) In an amount not to exceed \$12,000.00 to each eligible  
15 district or eligible intermediate district to be used for purposes  
16 of planning in carrying out the programs described in subsection  
17 (1).

18 (b) An amount not to exceed \$3,500.00 to each eligible  
19 district or eligible intermediate district to be used toward  
20 expenses related to the partnership described in subsection (3)(a).

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

24 Sec. 101. (1) To be eligible to receive state aid under this  
25 article, not later than the fifth Wednesday after the pupil  
26 membership count day and not later than the fifth Wednesday after  
27 the supplemental count day, each district superintendent shall  
28 submit and certify to the center and the intermediate  
29 superintendent, in the form and manner prescribed by the center,



1 the number of pupils enrolled and in regular daily attendance,  
2 including identification of tuition-paying pupils, in the district  
3 as of the pupil membership count day and as of the supplemental  
4 count day, as applicable, for the current school year. In addition,  
5 a district maintaining school during the entire year shall submit  
6 and certify to the center and the intermediate superintendent, in  
7 the form and manner prescribed by the center, the number of pupils  
8 enrolled and in regular daily attendance in the district for the  
9 current school year pursuant to rules promulgated by the  
10 superintendent. Not later than the sixth Wednesday after the pupil  
11 membership count day and not later than the sixth Wednesday after  
12 the supplemental count day, the district shall resolve any pupil  
13 membership conflicts with another district, correct any data  
14 issues, and recertify the data in a form and manner prescribed by  
15 the center and file the certified data with the intermediate  
16 superintendent. If a district fails to submit and certify the  
17 attendance data, as required under this subsection, the center  
18 shall notify the department and the department shall withhold state  
19 aid due to be distributed under this article from the defaulting  
20 district immediately, beginning with the next payment after the  
21 failure and continuing with each payment until the district  
22 complies with this subsection. If a district does not comply with  
23 this subsection by the end of the fiscal year, the district  
24 forfeits the amount withheld. A person who willfully falsifies a  
25 figure or statement in the certified and sworn copy of enrollment  
26 is subject to penalty as prescribed by section 161.

27 (2) To be eligible to receive state aid under this article,  
28 not later than the twenty-fourth Wednesday after the pupil  
29 membership count day and not later than the twenty-fourth Wednesday



1 after the supplemental count day, an intermediate district shall  
2 submit to the center, in a form and manner prescribed by the  
3 center, the audited enrollment and attendance data as described in  
4 subsection (1) for the pupils of its constituent districts and of  
5 the intermediate district. If an intermediate district fails to  
6 submit the audited data as required under this subsection, the  
7 department shall withhold state aid due to be distributed under  
8 this article from the defaulting intermediate district immediately,  
9 beginning with the next payment after the failure and continuing  
10 with each payment until the intermediate district complies with  
11 this subsection. If an intermediate district does not comply with  
12 this subsection by the end of the fiscal year, the intermediate  
13 district forfeits the amount withheld.

14 (3) Except as otherwise provided in subsections (11) and (12)  
15 all of the following apply to the provision of pupil instruction:

16 (a) Except as otherwise provided in this section, each  
17 district shall provide at least 1,098 hours and 180 days of pupil  
18 instruction. If a collective bargaining agreement that provides a  
19 complete school calendar was in effect for employees of a district  
20 as of June 24, 2014, and if that school calendar is not in  
21 compliance with this subdivision, then this subdivision does not  
22 apply to that district until after the expiration of that  
23 collective bargaining agreement. A district may apply for a waiver  
24 under subsection (9) from the requirements of this subdivision.

25 (b) Except as otherwise provided in this article, a district  
26 failing to comply with the required minimum hours and days of pupil  
27 instruction under this subsection forfeits from its total state aid  
28 allocation an amount determined by applying a ratio of the number  
29 of hours or days the district was in noncompliance in relation to



1 the required minimum number of hours and days under this  
2 subsection. Not later than the first business day in August, the  
3 board of each district shall either certify to the department that  
4 the district was in full compliance with this section regarding the  
5 number of hours and days of pupil instruction in the previous  
6 school year, or report to the department, in a form and manner  
7 prescribed by the center, each instance of noncompliance. If the  
8 district did not provide at least the required minimum number of  
9 hours and days of pupil instruction under this subsection, the  
10 department shall make the deduction of state aid in the following  
11 fiscal year from the first payment of state school aid. A district  
12 is not subject to forfeiture of funds under this subsection for a  
13 fiscal year in which a forfeiture was already imposed under  
14 subsection (6).

15 (c) Hours or days lost because of strikes or teachers'  
16 conferences are not counted as hours or days of pupil instruction.

17 (d) Except as otherwise provided in subdivisions (e) and (f),  
18 if a district does not have at least 75% of the district's  
19 membership in attendance on any day of pupil instruction, the  
20 department shall pay the district state aid in that proportion of  
21  $\frac{1}{180}$  that the actual percent of attendance bears to 75%.

22 (e) If a district adds 1 or more days of pupil instruction to  
23 the end of its instructional calendar for a school year to comply  
24 with subdivision (a) because the district otherwise would fail to  
25 provide the required minimum number of days of pupil instruction  
26 even after the operation of subsection (4) due to conditions not  
27 within the control of school authorities, then subdivision (d) does  
28 not apply for any day of pupil instruction that is added to the end  
29 of the instructional calendar. Instead, for any of those days, if



1 the district does not have at least 60% of the district's  
2 membership in attendance on that day, the department shall pay the  
3 district state aid in that proportion of 1/180 that the actual  
4 percentage of attendance bears to 60%. For any day of pupil  
5 instruction added to the instructional calendar as described in  
6 this subdivision, the district shall report to the department the  
7 percentage of the district's membership that is in attendance, in  
8 the form and manner prescribed by the department.

9 (f) At the request of a district that operates a department-  
10 approved alternative education program and that does not provide  
11 instruction for pupils in all of grades K to 12, the superintendent  
12 shall grant a waiver from the requirements of subdivision (d). The  
13 waiver must provide that an eligible district is subject to the  
14 proration provisions of subdivision (d) only if the district does  
15 not have at least 50% of the district's membership in attendance on  
16 any day of pupil instruction. In order to be eligible for this  
17 waiver, a district must maintain records to substantiate its  
18 compliance with the following requirements:

19 (i) The district offers the minimum hours of pupil instruction  
20 as required under this section.

21 (ii) For each enrolled pupil, the district uses appropriate  
22 academic assessments to develop an individual education plan that  
23 leads to a high school diploma.

24 (iii) The district tests each pupil to determine academic  
25 progress at regular intervals and records the results of those  
26 tests in that pupil's individual education plan.

27 (g) All of the following apply to a waiver granted under  
28 subdivision (f):

29 (i) If the waiver is for a blended model of delivery, a waiver



1 that is granted for the 2011-2012 fiscal year or a subsequent  
 2 fiscal year remains in effect unless it is revoked by the  
 3 superintendent.

4 (ii) If the waiver is for a 100% online model of delivery and  
 5 the educational program for which the waiver is granted makes  
 6 educational services available to pupils for a minimum of at least  
 7 1,098 hours during a school year and ensures that each pupil  
 8 participates in the educational program for at least 1,098 hours  
 9 during a school year, a waiver that is granted for the 2011-2012  
 10 fiscal year or a subsequent fiscal year remains in effect unless it  
 11 is revoked by the superintendent.

12 (iii) A waiver that is not a waiver described in subparagraph  
 13 (i) or (ii) is valid for 3 fiscal years, unless it is revoked by the  
 14 superintendent, and must be renewed at the end of the 3-year period  
 15 to remain in effect.

16 (h) The superintendent shall promulgate rules for the  
 17 implementation of this subsection.

18 (4) Except as otherwise provided in this subsection, the first  
 19 6 days or the equivalent number of hours for which pupil  
 20 instruction is not provided because of conditions not within the  
 21 control of school authorities, such as severe storms, fires,  
 22 epidemics, utility power unavailability, water or sewer failure, or  
 23 health conditions as defined by the city, county, or state health  
 24 authorities, are counted as hours and days of pupil instruction.  
 25 With the approval of the superintendent of public instruction, the  
 26 department shall count as hours and days of pupil instruction for a  
 27 fiscal year not more than 3 additional days or the equivalent  
 28 number of additional hours for which pupil instruction is not  
 29 provided in a district due to unusual and extenuating occurrences



1 resulting from conditions not within the control of school  
2 authorities such as those conditions described in this subsection.  
3 Subsequent such hours or days are not counted as hours or days of  
4 pupil instruction.

5 (5) A district does not forfeit part of its state aid  
6 appropriation because it adopts or has in existence an alternative  
7 scheduling program for pupils in kindergarten if the program  
8 provides at least the number of hours required under subsection (3)  
9 for a full-time equated membership for a pupil in kindergarten as  
10 provided under section 6(4).

11 (6) In addition to any other penalty or forfeiture under this  
12 section, if at any time the department determines that 1 or more of  
13 the following have occurred in a district, the district forfeits in  
14 the current fiscal year beginning in the next payment to be  
15 calculated by the department a proportion of the funds due to the  
16 district under this article that is equal to the proportion below  
17 the required minimum number of hours and days of pupil instruction  
18 under subsection (3), as specified in the following:

19 (a) The district fails to operate its schools for at least the  
20 required minimum number of hours and days of pupil instruction  
21 under subsection (3) in a school year, including hours and days  
22 counted under subsection (4).

23 (b) The board of the district takes formal action not to  
24 operate its schools for at least the required minimum number of  
25 hours and days of pupil instruction under subsection (3) in a  
26 school year, including hours and days counted under subsection (4).

27 (7) In providing the minimum number of hours and days of pupil  
28 instruction required under subsection (3), a district shall use the  
29 following guidelines, and a district shall maintain records to



1 substantiate its compliance with the following guidelines:

2 (a) Except as otherwise provided in this subsection, a pupil  
3 must be scheduled for at least the required minimum number of hours  
4 of instruction, excluding study halls, or at least the sum of 90  
5 hours plus the required minimum number of hours of instruction,  
6 including up to 2 study halls.

7 (b) The time a pupil is assigned to any tutorial activity in a  
8 block schedule may be considered instructional time, unless that  
9 time is determined in an audit to be a study hall period.

10 (c) Except as otherwise provided in this subdivision, a pupil  
11 in grades 9 to 12 for whom a reduced schedule is determined to be  
12 in the individual pupil's best educational interest must be  
13 scheduled for a number of hours equal to at least 80% of the  
14 required minimum number of hours of pupil instruction to be  
15 considered a full-time equivalent pupil. A pupil in grades 9 to 12  
16 who is scheduled in a 4-block schedule may receive a reduced  
17 schedule under this subsection if the pupil is scheduled for a  
18 number of hours equal to at least 75% of the required minimum  
19 number of hours of pupil instruction to be considered a full-time  
20 equivalent pupil.

21 (d) If a pupil in grades 9 to 12 who is enrolled in a  
22 cooperative education program or a special education pupil cannot  
23 receive the required minimum number of hours of pupil instruction  
24 solely because of travel time between instructional sites during  
25 the school day, that travel time, up to a maximum of 3 hours per  
26 school week, is considered to be pupil instruction time for the  
27 purpose of determining whether the pupil is receiving the required  
28 minimum number of hours of pupil instruction. However, if a  
29 district demonstrates to the satisfaction of the department that



1 the travel time limitation under this subdivision would create  
2 undue costs or hardship to the district, the department may  
3 consider more travel time to be pupil instruction time for this  
4 purpose.

5 (e) In grades 7 through 12, instructional time that is part of  
6 a Junior Reserve Officer Training Corps (JROTC) program is  
7 considered to be pupil instruction time regardless of whether the  
8 instructor is a certificated teacher if all of the following are  
9 met:

10 (i) The instructor has met all of the requirements established  
11 by the United States Department of Defense and the applicable  
12 branch of the armed services for serving as an instructor in the  
13 Junior Reserve Officer Training Corps program.

14 (ii) The board of the district or intermediate district  
15 employing or assigning the instructor complies with the  
16 requirements of sections 1230 and 1230a of the revised school code,  
17 MCL 380.1230 and 380.1230a, with respect to the instructor to the  
18 same extent as if employing the instructor as a regular classroom  
19 teacher.

20 (8) Except as otherwise provided in subsections (11) and (12),  
21 the department shall apply the guidelines under subsection (7) in  
22 calculating the full-time equivalency of pupils.

23 (9) Upon application by the district for a particular fiscal  
24 year, the superintendent shall waive for a district the minimum  
25 number of hours and days of pupil instruction requirement of  
26 subsection (3) for a department-approved alternative education  
27 program or another innovative program approved by the department,  
28 including a 4-day school week. If a district applies for and  
29 receives a waiver under this subsection and complies with the terms



1 of the waiver, the district is not subject to forfeiture under this  
2 section for the specific program covered by the waiver. If the  
3 district does not comply with the terms of the waiver, the amount  
4 of the forfeiture is calculated based upon a comparison of the  
5 number of hours and days of pupil instruction actually provided to  
6 the minimum number of hours and days of pupil instruction required  
7 under subsection (3). A district shall report pupils enrolled in a  
8 department-approved alternative education program under this  
9 subsection to the center in a form and manner determined by the  
10 center. All of the following apply to a waiver granted under this  
11 subsection:

12 (a) If the waiver is for a blended model of delivery, a waiver  
13 that is granted for the 2011-2012 fiscal year or a subsequent  
14 fiscal year remains in effect unless it is revoked by the  
15 superintendent.

16 (b) If the waiver is for a 100% online model of delivery and  
17 the educational program for which the waiver is granted makes  
18 educational services available to pupils for a minimum of at least  
19 1,098 hours during a school year and ensures that each pupil is on  
20 track for course completion at proficiency level, a waiver that is  
21 granted for the 2011-2012 fiscal year or a subsequent fiscal year  
22 remains in effect unless it is revoked by the superintendent.

23 (c) A waiver that is not a waiver described in subdivision (a)  
24 or (b) is valid for 3 fiscal years, unless it is revoked by the  
25 superintendent, and must be renewed at the end of the 3-year period  
26 to remain in effect.

27 (10) A district may count up to 38 hours of professional  
28 development for teachers as hours of pupil instruction. All of the  
29 following apply to the counting of professional development as



1 pupil instruction under this subsection:

2 (a) If the professional development exceeds 5 hours in a  
3 single day, that day may be counted as a day of pupil instruction.

4 (b) At least 8 hours of the professional development counted  
5 as hours of pupil instruction under this subsection must be  
6 recommended by a districtwide professional development advisory  
7 committee appointed by the district board. The advisory committee  
8 must be composed of teachers employed by the district who represent  
9 a variety of grades and subject matter specializations, including  
10 special education; nonteaching staff; parents; and administrators.  
11 The majority membership of the committee must be composed of  
12 teaching staff.

13 (c) Professional development provided online is allowable and  
14 encouraged, as long as the instruction has been approved by the  
15 district. The department shall issue a list of approved online  
16 professional development providers that must include the Michigan  
17 Virtual School.

18 (d) Professional development may only be counted as hours of  
19 pupil instruction under this subsection for the pupils of those  
20 teachers scheduled to participate in the professional development.

21 (e) The professional development must meet all of the  
22 following to be counted as pupil instruction under this subsection:

23 (i) Be aligned to the school or district improvement plan for  
24 the school or district in which the professional development is  
25 being provided.

26 (ii) Be linked to 1 or more criteria in the evaluation tool  
27 developed or adopted by the district or intermediate district under  
28 section 1249 of the revised school code, MCL 380.1249.

29 (iii) Has been approved by the department as counting for state



1 continuing education clock hours. The number of hours of  
 2 professional development counted as hours of pupil instruction  
 3 under this subsection may not exceed the number of state continuing  
 4 education clock hours for which the professional development was  
 5 approved.

6 (iv) Not more than a combined total of 10 hours of the  
 7 professional development takes place before the first scheduled day  
 8 of school for the school year ending in the fiscal year and after  
 9 the last scheduled day of school for that school year.

10 (v) Not more than 10 hours of the professional development  
 11 takes place in a single month.

12 (vi) At least 75% of teachers scheduled to participate in the  
 13 professional development are in attendance.

14 (11) Subsections (3) and (8) do not apply to a school of  
 15 excellence that is a cyber school, as that term is defined in  
 16 section 551 of the revised school code, MCL 380.551, and is in  
 17 compliance with section 553a of the revised school code, MCL  
 18 380.553a. **Beginning July 1, 2021, this subsection is subject to**  
 19 **section 8c. It is the intent of the legislature that the**  
 20 **immediately preceding sentence apply retroactively and is effective**  
 21 **July 1, 2021.**

22 (12) Subsections (3) and (8) do not apply to eligible pupils  
 23 enrolled in a dropout recovery program that meets the requirements  
 24 of section 23a. As used in this subsection, "eligible pupil" means  
 25 that term as defined in section 23a.

26 (13) At least every 2 years the superintendent shall review  
 27 the waiver standards set forth in the pupil accounting and auditing  
 28 manuals to ensure that the waiver standards and waiver process  
 29 continue to be appropriate and responsive to changing trends in



1 online learning. The superintendent shall solicit and consider  
2 input from stakeholders as part of this review.

3       Sec. 104. (1) In order to receive state aid under this  
4 article, a district shall comply with sections 1249, 1278a, 1278b,  
5 1279g, and 1280b of the revised school code, MCL 380.1249,  
6 380.1278a, 380.1278b, 380.1279g, and 380.1280b, and 1970 PA 38, MCL  
7 388.1081 to 388.1086. Subject to subsection (2), from the state  
8 school aid fund money appropriated in section 11, there is  
9 allocated for ~~2021-2022~~**2022-2023** an amount not to exceed  
10 \$29,509,400.00 for payments on behalf of districts for costs  
11 associated with complying with those provisions of law. In  
12 addition, from the federal funds appropriated in section 11, there  
13 is allocated for ~~2021-2022~~**2022-2023** an amount estimated at  
14 \$6,250,000.00 funded from DED-OESE, title VI, state assessment  
15 funds, and from DED-OSERS, part B of the individuals with  
16 disabilities education act, 20 USC 1411 to 1419, plus any carryover  
17 federal funds from previous year appropriations, for the purposes  
18 of complying with the every student succeeds act, Public Law 114-  
19 95.

20       (2) The results of each test administered as part of the  
21 Michigan student test of educational progress (M-STEP), including  
22 tests administered to high school students, must include an item  
23 analysis that lists all items that are counted for individual pupil  
24 scores and the percentage of pupils choosing each possible  
25 response. The department shall work with the center to identify the  
26 number of students enrolled at the time assessments are given by  
27 each district. In calculating the percentage of pupils assessed for  
28 a district's scorecard, the department shall use only the number of  
29 pupils enrolled in the district at the time the district



1 administers the assessments and shall exclude pupils who enroll in  
2 the district after the district administers the assessments.

3 (3) The department shall distribute federal funds allocated  
4 under this section in accordance with federal law and with  
5 flexibility provisions outlined in Public Law 107-116, and in the  
6 education flexibility partnership act of 1999, Public Law 106-25.

7 (4) The department may recommend, but may not require,  
8 districts to allow pupils to use an external keyboard with tablet  
9 devices for online M-STEP testing, including, but not limited to,  
10 open-ended test items such as constructed response or equation  
11 builder items.

12 (5) Notwithstanding section 17b, the department shall make  
13 payments on behalf of districts, intermediate districts, and other  
14 eligible entities under this section on a schedule determined by  
15 the department.

16 (6) From the allocation in subsection (1), there is allocated  
17 an amount not to exceed \$500,000.00 for ~~2021-2022~~**2022-2023** for the  
18 operation of an online reporting tool to provide student-level  
19 assessment data in a secure environment to educators, parents, and  
20 pupils immediately after assessments are scored. The department and  
21 the center shall ensure that any data collected by the online  
22 reporting tool do not provide individually identifiable student  
23 data to the federal government.

24 (7) As used in this section:

25 (a) "DED" means the United States Department of Education.

26 (b) "DED-OESE" means the DED Office of Elementary and  
27 Secondary Education.

28 (c) "DED-OSERS" means the DED Office of Special Education and  
29 Rehabilitative Services.



1           Sec. 104c. (1) In order to receive state aid under this  
2 article, a district shall administer the state assessments  
3 described in this section.

4           (2) For the purposes of this section, the department shall  
5 develop and administer the Michigan student test of educational  
6 progress (M-STEP) assessments in English language arts and  
7 mathematics. These assessments shall be aligned to state standards.

8           (3) For the purposes of this section, the department shall  
9 implement a summative assessment system that is proven to be valid  
10 and reliable for administration to pupils as provided under this  
11 subsection. The summative assessment system must meet all of the  
12 following requirements:

13           (a) The summative assessment system must measure student  
14 proficiency on the current state standards, must measure student  
15 growth for consecutive grade levels in which students are assessed  
16 in the same subject area in both grade levels, and must be capable  
17 of measuring individual student performance.

18           (b) The summative assessments for English language arts and  
19 mathematics must be administered to all public school pupils in  
20 grades 3 to 11, including those pupils as required by the federal  
21 individuals with disabilities education act, Public Law 108-446,  
22 and by title I of the federal every student succeeds act (ESSA),  
23 Public Law 114-95.

24           (c) The summative assessments for science must be administered  
25 to all public school pupils in at least grades 5 and 8, including  
26 those pupils as required by the federal individuals with  
27 disabilities education act, Public Law 108-446, and by title I of  
28 the federal every student succeeds act (ESSA), Public Law 114-95.

29           (d) The summative assessments for social studies must be



1 administered to all public school pupils in at least grades 5 and  
2 8, including those pupils as required by the federal individuals  
3 with disabilities education act, Public Law 108-446, and by title I  
4 of the federal every student succeeds act (ESSA), Public Law 114-  
5 95.

6 (e) The content of the summative assessments must be aligned  
7 to state standards.

8 (f) The pool of questions for the summative assessments must  
9 be subject to a transparent review process for quality, bias, and  
10 sensitive issues involving educator review and comment. The  
11 department shall post samples from tests or retired tests featuring  
12 questions from this pool for review by the public.

13 (g) The summative assessment system must ensure that students,  
14 parents, and teachers are provided with reports that convey  
15 individual student proficiency and growth on the assessment and  
16 that convey individual student domain-level performance in each  
17 subject area, including representative questions, and individual  
18 student performance in meeting state standards.

19 (h) The summative assessment system must be capable of  
20 providing, and the department shall ensure that students, parents,  
21 teachers, administrators, and community members are provided with,  
22 reports that convey aggregate student proficiency and growth data  
23 by teacher, grade, school, and district.

24 (i) The summative assessment system must ensure the capability  
25 of reporting the available data to support educator evaluations.

26 (j) The summative assessment system must ensure that the  
27 reports provided to districts containing individual student data  
28 are available within 60 days after completion of the assessments.

29 (k) The summative assessment system must ensure that access to



1 individually identifiable student data meets all of the following:

2 (i) Is in compliance with 20 USC 1232g, commonly referred to as  
3 the family educational rights and privacy act of 1974.

4 (ii) Except as may be provided for in an agreement with a  
5 vendor to provide assessment services, as necessary to support  
6 educator evaluations pursuant to subdivision (i), or for research  
7 or program evaluation purposes, is available only to the student;  
8 to the student's parent or legal guardian; and to a school  
9 administrator or teacher, to the extent that he or she has a  
10 legitimate educational interest.

11 (l) The summative assessment system must ensure that the  
12 assessments are pilot tested before statewide implementation.

13 (m) The summative assessment system must ensure that  
14 assessments are designed so that the maximum total combined length  
15 of time that schools are required to set aside for a pupil to  
16 answer all test questions on all assessments that are part of the  
17 system for the pupil's grade level does not exceed that maximum  
18 total combined length of time for the previous statewide assessment  
19 system or 9 hours, whichever is less. This subdivision does not  
20 limit the amount of time a district may allow a pupil to complete a  
21 test.

22 (n) The total cost of executing the summative assessment  
23 system statewide each year, including, but not limited to, the cost  
24 of contracts for administration, scoring, and reporting, must not  
25 exceed an amount equal to 2 times the cost of executing the  
26 previous statewide assessment after adjustment for inflation.

27 (o) The summative assessment system must not require more than  
28 3 hours in duration, on average, for an individual pupil to  
29 complete the combined administration of the math and English



1 language arts portions of the assessment for any 1 grade level.

2 (p) The summative assessments for English language arts and  
3 mathematics for pupils in grades 8 to 10 must be aligned to the  
4 college entrance test portion of the Michigan merit examination  
5 required under section ~~104b-1279g~~ **of the revised school code, MCL**  
6 **380.1279g.**

7 (4) The department shall offer benchmark assessments in the  
8 fall and spring of each school year to measure English language  
9 arts and mathematics in each of grades K to 2. Full implementation  
10 must occur not later than the 2019-2020 school year. These  
11 assessments are necessary to determine a pupil's proficiency level  
12 before grade 3.

13 (5) This section does not prohibit districts from adopting  
14 interim assessments.

15 (6) As used in this section, "English language arts" means  
16 that term as defined in section ~~104b-1279g~~ **of the revised school**  
17 **code, MCL 380.1279g.**

18 **Sec. 104i. (1) From the state school aid fund money**  
19 **appropriated under section 11, there is allocated for 2022-2023 an**  
20 **amount not to exceed \$11,500,000.00 to districts with enrolled K to**  
21 **8 pupils to begin implementation of a benchmark assessment system**  
22 **for the 2023-2024 school year. All of the following apply to the**  
23 **benchmark assessment system described in this subsection:**

24 (a) The system must provide for all of the following:

25 (i) That, within the first 9 weeks of the 2023-2024 school  
26 year, the district shall administer 1 or more benchmark assessments  
27 provided by a provider approved under subsection (6), benchmark  
28 assessments described in subdivision (b), or local benchmark  
29 assessments, or any combination thereof, to all pupils in grades K



1 to 8 to measure proficiency in reading and mathematics.

2 (ii) That, in addition to the benchmark assessment or benchmark  
3 assessments administered under subparagraph (i), by not later than  
4 the last day of the 2023-2024 school year, the district shall  
5 administer 1 or more benchmark assessments provided by a provider  
6 approved under subsection (6), benchmark assessments described in  
7 subdivision (b), or local benchmark assessments, or any combination  
8 thereof, to all pupils in grades K to 8 to measure proficiency in  
9 reading and mathematics.

10 (b) A district may administer 1 or more of the following  
11 benchmark assessments toward meeting the requirements under  
12 subdivision (a):

13 (i) A benchmark assessment in reading for students in grades K  
14 to 9 that contains progress monitoring tools and enhanced  
15 diagnostic assessments.

16 (ii) A benchmark assessment in math for students in grades K to  
17 8 that contains progress monitoring tools.

18 (c) The system must provide that, to the extent practicable,  
19 if a district administers a benchmark assessment or benchmark  
20 assessments under this section, the district shall administer the  
21 same benchmark assessment or benchmark assessments provided by a  
22 provider approved under subsection (6), benchmark assessment or  
23 benchmark assessments described in subdivision (b), or local  
24 benchmark assessment or local benchmark assessments that it  
25 administered to pupils in previous school years, as applicable.

26 (d) The system must provide that, if a district administers a  
27 benchmark assessment or benchmark assessments under this section,  
28 the district shall provide each pupil's data from the benchmark  
29 assessment or benchmark assessments, as available, to the pupil's



1 parent or legal guardian within 30 days of administering the  
2 benchmark assessment or benchmark assessments.

3 (e) The system must provide that, if a local benchmark  
4 assessment or local benchmark assessments are administered under  
5 subdivision (a), the district shall report to the department and  
6 the center, in a form and manner prescribed by the center, the  
7 local benchmark assessment or local benchmark assessments that were  
8 administered and how that assessment or those assessments measure  
9 changes, including any losses, as applicable, in learning, and the  
10 district's plan for addressing any losses in learning.

11 (f) The system must provide that, by not later than 30 days  
12 after a benchmark assessment or benchmark assessments are  
13 administered under subdivision (a) (ii), the district shall send  
14 benchmark assessment data from all benchmark assessments  
15 administered in the 2023-2024 school year, excluding data from a  
16 local benchmark assessment, as applicable, aggregated by grade  
17 level, student demographic subgroups, and mode of instruction to  
18 the department. If available, the data described in this  
19 subdivision must include information concerning pupil growth from  
20 fall 2023 to spring 2024.

21 (2) To receive funding under this section, a district must  
22 apply for the funding in a form and manner prescribed by the  
23 department.

24 (3) The department shall pay an amount equal to \$12.50 per  
25 membership pupil in grades K to 8 in the district to each district  
26 that applies for funding under this section.

27 (4) The department shall make 1 of the benchmark assessments  
28 provided by a provider approved under subsection (6) available to  
29 districts at no cost to the districts for purposes of meeting the



1 requirements under this section. The benchmark assessment described  
2 in this subsection must meet all of the following:

3 (a) Be aligned to the content standards of this state.

4 (b) Complement the state's summative assessment system.

5 (c) Be internet-delivered and include a standards-based  
6 assessment.

7 (d) Provide information on pupil achievement with regard to  
8 learning content required in a given year or grade span.

9 (e) Provide timely feedback to pupils and teachers.

10 (f) Be nationally normed.

11 (g) Provide information to educators about student growth and  
12 allow for multiple testing opportunities.

13 (5) By not later than June 15, 2024, the department shall  
14 submit a report to the house and senate appropriations committees,  
15 the house and senate appropriations subcommittees on school aid,  
16 and the house and senate fiscal agencies regarding the benchmark  
17 assessment data received under this section, disaggregated by grade  
18 level and demographic subgroup for each district. If information  
19 concerning pupil growth is included in the data described in this  
20 subsection, it must be incorporated in the report described in this  
21 subsection.

22 (6) The department shall approve NWEA, Curriculum Associates,  
23 Data Recognition Corporation, Renaissance Learning, and Istation as  
24 benchmark assessment providers and may approve 1 additional  
25 provider of a benchmark assessment for the purposes of this  
26 section. The department shall inform districts of all of the  
27 providers approved under this subsection in an equitable manner.  
28 The benchmark assessment, with the exclusion of the benchmark  
29 assessment described in subsection (4), provided by the additional



1 provider approved under this subsection must meet all of the  
2 following:

3 (a) Be aligned to the content standards of this state.

4 (b) Complement the state's summative assessment system.

5 (c) Be internet-delivered and include a standards-based  
6 remote, in-person, or both remote and in-person assessment using a  
7 computer-adaptive model to target the instructional level of each  
8 pupil.

9 (d) Provide information on pupil achievement with regard to  
10 learning content required in a given year or grade span.

11 (e) Provide immediate feedback to pupils and teachers.

12 (f) Be nationally normed.

13 (g) Provide multiple measures of growth and provide for  
14 multiple testing opportunities.

15 Sec. 107. (1) From the appropriation in section 11, there is  
16 allocated an amount not to exceed \$30,000,000.00 for ~~2021-2022~~  
17 **2022-2023** for adult education programs authorized under this  
18 section. Except as otherwise provided under subsections (14) and  
19 (15), funds allocated under this section are restricted for adult  
20 education programs as authorized under this section only. A  
21 recipient of funds under this section shall not use those funds for  
22 any other purpose.

23 (2) To be eligible for funding under this section, an eligible  
24 adult education provider shall employ certificated teachers and  
25 qualified administrative staff and shall offer continuing education  
26 opportunities for teachers to allow them to maintain certification.

27 (3) To be eligible to be a participant funded under this  
28 section, an individual must be enrolled in an adult basic education  
29 program, an adult secondary education program, an adult English as



1 a second language program, a high school equivalency test  
2 preparation program, or a high school completion program, that  
3 meets the requirements of this section, and for which instruction  
4 is provided, and the individual must be at least 18 years of age by  
5 July 1 of the program year and the individual's graduating class  
6 must have graduated.

7 (4) By April 1 of each fiscal year, the intermediate districts  
8 within a prosperity region or subregion shall determine which  
9 intermediate district will serve as the prosperity region's or  
10 subregion's fiscal agent for the next fiscal year and shall notify  
11 the department in a form and manner determined by the department.  
12 The department shall approve or disapprove of the prosperity  
13 region's or subregion's selected fiscal agent. From the funds  
14 allocated under subsection (1), an amount as determined under this  
15 subsection is allocated to each intermediate district serving as a  
16 fiscal agent for adult education programs in each of the prosperity  
17 regions or subregions identified by the department. An intermediate  
18 district shall not use more than 5% of the funds allocated under  
19 this subsection for administration costs for serving as the fiscal  
20 agent. The allocation provided to each intermediate district  
21 serving as a fiscal agent must be calculated as follows:

22 (a) Sixty percent of this portion of the funding must be  
23 distributed based upon the proportion of the state population of  
24 individuals between the ages of 18 and 24 that are not high school  
25 graduates that resides in each of the prosperity regions or  
26 subregions located within the intermediate district, as reported by  
27 the most recent 5-year estimates from the American Community Survey  
28 (ACS) from the United States Census Bureau.

29 (b) Thirty-five percent of this portion of the funding must be



1 distributed based upon the proportion of the state population of  
2 individuals age 25 or older who are not high school graduates that  
3 resides in each of the prosperity regions or subregions located  
4 within the intermediate district, as reported by the most recent 5-  
5 year estimates from the ACS from the United States Census Bureau.

6 (c) Five percent of this portion of the funding must be  
7 distributed based upon the proportion of the state population of  
8 individuals age 18 or older who lack basic English language  
9 proficiency that resides in each of the prosperity regions or  
10 subregions located within the intermediate district, as reported by  
11 the most recent 5-year estimates from the ACS from the United  
12 States Census Bureau.

13 (5) To be an eligible fiscal agent, an intermediate district  
14 must agree to do the following in a form and manner determined by  
15 the department:

16 (a) Distribute funds to adult education programs in a  
17 prosperity region or subregion as described in this section.

18 (b) Collaborate with the career and educational advisory  
19 council, which is an advisory council of the workforce development  
20 boards located in the prosperity region or subregion, or its  
21 successor, to develop a regional strategy that aligns adult  
22 education programs and services into an efficient and effective  
23 delivery system for adult education learners, with special  
24 consideration for providing contextualized learning and career  
25 pathways and addressing barriers to education and employment.

26 (c) Collaborate with the career and educational advisory  
27 council, which is an advisory council of the workforce development  
28 boards located in the prosperity region or subregion, or its  
29 successor, to create a local process and criteria that will



1 identify eligible adult education providers to receive funds  
 2 allocated under this section based on location, demand for  
 3 services, past performance, quality indicators as identified by the  
 4 department, and cost to provide instructional services. The fiscal  
 5 agent shall determine all local processes, criteria, and provider  
 6 determinations. However, the local processes, criteria, and  
 7 provider services must be approved by the department before funds  
 8 may be distributed to the fiscal agent.

9 (d) Provide oversight to its adult education providers  
 10 throughout the program year to ensure compliance with the  
 11 requirements of this section.

12 (e) Report adult education program and participant data and  
 13 information as prescribed by the department.

14 (6) An adult basic education program, an adult secondary  
 15 education program, or an adult English as a second language program  
 16 operated on a year-round or school year basis may be funded under  
 17 this section, subject to all of the following:

18 (a) The program enrolls adults who are determined by a  
 19 department-approved assessment, in a form and manner prescribed by  
 20 the department, to be below twelfth grade level in reading or  
 21 mathematics, or both, or to lack basic English proficiency.

22 (b) The program tests individuals for eligibility under  
 23 subdivision (a) before enrollment and upon completion of the  
 24 program in compliance with the state-approved assessment policy.

25 (c) A participant in an adult basic education program is  
 26 eligible for reimbursement until 1 of the following occurs:

27 (i) The participant's reading and mathematics proficiency are  
 28 assessed at or above the ninth grade level.

29 (ii) The participant fails to show progress on 2 successive



1 assessments after having completed at least 450 hours of  
2 instruction.

3 (d) A participant in an adult secondary education program is  
4 eligible for reimbursement until 1 of the following occurs:

5 (i) The participant's reading and mathematics proficiency are  
6 assessed above the twelfth grade level.

7 (ii) The participant fails to show progress on 2 successive  
8 assessments after having at least 450 hours of instruction.

9 (e) A funding recipient enrolling a participant in an English  
10 as a second language program is eligible for funding according to  
11 subsection (9) until the participant meets 1 of the following:

12 (i) The participant is assessed as having attained basic  
13 English proficiency as determined by a department-approved  
14 assessment.

15 (ii) The participant fails to show progress on 2 successive  
16 department-approved assessments after having completed at least 450  
17 hours of instruction. The department shall provide information to a  
18 funding recipient regarding appropriate assessment instruments for  
19 this program.

20 (7) A high school equivalency test preparation program  
21 operated on a year-round or school year basis may be funded under  
22 this section, subject to all of the following:

23 (a) The program enrolls adults who do not have a high school  
24 diploma or a high school equivalency certificate.

25 (b) The program administers a pre-test approved by the  
26 department before enrolling an individual to determine the  
27 individual's literacy levels, administers a high school equivalency  
28 practice test to determine the individual's potential for success  
29 on the high school equivalency test, and administers a post-test



1 upon completion of the program in compliance with the state-  
2 approved assessment policy.

3 (c) A funding recipient receives funding according to  
4 subsection (9) for a participant, and a participant may be enrolled  
5 in the program until 1 of the following occurs:

6 (i) The participant achieves a high school equivalency  
7 certificate.

8 (ii) The participant fails to show progress on 2 successive  
9 department-approved assessments used to determine readiness to take  
10 a high school equivalency test after having completed at least 450  
11 hours of instruction.

12 (8) A high school completion program operated on a year-round  
13 or school year basis may be funded under this section, subject to  
14 all of the following:

15 (a) The program enrolls adults who do not have a high school  
16 diploma.

17 (b) The program tests participants described in subdivision  
18 (a) before enrollment and upon completion of the program in  
19 compliance with the state-approved assessment policy.

20 (c) A funding recipient receives funding according to  
21 subsection (9) for a participant in a course offered under this  
22 subsection until 1 of the following occurs:

23 (i) The participant passes the course and earns a high school  
24 diploma.

25 (ii) The participant fails to earn credit in 2 successive  
26 semesters or terms in which the participant is enrolled after  
27 having completed at least 900 hours of instruction.

28 (9) The department shall make payments to a funding recipient  
29 under this section in accordance with all of the following:



1 (a) Statewide allocation criteria, including 3-year average  
2 enrollments, census data, and local needs.

3 (b) Participant completion of the adult basic education  
4 objectives by achieving an educational gain as determined by the  
5 national reporting system levels; for achieving basic English  
6 proficiency, as determined by the department; for achieving a high  
7 school equivalency certificate or passage of 1 or more individual  
8 high school equivalency tests; for attainment of a high school  
9 diploma or passage of a course required for a participant to attain  
10 a high school diploma; for enrollment in a postsecondary  
11 institution, or for entry into or retention of employment, as  
12 applicable.

13 (c) Participant completion of core indicators as identified in  
14 the innovation and opportunity act.

15 (d) Allowable expenditures.

16 (10) ~~A person~~ **An individual** who is not eligible to be a  
17 participant funded under this section may receive adult education  
18 services upon the payment of tuition. In addition, ~~a person~~ **an**  
19 **individual** who is not eligible to be served in a program under this  
20 section due to the program limitations specified in subsection (6),  
21 (7), or (8) may continue to receive adult education services in  
22 that program upon the payment of tuition. The local or intermediate  
23 district conducting the program shall determine the tuition amount.

24 (11) An individual who is an inmate in a state correctional  
25 facility is not counted as a participant under this section.

26 (12) A funding recipient shall not commingle money received  
27 under this section or from another source for adult education  
28 purposes with any other funds and shall establish a separate ledger  
29 account for funds received under this section. This subsection does



1 not prohibit a district from using general funds of the district to  
2 support an adult education or community education program.

3 (13) A funding recipient receiving funds under this section  
4 may establish a sliding scale of tuition rates based upon a  
5 participant's family income. A funding recipient may charge a  
6 participant tuition to receive adult education services under this  
7 section from that sliding scale of tuition rates on a uniform  
8 basis. The amount of tuition charged per participant must not  
9 exceed the actual operating cost per participant minus any funds  
10 received under this section per participant. A funding recipient  
11 may not charge a participant tuition under this section if the  
12 participant's income is at or below 200% of the federal poverty  
13 guidelines published by the United States Department of Health and  
14 Human Services.

15 (14) In order to receive funds under this section, a funding  
16 recipient shall furnish to the department, in a form and manner  
17 determined by the department, all information needed to administer  
18 this program and meet federal reporting requirements; shall allow  
19 the department or the department's designee to review all records  
20 related to the program for which it receives funds; and shall  
21 reimburse the state for all disallowances found in the review, as  
22 determined by the department. In addition, a funding recipient  
23 shall agree to pay to a career and technical education program  
24 under section 61a the amount of funding received under this section  
25 in the proportion of career and technical education coursework used  
26 to satisfy adult basic education programming, as billed to the  
27 funding recipient by programs operating under section 61a. In  
28 addition to the funding allocated under subsection (1), there is  
29 allocated for ~~2021-2022~~**2022-2023** an amount not to exceed



1 \$500,000.00 to reimburse funding recipients for administrative and  
 2 instructional expenses associated with commingling programming  
 3 under this section and section 61a. The department shall make  
 4 payments under this subsection to each funding recipient in the  
 5 same proportion as funding calculated and allocated under  
 6 subsection (4).

7 (15) From the amount appropriated in subsection (1), an amount  
 8 not to exceed \$4,000,000.00 is allocated for ~~2021-2022~~**2022-2023**  
 9 for grants to adult education or state-approved career technical  
 10 center programs that connect adult education participants with  
 11 employers as provided under this subsection. The department shall  
 12 determine the amount of the grant to each program under this  
 13 subsection, not to exceed \$350,000.00. To be eligible for funding  
 14 under this subsection, a program must provide a collaboration  
 15 linking adult education programs within the county, the area career  
 16 technical center, and local employers. To receive funding under  
 17 this subsection, an eligible program must satisfy all of the  
 18 following:

19 (a) Connect adult education participants directly with  
 20 employers by linking adult education, career and technical skills,  
 21 and workforce development.

22 (b) Require adult education staff to work with Michigan Works!  
 23 agency to identify a cohort of participants who are most prepared  
 24 to successfully enter the workforce. Except as otherwise provided  
 25 under this subdivision, participants identified under this  
 26 subsection must be dually enrolled in adult education programming  
 27 and in at least 1 state-approved technical course at the area  
 28 career and technical center. A program that links participants  
 29 identified under this subsection with adult education programming



1 and commercial driver license courses does not need to enroll the  
2 participants in at least 1 state-approved technical course at the  
3 area career and technical center to be considered an eligible  
4 program under this subsection.

5 (c) Employ an individual staffed as an adult education  
6 navigator who will serve as a caseworker for each participant  
7 identified under subdivision (b). The navigator shall work with  
8 adult education staff and potential employers to design an  
9 educational program best suited to the personal and employment  
10 needs of the participant and shall work with human service agencies  
11 or other entities to address any barrier in the way of participant  
12 access.

13 (16) Each program funded under subsection (15) will receive  
14 funding for 3 years. After 3 years of operations and funding, a  
15 program must reapply for funding.

16 (17) Not later than December 1 of each year, a program funded  
17 under subsection (15) shall provide a report to the senate and  
18 house appropriations subcommittees on school aid, to the senate and  
19 house fiscal agencies, and to the state budget director identifying  
20 the number of participants, graduation rates, and a measure of  
21 transition to employment.

22 (18) Except as otherwise provided in this subsection,  
23 participants under subsection (15) must be concurrently enrolled  
24 and actively working toward obtaining a high school diploma or a  
25 high school equivalency certificate. Concurrent enrollment is not  
26 required under this subsection for a participant that was enrolled  
27 in adult education during the same program year and obtained a high  
28 school diploma or a high school equivalency certificate prior to  
29 enrollment in an eligible career and technical skills program under



1 subsection (15). Up to 25% of adult education participants served  
 2 under subsection (15) may already have a high school diploma or a  
 3 high school equivalency certificate at the time of enrollment in an  
 4 eligible career and technical skills program under subsection (15)  
 5 and receive remediation services. It is intended that the cap  
 6 described in the immediately preceding sentence is continually  
 7 lowered on an annual basis until it eventually is 0%.

8 (19) The department shall approve at least 3 high school  
 9 equivalency tests and determine whether a high school equivalency  
 10 certificate meets the requisite standards for high school  
 11 equivalency in this state.

12 (20) As used in this section:

13 (a) "Career and educational advisory council" means an  
 14 advisory council to the local workforce development boards located  
 15 in a prosperity region consisting of educational, employer, labor,  
 16 and parent representatives.

17 (b) "Career pathway" means a combination of rigorous and high-  
 18 quality education, training, and other services that comply with  
 19 all of the following:

20 (i) Aligns with the skill needs of industries in the economy of  
 21 this state or in the regional economy involved.

22 (ii) Prepares an individual to be successful in any of a full  
 23 range of secondary or postsecondary education options, including  
 24 apprenticeships registered under the act of August 16, 1937,  
 25 commonly referred to as the national apprenticeship act, 29 USC 50  
 26 et seq.

27 (iii) Includes counseling to support an individual in achieving  
 28 the individual's education and career goals.

29 (iv) Includes, as appropriate, education offered concurrently



1 with and in the same context as workforce preparation activities  
2 and training for a specific occupation or occupational cluster.

3 (v) Organizes education, training, and other services to meet  
4 the particular needs of an individual in a manner that accelerates  
5 the educational and career advancement of the individual to the  
6 extent practicable.

7 (vi) Enables an individual to attain a secondary school diploma  
8 or its recognized equivalent, and at least 1 recognized  
9 postsecondary credential.

10 (vii) Helps an individual enter or advance within a specific  
11 occupation or occupational cluster.

12 (c) "Department" means the department of labor and economic  
13 opportunity.

14 (d) "Eligible adult education provider" means a district,  
15 intermediate district, a consortium of districts, a consortium of  
16 intermediate districts, or a consortium of districts and  
17 intermediate districts that is identified as part of the local  
18 process described in subsection (5) (c) and approved by the  
19 department.

20 Sec. 147. (1) The allocation for ~~2021-2022~~**2022-2023** for the  
21 public school employees' retirement system pursuant to the public  
22 school employees retirement act of 1979, 1980 PA 300, MCL 38.1301  
23 to 38.1437, is made using the individual projected benefit entry  
24 age normal cost method of valuation and risk assumptions adopted by  
25 the public school employees retirement board and the department of  
26 technology, management, and budget.

27 (2) The annual level percentage of payroll contribution rates  
28 for the ~~2021-2022~~**2022-2023** fiscal year, as determined by the  
29 retirement system, are estimated as follows:



1       (a) ~~Except as otherwise provided in this subdivision, for **For**~~  
 2 public school employees who first worked for a public school  
 3 reporting unit before July 1, 2010 and who are enrolled in the  
 4 health premium subsidy, the annual level percentage of payroll  
 5 contribution rate is estimated at ~~43.28%~~ **44.88%** with 28.23% paid  
 6 directly by the employer. ~~For 2021-2022, if the retirement system~~  
 7 ~~determines that the annual level percentage of payroll contribution~~  
 8 ~~rate estimated in the immediately preceding sentence needs to be~~  
 9 ~~adjusted, the annual level percentage of payroll contribution rate~~  
 10 ~~estimations under this subdivision are the estimations determined~~  
 11 ~~by the retirement system. If the retirement system makes a~~  
 12 ~~determination as described in the immediately preceding sentence,~~  
 13 ~~it shall issue its estimations publicly and describe the need for~~  
 14 ~~the adjustment described in the immediately preceding sentence.~~

15       (b) ~~Except as otherwise provided in this subdivision, for **For**~~  
 16 public school employees who first worked for a public school  
 17 reporting unit on or after July 1, 2010 and who are enrolled in the  
 18 health premium subsidy, the annual level percentage of payroll  
 19 contribution rate is estimated at ~~40.36%~~ **41.96%** with 25.31% paid  
 20 directly by the employer. ~~For 2021-2022, if the retirement system~~  
 21 ~~determines that the annual level percentage of payroll contribution~~  
 22 ~~rate estimated in the immediately preceding sentence needs to be~~  
 23 ~~adjusted, the annual level percentage of payroll contribution rate~~  
 24 ~~estimations under this subdivision are the estimations determined~~  
 25 ~~by the retirement system. If the retirement system makes a~~  
 26 ~~determination as described in the immediately preceding sentence,~~  
 27 ~~it shall issue its estimations publicly and describe the need for~~  
 28 ~~the adjustment described in the immediately preceding sentence.~~

29       (c) ~~Except as otherwise provided in this subdivision, for **For**~~



1 public school employees who first worked for a public school  
 2 reporting unit on or after July 1, 2010 and who participate in the  
 3 personal healthcare fund, the annual level percentage of payroll  
 4 contribution rate is estimated at ~~39.50%~~ **41.10%** with 24.45% paid  
 5 directly by the employer. ~~For 2021-2022, if the retirement system~~  
 6 ~~determines that the annual level percentage of payroll contribution~~  
 7 ~~rate estimated in the immediately preceding sentence needs to be~~  
 8 ~~adjusted, the annual level percentage of payroll contribution rate~~  
 9 ~~estimations under this subdivision are the estimations determined~~  
 10 ~~by the retirement system. If the retirement system makes a~~  
 11 ~~determination as described in the immediately preceding sentence,~~  
 12 ~~it shall issue its estimations publicly and describe the need for~~  
 13 ~~the adjustment described in the immediately preceding sentence.~~

14 (d) ~~Except as otherwise provided in this subdivision, for~~ **For**  
 15 public school employees who first worked for a public school  
 16 reporting unit on or after September 4, 2012, who elect defined  
 17 contribution, and who participate in the personal healthcare fund,  
 18 the annual level percentage of payroll contribution rate is  
 19 estimated at ~~36.01%~~ **37.61%** with 20.96% paid directly by the  
 20 employer. ~~For 2021-2022, if the retirement system determines that~~  
 21 ~~the annual level percentage of payroll contribution rate estimated~~  
 22 ~~in the immediately preceding sentence needs to be adjusted, the~~  
 23 ~~annual level percentage of payroll contribution rate estimations~~  
 24 ~~under this subdivision are the estimations determined by the~~  
 25 ~~retirement system. If the retirement system makes a determination~~  
 26 ~~as described in the immediately preceding sentence, it shall issue~~  
 27 ~~its estimations publicly and describe the need for the adjustment~~  
 28 ~~described in the immediately preceding sentence.~~

29 (e) ~~Except as otherwise provided in this subdivision, for~~ **For**



1 public school employees who first worked for a public school  
 2 reporting unit before July 1, 2010, who elect defined contribution,  
 3 and who are enrolled in the health premium subsidy, the annual  
 4 level percentage of payroll contribution rate is estimated at  
 5 ~~36.87%~~ **38.47%** with 21.82% paid directly by the employer. ~~For 2021-~~  
 6 ~~2022, if the retirement system determines that the annual level~~  
 7 ~~percentage of payroll contribution rate estimated in the~~  
 8 ~~immediately preceding sentence needs to be adjusted, the annual~~  
 9 ~~level percentage of payroll contribution rate estimations under~~  
 10 ~~this subdivision are the estimations determined by the retirement~~  
 11 ~~system. If the retirement system makes a determination as described~~  
 12 ~~in the immediately preceding sentence, it shall issue its~~  
 13 ~~estimations publicly and describe the need for the adjustment~~  
 14 ~~described in the immediately preceding sentence.~~

15 (f) ~~Except as otherwise provided in this subdivision, for~~ **For**  
 16 public school employees who first worked for a public school  
 17 reporting unit before July 1, 2010, who elect defined contribution,  
 18 and who participate in the personal healthcare fund, the annual  
 19 level percentage of payroll contribution rate is estimated at  
 20 ~~36.01%~~ **37.61%** with 20.96% paid directly by the employer. ~~For 2021-~~  
 21 ~~2022, if the retirement system determines that the annual level~~  
 22 ~~percentage of payroll contribution rate estimated in the~~  
 23 ~~immediately preceding sentence needs to be adjusted, the annual~~  
 24 ~~level percentage of payroll contribution rate estimations under~~  
 25 ~~this subdivision are the estimations determined by the retirement~~  
 26 ~~system. If the retirement system makes a determination as described~~  
 27 ~~in the immediately preceding sentence, it shall issue its~~  
 28 ~~estimations publicly and describe the need for the adjustment~~  
 29 ~~described in the immediately preceding sentence.~~



1           (g) ~~Except as otherwise provided in this subdivision, for~~ **For**  
 2 public school employees who first worked for a public school  
 3 reporting unit before July 1, 2010 and who participate in the  
 4 personal healthcare fund, the annual level percentage of payroll  
 5 contribution rate is estimated at ~~42.42%~~ **44.02%** with 27.37% paid  
 6 directly by the employer. ~~For 2021-2022, if the retirement system~~  
 7 ~~determines that the annual level percentage of payroll contribution~~  
 8 ~~rate estimated in the immediately preceding sentence needs to be~~  
 9 ~~adjusted, the annual level percentage of payroll contribution rate~~  
 10 ~~estimations under this subdivision are the estimations determined~~  
 11 ~~by the retirement system. If the retirement system makes a~~  
 12 ~~determination as described in the immediately preceding sentence,~~  
 13 ~~it shall issue its estimations publicly and describe the need for~~  
 14 ~~the adjustment described in the immediately preceding sentence.~~

15           (h) ~~Except as otherwise provided in this subdivision, for~~ **For**  
 16 public school employees who first worked for a public school  
 17 reporting unit after January 31, 2018 and who elect to become  
 18 members of the MPSERS plan, the annual level percentage of payroll  
 19 contribution rate is estimated at ~~42.21%~~ **43.81%** with 27.16% paid  
 20 directly by the employer. ~~For 2021-2022, if the retirement system~~  
 21 ~~determines that the annual level percentage of payroll contribution~~  
 22 ~~rate estimated in the immediately preceding sentence needs to be~~  
 23 ~~adjusted, the annual level percentage of payroll contribution rate~~  
 24 ~~estimations under this subdivision are the estimations determined~~  
 25 ~~by the retirement system. If the retirement system makes a~~  
 26 ~~determination as described in the immediately preceding sentence,~~  
 27 ~~it shall issue its estimations publicly and describe the need for~~  
 28 ~~the adjustment described in the immediately preceding sentence.~~

29           (3) In addition to the employer payments described in



1 subsection (2), the employer shall pay the applicable contributions  
 2 to the Tier 2 plan, as determined by the public school employees  
 3 retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

4 (4) The contribution rates in subsection (2) reflect an  
 5 amortization period of ~~17-16~~ years for ~~2021-2022-2022-2023~~. The  
 6 public school employees' retirement system board shall notify each  
 7 district and intermediate district by February 28 of each fiscal  
 8 year of the estimated contribution rate for the next fiscal year.

9 Sec. 147a. (1) From the ~~appropriation~~ **state school aid fund**  
 10 **money appropriated** in section 11, there is allocated for ~~2020-2021~~  
 11 ~~an amount not to exceed \$100,000,000.00 and for 2021-2022-2022-2023~~  
 12 ~~an amount not to exceed \$100,000,000.00~~ **\$112,040,000.00** for  
 13 payments to participating districts **and participating intermediate**  
 14 **districts, and, from the general fund money appropriated in section**  
 15 **11, there is allocated for 2022-2023 an amount not to exceed**  
 16 **\$31,000.00 for payments to participating district libraries.** A  
 17 participating ~~district~~ **entity** that receives money under this  
 18 subsection shall use that money solely for the purpose of  
 19 offsetting a portion of the retirement contributions owed by the  
 20 ~~district~~ **participating entity** for the fiscal year in which it is  
 21 received. The amount allocated to each participating ~~district~~  
 22 **entity** under this subsection is ~~based on each participating~~  
 23 ~~district's percentage of the total statewide payroll for all~~  
 24 ~~participating districts for the immediately preceding fiscal year.~~  
 25 ~~As used in this subsection, "participating district" means a~~  
 26 ~~district that is a reporting unit of the Michigan public school~~  
 27 ~~employees' retirement system under the public school employees~~  
 28 ~~retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and~~  
 29 ~~that reports employees to the Michigan public school employees'~~



1 ~~retirement system for the applicable fiscal year.~~**calculated as**  
2 **follows:**

3 (a) For each participating district, \$100,000,000.00  
4 multiplied by each participating district's percentage of the total  
5 statewide payroll for all participating districts.

6 (b) For each participating intermediate district,  
7 \$12,040,000.00 multiplied by each participating intermediate  
8 district's percentage of the total statewide payroll for all  
9 participating intermediate districts.

10 (c) For each participating district library, \$31,000.00  
11 multiplied by each participating district library's percentage of  
12 the total statewide payroll for all participating district  
13 libraries.

14 (2) In addition to the allocation under subsection (1), from  
15 the state school aid fund money appropriated under section 11,  
16 there is allocated ~~an amount not to exceed \$190,430,000.00 for~~  
17 ~~2020-2021 and an amount not to exceed \$177,400,000.00~~  
18 **\$172,100,000.00** for ~~2021-2022-2022-2023~~ for payments to  
19 participating districts and intermediate districts and from the  
20 general fund money appropriated under section 11, there is  
21 allocated ~~an amount not to exceed \$70,000.00 for 2020-2021 and an~~  
22 amount not to exceed ~~\$60,000.00~~ **\$50,000.00** for ~~2021-2022-2022-2023~~  
23 for payments to participating district libraries. The amount  
24 allocated to each participating entity under this subsection is  
25 based on each participating entity's reported quarterly payroll for  
26 members that became tier 1 prior to February 1, 2018 for the  
27 current fiscal year. A participating entity that receives money  
28 under this subsection shall use that money solely for the purpose  
29 of offsetting a portion of the normal cost contribution rate. ~~As~~



1 ~~used in this subsection:~~

2 **(3) As used in this section:**

3 (a) "District library" means a district library established  
4 under the district library establishment act, 1989 PA 24, MCL  
5 397.171 to 397.196.

6 (b) "Participating district" means a district that is a  
7 reporting unit of the Michigan public school employees' retirement  
8 system under the public school employees retirement act of 1979,  
9 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to  
10 the Michigan public school employees' retirement system for the  
11 applicable fiscal year.

12 (c) ~~(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 (d) "Participating intermediate district" means an  
20 intermediate district that is a reporting unit of the Michigan  
21 public school employees' retirement system under the public school  
22 employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to  
23 38.1437, and that reports employees to the Michigan public school  
24 employees' retirement system for the applicable fiscal year.

25 Sec. 147b. (1) The MPSEERS retirement obligation reform reserve  
26 fund is created as a separate account within the state school aid  
27 fund.

28 (2) The state treasurer may receive money or other assets from  
29 any source for deposit into the MPSEERS retirement obligation reform



1 reserve fund. The state treasurer shall direct the investment of  
 2 the MPSERS retirement obligation reform reserve fund. The state  
 3 treasurer shall credit to the MPSERS retirement obligation reform  
 4 reserve fund interest and earnings from the MPSERS retirement  
 5 obligation reform reserve fund.

6 (3) Money available in the MPSERS retirement obligation reform  
 7 reserve fund must not be expended without a specific appropriation.

8 (4) Money in the MPSERS retirement obligation reform reserve  
 9 fund at the close of the fiscal year remains in the MPSERS  
 10 retirement obligation reform reserve fund and does not lapse to the  
 11 state school aid fund or to the general fund. The department of  
 12 treasury is the administrator of the MPSERS retirement obligation  
 13 reform reserve fund for auditing purposes.

14 (5) **For 2022-2023, \$425,000,000.00 from the state school aid**  
 15 **fund is deposited into the MPSERS retirement obligation reform**  
 16 **reserve fund.**

17 Sec. 147c. From the state school aid fund money appropriated  
 18 in section 11, there is allocated for ~~2021-2022~~**2022-2023** an amount  
 19 not to exceed ~~\$1,468,500,000.00~~**\$3,153,000,000.00** for payments to  
 20 districts and intermediate districts that are participating  
 21 entities of the Michigan public school employees' retirement  
 22 system. In addition, from the general fund money appropriated in  
 23 section 11, there is allocated for ~~2021-2022~~**2022-2023** an amount  
 24 not to exceed \$500,000.00 for payments to district libraries that  
 25 are participating entities of the Michigan public school employees'  
 26 retirement system. All of the following apply to funding under this  
 27 section:

28 (a) Except as otherwise provided in this subdivision, for  
 29 ~~2021-2022,~~**2022-2023**, the amounts allocated under this section are



1 estimated to provide an average MPSERS rate cap per pupil amount of  
 2 ~~\$911.00~~ **\$1,042.00** and are estimated to provide a rate cap per pupil  
 3 for districts ranging between \$5.00 and ~~\$4,200.00~~ **\$3,700.00**. For  
 4 ~~2021-2022~~, **2022-2023**, if the retirement system determines the  
 5 average MPSERS rate cap per pupil amount and rate cap per pupil for  
 6 districts estimated in the immediately preceding sentence need to  
 7 be adjusted, the estimated average MPSERS rate cap per pupil amount  
 8 and estimated rate cap per pupil for districts under this  
 9 subdivision are the estimations determined by the retirement  
 10 system. If the retirement system makes a determination as described  
 11 in the immediately preceding sentence, it shall issue its  
 12 estimations publicly and describe the need for the adjustment  
 13 described in the immediately preceding sentence.

14 (b) Payments made under this section are equal to the  
 15 difference between the unfunded actuarial accrued liability  
 16 contribution rate as calculated pursuant to section 41 of the  
 17 public school employees retirement act of 1979, 1980 PA 300, MCL  
 18 38.1341, as calculated without taking into account the maximum  
 19 employer rate of 20.96% included in section 41 of the public school  
 20 employees retirement act of 1979, 1980 PA 300, MCL 38.1341, and the  
 21 maximum employer rate of 20.96% included in section 41 of the  
 22 public school employees retirement act of 1979, 1980 PA 300, MCL  
 23 38.1341.

24 (c) The amount allocated to each participating entity under  
 25 this section is based on each participating entity's proportion of  
 26 the total covered payroll for the immediately preceding fiscal year  
 27 for the same type of participating entities. A participating entity  
 28 that receives funds under this section shall use the funds solely  
 29 for the purpose of retirement contributions as specified in



1 subdivision (d).

2 (d) Each participating entity receiving funds under this  
3 section shall forward an amount equal to the amount allocated under  
4 subdivision (c) to the retirement system in a form, manner, and  
5 time frame determined by the retirement system.

6 (e) Funds allocated under this section should be considered  
7 when comparing a district's growth in total state aid funding from  
8 1 fiscal year to the next.

9 (f) Not later than December 20 ~~, 2021,~~ **of the current fiscal**  
10 **year,** the department shall publish and post on its website an  
11 estimated MPSERS rate cap per pupil for each district.

12 (g) The office of retirement services shall first apply funds  
13 allocated under this section to pension contributions and, if any  
14 funds remain after that payment, shall apply those remaining funds  
15 to other postemployment benefit contributions.

16 (h) As used in this section:

17 (i) "District library" means a district library established  
18 under the district library establishment act, 1989 PA 24, MCL  
19 397.171 to 397.196.

20 (ii) "MPSERS rate cap per pupil" means an amount equal to the  
21 quotient of the district's payment under this section divided by  
22 the district's pupils in membership.

23 (iii) "Participating entity" means a district, intermediate  
24 district, or district library that is a reporting unit of the  
25 Michigan public school employees' retirement system under the  
26 public school employees retirement act of 1979, 1980 PA 300, MCL  
27 38.1301 to 38.1437, and that reports employees to the Michigan  
28 public school employees' retirement system for the applicable  
29 fiscal year.



1 ~~(iv) "Retirement board" means the board that administers the~~  
 2 ~~retirement system under the public school employees retirement act~~  
 3 ~~of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.~~

4 (iv) ~~(v)~~ "Retirement system" means the Michigan public school  
 5 employees' retirement system under the public school employees  
 6 retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

7 Sec. 147e. (1) From the state school aid fund money  
 8 appropriated in section 11, ~~there is allocated for 2020-2021 an~~  
 9 ~~amount not to exceed \$33,800,000.00 and there is allocated for~~  
 10 ~~2021-2022-2022-2023~~ an amount not to exceed \$65,300,000.00  
 11 **\$69,300,000.00** for payments to participating entities.

12 (2) The payment to each participating entity under this  
 13 section is the sum of the amounts under this subsection as follows:

14 (a) An amount equal to the contributions made by a  
 15 participating entity for the additional contribution made to a  
 16 qualified participant's Tier 2 account in an amount equal to the  
 17 contribution made by the qualified participant not to exceed 3% of  
 18 the qualified participant's compensation as provided for under  
 19 section 131(6) of the public school employees retirement act of  
 20 1979, 1980 PA 300, MCL 38.1431.

21 (b) Beginning October 1, 2017, an amount equal to the  
 22 contributions made by a participating entity for a qualified  
 23 participant who is only a Tier 2 qualified participant under  
 24 section 81d of the public school employees retirement act of 1979,  
 25 1980 PA 300, MCL 38.1381d, not to exceed 4%, and, beginning  
 26 February 1, 2018, not to exceed 1%, of the qualified participant's  
 27 compensation.

28 (c) An amount equal to the increase in employer normal cost  
 29 contributions under section 41b(2) of the public school employees



1 retirement act of 1979, 1980 PA 300, MCL 38.1341b, for a member  
 2 that was hired after February 1, 2018 and chose to participate in  
 3 Tier 1, compared to the employer normal cost contribution for a  
 4 member under section 41b(1) of the public school employees  
 5 retirement act of 1979, 1980 PA 300, MCL 38.1341b.

6 (3) As used in this section:

7 (a) "Member" means that term as defined under the public  
 8 school employees retirement act of 1979, 1980 PA 300, MCL 38.1301  
 9 to 38.1437.

10 (b) "Participating entity" means a district, intermediate  
 11 district, or community college that is a reporting unit of the  
 12 Michigan public school employees' retirement system under the  
 13 public school employees retirement act of 1979, 1980 PA 300, MCL  
 14 38.1301 to 38.1437, and that reports employees to the Michigan  
 15 public school employees' retirement system for the applicable  
 16 fiscal year.

17 (c) "Qualified participant" means that term as defined under  
 18 section 124 of the public school employees retirement act of 1979,  
 19 1980 PA 300, MCL 38.1424.

20 Sec. 152a. (1) As required by the court in the consolidated  
 21 cases known as *Adair v State of Michigan*, 486 Mich 468 (2010), from  
 22 the state school aid fund money appropriated in section 11, there  
 23 is allocated for ~~2021-2022~~**2022-2023** an amount not to exceed  
 24 \$38,000,500.00 to be used solely for the purpose of paying  
 25 necessary costs related to the state-mandated collection,  
 26 maintenance, and reporting of data to this state.

27 (2) From the allocation in subsection (1), the department  
 28 shall make payments to districts and intermediate districts in an  
 29 equal amount per pupil based on the total number of pupils in



1 membership in each district and intermediate district. The  
 2 department shall not make any adjustment to these payments after  
 3 the final installment payment under section 17b is made.

4 **Sec. 152c. (1) Subject to subsection (2), from the state**  
 5 **school aid fund money appropriated in section 11, \$5,000,000.00 is**  
 6 **allocated for 2022-2023 to districts to comply with the**  
 7 **requirements upon districts under section 1201a of the revised**  
 8 **school code, MCL 380.1201a, and section 15c of 1947 PA 336, MCL**  
 9 **423.215c.**

10 (2) Funds are not allocated under subsection (1) unless House  
 11 Bill No. 6050 and House Bill No. 6051 of the 101st Legislature are  
 12 enacted into law.

13 **Sec. 166c. In order to receive state aid under this article, a**  
 14 **district or intermediate district must adopt and implement a policy**  
 15 **that prohibits boys from competing for a position on or competing**  
 16 **on a girls', women's, or female team in an interscholastic athletic**  
 17 **activity offered to pupils enrolled in the district or intermediate**  
 18 **district.**

19 Enacting section 1. In accordance with section 30 of article  
 20 IX of the state constitution of 1963, total state spending on  
 21 school aid under article I of the state school aid act of 1979,  
 22 1979 PA 94, MCL 388.1601 to 388.1772, as amended by 2021 PA 48 and  
 23 by this amendatory act, from state sources for fiscal year 2021-  
 24 2022 is estimated at \$14,636,534,200.00 and state appropriations  
 25 for school aid to be paid to local units of government for fiscal  
 26 year 2021-2022 are estimated at \$13,441,272,200.00. In accordance  
 27 with section 30 of article IX of the state constitution of 1963,  
 28 total state spending on school aid under article I of the state  
 29 school aid act of 1979, 1979 PA 94, MCL 388.1601 to 388.1772, as



1 amended by this amendatory act, from state sources for fiscal year  
 2 2022-2023 is estimated at \$17,034,800,300.00 and state  
 3 appropriations for school aid to be paid to local units of  
 4 government for fiscal year 2022-2023 are estimated at  
 5 \$15,652,748,700.00.

6 Enacting section 2. (1) Sections 67b and 99z of the state  
 7 school aid act of 1979, MCL 388.1667b and 388.1699z, are repealed  
 8 on enactment of this amendatory act.

9 (2) Sections 11n, 11o, 11r, 11t, 22g, 31p, 31y, 31z, 35b, 35d,  
 10 35e, 35f, 35h, 41a, 55, 61g, 67, 94c, 94d, 98a, 99i, 99t, 99w,  
 11 99aa, 104a, 104f, and 104g of the state school aid act of 1979,  
 12 1979 PA 94, MCL 388.1611n, 388.1611o, 388.1611t, 388.1622g,  
 13 388.1631p, 388.1631z, 388.1635b, 388.1635d, 388.1635e, 388.1635f,  
 14 388.1635h, 388.1641a, 388.1651, 388.1661g, 388.1694c, 388.1694d,  
 15 388.1698a, 388.1699i, 388.1699t, 388.1699w, 388.1699aa, 388.1704a,  
 16 388.1704f, and 388.1704g, are repealed effective October 1, 2022.

17 Enacting section 3. (1) Sections 11, 20, 21f, 22a, 22b, 26a,  
 18 26c, 31a, 31d, 31j, 31o, 31y, 31z, 51a, 51c, 56, 62, 74, and 101 of  
 19 the state school aid act of 1979, 1979 PA 94, MCL 388.1611,  
 20 388.1620, 388.1621f, 388.1622a, 388.1622b, 388.1626a, 388.1626c,  
 21 388.1631a, 388.1631d, 388.1631j, 388.1631o, 388.1631y, 388.1631z,  
 22 388.1651a, 388.1651c, 388.1656, 388.1662, 388.1674, and 388.1701 as  
 23 amended, and sections 8c, 11w, 23b, and 23c of the state school aid  
 24 act of 1979, 1979 PA 94, as added by this amendatory act, if  
 25 granted immediate effect pursuant to section 27 of article IV of  
 26 the state constitution of 1963, take effect on enactment of this  
 27 amendatory act.

28 (2) Except as otherwise provided for those sections listed in  
 29 subsection (1), the remaining sections of this amendatory act take



1 effect October 1, 2022.

