HOUSE BILL NO. 5837

February 23, 2022, Introduced by Rep. Weiss and referred to the Committee on Appropriations.

A bill to amend 1979 PA 94, entitled

"The state school aid act of 1979," by amending sections 3, 6, 6a, 11, 11a, 11j, 11k, 11m, 11s, 15, 18, 20, 20d, 20f, 20m, 21f, 21h, 22a, 22b, 22c, 22d, 22m, 22p, 24, 24a, 25f, 25g, 26a, 26b, 26c, 26d, 28, 31a, 31d, 31f, 31j, 31n, 31o, 31p, 32d, 32p, 35a, 39, 39a, 41, 51a, 51c, 51d, 51f, 51g, 53a, 54, 54b, 54d, 56, 61a, 61b, 61c, 61d, 62, 65, 67, 74, 81, 94, 94a, 97, 98, 99h, 99s, 104, 104h, 107, 147, 147a, 147c, 147e, 152a, 201, 201e, 206, 207a, 207b, 207c, 209, 209a, 229a, 230, 236, 236b, 236c, 236i, 241, 245, 245a, 251, 252, 256, 259, 260, 263, 264, 265, 265a, 265b, 267, 268, 269,
270c, 275h, 276, 277, 278, 279, 280, 281, and 282 (MCL 388.1603, 388.1606, 388.1606a, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1611s, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1620f, 388.1620m, 388.1621f, 388.1621h, 388.1622a, 388.1622b, 388.1622c, 388.1622d, 388.1622m, 388.1622p, 388.1624, 388.1624a, 388.1625f, 388.1625g, 388.1626a, 388.1626b, 388.1626c, 388.1626d, 388.1628, 388.1631a, 388.1631d, 388.1631f, 388.1631j, 388.1631n, 388.1631o, 388.1631p, 388.1632d, 388.1632p, 388.1635a, 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, 388.1667, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1697, 388.1698, 388.1699h, 388.1699s, 388.1704, 388.1704h, 388.1707, 388.1747, 388.1747a, 388.1747c, 388.1747e, 388.1752a, 388.1801, 388.1801e, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1809a, 388.1829a, 388.1830, 388.1836, 388.1836b, 388.1836c, 388.1836i, 388.1841, 388.1845, 388.1845a, 388.1851, 388.1852, 388.1856, 388.1859, 388.1860, 388.1863, 388.1864, 388.1865, 388.1865a, 388.1865b, 388.1867, 388.1868, 388.1869, 388.1870c, 388.1875h, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882), sections 3 as amended by 2020 PA 165, 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, 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, 67, 74, 81, 94, 94a, 98, 99h, 99s, 104, 107, 147, 147a, 147e, and 152 as amended and sections 20m, 22c, 26d, 31o, 31p, 51g, 97, and 104h as added by 2021 PA 48, sections 201, 206, 207a, 207b, 207c, 209, 209a, 229a, 230, 236, 236b, 236c, 241, 245, 245a, 256, 259, 260, 263, 264, 265, 265b, 267, 268, 269, 270c, 275h, 276, 277, 278, 279, 280, 281, and 282 as amended and 201e and 236i as added by 2021 PA 86, sections 251 and 252 as amended by 2019 PA 162, and section 265a as amended by 2019 PA 62, and by adding sections 11y, 27a, 27d, 32n, 32s, 97b, 226e, and 236k; and to repeal acts and parts of acts.
THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

ARTICLE I

STATE AID TO PUBLIC SCHOOLS, EARLY CHILDHOOD, AND ADULT EDUCATION

Sec. 3. (1) "Average daily attendance", for the purposes of complying with federal law, means 92% of the pupils counted in membership on the pupil membership count day, as defined in section 6(7).

(2) "Board" means the governing body of a district or public school academy.

(3) "Center" means the center for educational performance and information created in section 94a.

(4) "Community district" means a school district organized under part 5b of the revised school code.

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

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

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

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

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

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

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

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

(4) "Membership", except as otherwise provided in this subsection or this article, means for a district, a public school academy, or an intermediate district the sum of the product of .90 times the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, or intermediate district on the pupil membership count day for the current school year, plus the product of .10 times the final audited count from the supplemental count day of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, or intermediate district for the immediately preceding school year. A district's, public school academy's, or intermediate district's membership is adjusted as provided under section 25e for pupils who enroll after the pupil membership count day in a strict discipline academy operating under sections 1311b to 1311m of the revised school code, MCL 380.1311b to 380.1311m. For 2021-2022 only, membership means for a district, a public school academy, or an intermediate district, the sum of the product of .90 times the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, or intermediate district on the pupil membership count day for the current school year and the product of .10 times the final audited count of the number of full-time equated pupils engaged in pandemic learning for spring 2021, or, for a public school academy that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL
380.551, the final audited count from the supplemental count day of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the public school academy for the immediately preceding school year. All pupil counts used in this subsection are as determined by the department and calculated by adding the number of pupils registered for attendance plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent, and as corrected by a subsequent department audit. The amount of the foundation allowance for a pupil in membership is determined under section 20. In making the calculation of membership, all of the following, as applicable, apply to determining the membership of a district, a public school academy, or an intermediate district:

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

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

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

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

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

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

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

(h) For the purposes of this section and section 6a, for a cyber school, as that
term is defined in section 551 of the revised school code, MCL 380.551, that is in
compliance with section 553a of the revised school code, MCL 380.553a, a pupil's
participation in the cyber school's educational program is considered regular daily
attendance, and for a district or public school academy, a pupil's participation in a
virtual course as that term is defined in section 21f is considered regular daily
attendance. For the purposes of this subdivision, for a pupil enrolled in a cyber
school and utilizing sequential learning, participation means that term as defined in
the pupil accounting manual, section 5-O-D: requirements for counting pupils in
membership-subsection 10.

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

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

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

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

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

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

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

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

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

(B) Had dropped out of school.

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

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

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

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

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

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

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

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

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

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

(s) For a district or a public school academy that has pupils enrolled in a grade level that was not offered by the district or public school academy in the immediately preceding school year, the number of pupils enrolled in that grade level
to be counted in membership is the average of the number of those pupils enrolled and in regular daily attendance on the pupil membership count day and the supplemental count day of the current school year. Membership is calculated by adding the number of pupils registered for attendance in that grade level on the pupil membership count day plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent, and as corrected by subsequent department audit, plus the final audited count from the supplemental count day for the current school year, and dividing that sum by 2.

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

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

(i) The district provides at least 2 nonconsecutive hours of instruction per week to the pupil at the pupil's home or otherwise apart from the general school population under the supervision of a certificated teacher.
(ii) The district provides instructional materials, resources, and supplies that are comparable to those otherwise provided in the district's alternative education program.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(iii) The department determines that the college or university is an institution
that, in the other state, fulfills a function comparable to a state university or
community college, as those terms are defined in section 3 of the postsecondary
enrollment options act, 1996 PA 160, MCL 388.513, or is an independent nonprofit
degree-granting college or university.
(iv) The district or public school academy pays for a portion of the pupil's tuition at the college or university in an amount equal to the eligible charges that the district or public school academy would pay to an eligible postsecondary institution under the postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to 388.524, as if the course were an eligible course under that act.

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

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

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

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

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

(A) 5% of the district's or public school academy's membership for pupils not counted in membership under section 166b.

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

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

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

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

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

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

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

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

(e) A pupil who has made an official written complaint or whose parent or legal guardian has made an official written complaint to law enforcement officials and to school officials of the pupil's district of residence that the pupil has been the victim of a criminal sexual assault or other serious assault, if the official
complaint either indicates that the assault occurred at school or that the assault was committed by 1 or more other pupils enrolled in the school the pupil would otherwise attend in the district of residence or by an employee of the district of residence. A person who intentionally makes a false report of a crime to law enforcement officials for the purposes of this subdivision is subject to section 411a of the Michigan penal code, 1931 PA 328, MCL 750.411a, which provides criminal penalties for that conduct.

As used in this subdivision:

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

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

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

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

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

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

(iii) The pupil is pregnant or is a parent.
(iv) The pupil has been referred to the program by a court.

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

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

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

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

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

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

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

However, if a district educates pupils who reside in another district and if the primary instructional site for those pupils is established by the educating district after 2009-2010 and is located within the boundaries of that other district, the educating district must have the approval of that other district to count those pupils...
(7) "Pupil membership count day" of a district or intermediate district means:

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

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

(i) Fourth Wednesday in July.

(ii) First Wednesday in October.

(iii) Second Wednesday in February.

(iv) Fourth Wednesday in April.

(8) "Pupils in grades K to 12 actually enrolled and in regular daily attendance" means pupils in grades K to 12 in attendance and receiving instruction in all classes for which they are enrolled on the pupil membership count day or the supplemental count day, as applicable. Except as otherwise provided in this subsection, a pupil who is absent from any of the classes in which the pupil is enrolled on the pupil membership count day or supplemental count day and who does not attend each of those classes during the 10 consecutive school days immediately following the pupil membership count day or supplemental count day, except for a pupil who has been excused by the district, is not counted as 1.0 full-time equated membership. A pupil who is excused from attendance on the pupil membership count day or supplemental count day and who fails to attend each of the classes in which the pupil is enrolled within 30 calendar days after the pupil membership count day or supplemental count day is not counted as 1.0 full-time equated membership. In addition, a pupil who was enrolled and
in attendance in a district, intermediate district, or public school academy before
the pupil membership count day or supplemental count day of a particular year but was
expelled or suspended on the pupil membership count day or supplemental count day is
only counted as 1.0 full-time equated membership if the pupil resumed attendance in
the district, intermediate district, or public school academy within 45 days after the
pupil membership count day or supplemental count day of that particular year. A pupil
not counted as 1.0 full-time equated membership due to an absence from a class is
counted as a prorated membership for the classes the pupil attended. For purposes of
this subsection, "class" means either of the following, as applicable:

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

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

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

(10) "Rule" means a rule promulgated pursuant to the administrative

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

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

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

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

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

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

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

(17) "State school aid fund" means the state school aid fund established in section 11 of article IX of the state constitution of 1963.

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

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

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

Sec. 6a. (1) Except as otherwise provided in this subsection and this act, in addition to the pupil membership count day, there is a supplemental pupil count of the number of full-time equated pupils in grades K-12 actually enrolled and in regular daily attendance in a district or intermediate district on the second Wednesday in February or, for a district that is not in session on that day due to conditions not within the control of school authorities, with the approval of the superintendent, the immediately following day on which the district is in session. For 2020-2021 only, in addition to the pupil membership count day, there is a supplemental pupil count of the number of full-time equated pupils engaged in pandemic learning for spring 2021 or, for a district that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, the number of full-time equated pupils in grades K to 12 actually enrolled and in regular attendance in the district on 2020-2021 supplemental count day. For the purposes of this act, and except as otherwise provided in this subsection, the day on which the supplemental pupil count is conducted is the supplemental count day. For 2020-2021, for purposes of this act, and except as otherwise specifically provided in this article, supplemental count day is the second Wednesday in February or, for a district that is not in session on that day due to conditions not within the control of school authorities, with the approval of the superintendent, the immediately following day on which the
A district is in session. A district is considered to be in session for purposes of this subsection when the district is providing pupil instruction pursuant to an extended COVID-19 learning plan approved under section 98a.

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

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

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

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

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

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

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

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

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The pupil completes a course assignment on 2020-2021 supplemental count day and the completion is documented by the district or intermediate district.

The pupil completes a course lesson or lesson activity on 2020-2021 supplemental count day and the completion is documented by the district or intermediate district.

The pupil accesses an ongoing lesson that is not a login on 2020-2021 supplemental count day and the access is documented by the district or intermediate district.

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).

"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.
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 the following Tuesday.

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

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

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

Sec. 11. (1) For the fiscal year ending September 30, 2021, there is appropriated for the public schools of this state and certain other state purposes relating to education the sum of $13,715,807,900.00 from the state school aid fund, the sum of $54,464,600.00 from the general fund, an amount not to exceed $79,800,000.00 from the community district education trust fund created under section 12 of the Michigan trust fund act, 2000 PA 489, MCL 12.262, and an amount not to
exceed $100.00 from the water emergency reserve fund. For the fiscal year ending September 30, 2022—2023, there is appropriated for the public schools of this state and certain other state purposes relating to education the sum of $14,797,222,100.00 from the state school aid fund, the sum of $85,400,000.00 from the general fund, an amount not to exceed $170,000,000.00 from the school infrastructure fund, an amount not to exceed $72,000,000.00 from the community district education trust fund created under section 12 of the Michigan trust fund act, 2000 PA 489, MCL 12.262, and an amount not to exceed $100.00 from the water emergency reserve fund. In addition, all available federal funds are only appropriated as allocated in this article for the fiscal years ending September 30, 2021—2022 and September 30, 2022—2023.

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

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

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

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

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

(b) Money statutorily dedicated to the school aid stabilization fund.
(c) Money appropriated to the school aid stabilization fund.

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

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

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

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

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

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

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

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

Sec. 11s. (1) From the state school aid fund money appropriated in section 11,
there is allocated $5,000,000.00 for 2021-2022-2022-2023 and from the general fund
money appropriated in section 11, there is allocated $3,075,000.00 for 2021-2022-2022-
2023 for the purpose of providing services and programs to children who reside within
the boundaries of a district with the majority of its territory located within the
boundaries of a city for which an executive proclamation of emergency concerning
drinking water is issued in the current or immediately preceding 6-7 fiscal years
under the emergency management act, 1976 PA 390, MCL 30.401 to 30.421. From the
funding appropriated in section 11, there is allocated for 2021-2022-2022-2023 $100.00
from the water emergency reserve fund for the purposes of this section.

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

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

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

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

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

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

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

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

(6) For 2021-2022-2022-2023, from the state school aid fund money allocated in subsection (1), there is allocated an amount not to exceed $2,000,000.00 to the intermediate district described in subsection (3) for interventions and supports for students in K to 12 who were impacted by an executive proclamation of emergency described in subsection (1) concerning drinking water. Funds under this subsection must be used for behavioral supports, social workers, counselors, psychologists, nursing services, including, but not limited to, vision and hearing services, transportation services, parental engagement, community coordination, and other support services.

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

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

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

(i) A coordinated information campaign.

(ii) Coordinated eligibility determination and preferences.

(iii) A coordinated application.

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

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

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

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

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

(e) It allocates the funds received under this subsection over 3 phases, to provide explicit, targeted enrollment within an individualized enrollment system that continually adjusts to a family’s needs.
In addition to other funding allocated and appropriated in this section, there is appropriated an amount not to exceed $5,000,000.00 for 2021-2022-2022-2023 for state restricted contingency funds. These contingency funds are not available for expenditure until they have been transferred to a section within this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

Sec. 11y. (1) For 2022-2023, from the school infrastructure fund money appropriated under section 11, there is allocated an amount not to exceed $170,000,000.00 and from the general fund money appropriated under section 11, there is allocated for 2022-2023 only an amount not to exceed $1,000,000.00 for education infrastructure projects. The department shall administer the program described in this subsection in coordination with the department of treasury and the department of technology, management and budget.

(2) From the school infrastructure fund allocated in subsection (1), there is an amount not to exceed $170,000,000.00 to be distributed for infrastructure projects approved by the department.

(3) All of the following apply to the application process for funding under subsection (1):

(a) To receive funding under subsection (1), a district shall submit an application for funding under subsection (1) in a form and manner determined by the department. This application shall include a minimum of a 5 year long-term infrastructure plan for the district including a building utilization study, audited financial statements for the two most recently completed school fiscal years, the current approved budget and any budget amendments, budgeted cost for the infrastructure project including any bids and supporting documentation already
obtained, whether the proposal includes replacing an existing school building with a new school building or retrofitting an existing building, a cost analysis comparing replacement and retrofitting, planned use of the former school building, and proposed funding sources for the projects including millage rates passed.

(b) An application from a district under this subsection must be for 1 or more instructional buildings that have some or all of pre-K to grade 12 classrooms and pupils.

(c) An applicant may submit only 1 application per fiscal year.

(d) An applicant must demonstrate that projects have local matching funds. The department in coordination with the department of treasury shall determine the amount of local match required given the means available to the district through their local revenue generating capacity.

(e) An applicant must demonstrate that the long-term infrastructure project plan supports the current and projected building utilization for student enrollment.

(f) An applicant shall comply with Michigan Laws, including the Revised School Code, the State School Aid Act and the Uniform Budgeting and Accounting Act.

(4) From the general fund money allocated in subsection (1), there is allocated $1,000,000.00 to administer the program.

(5) The following types of projects are not eligible for funding under this section:

(a) Any part of construction that includes sports facilities or other non-academic spaces. This does not include cafeterias used for student meals or blight removal.

(b) Buildings used exclusively for administrative purposes that do not include classrooms for some or all of pre-K to grade 12 pupils.

(c) Buildings leased and not owned by the district.
(d) Projects whose primary purpose is school security or school hardening.

(6) The department, in coordination with the department of treasury and department of technology, management and budget, shall evaluate applications for funding from school districts and make awards based on the following criteria which include but are not limited to:

(a) The infrastructure plan submitted by the district.

(b) The proportion of students qualifying as economically disadvantaged as determined in section 31a, giving priority to districts with a higher proportion of economically disadvantaged students.

(c) As determined in Section 1220 of the Revised School Code, giving priority to districts with an Enhanced Deficit Elimination Plan.

(c) The taxable value in a district and the potential local funding that could be collected with an increase in millage rates. Higher priority shall be given to districts with lower taxable values and a diminished potential local funding stream.

(d) Higher priority shall be given to projects addressing health and safety concerns including, but not limited to, access to clean water and air.

(e) The millage level being levied in a school district and the district’s ability to increase millage rates given legally allowable maximum rates. Consideration shall be given to school districts that are closer to the maximum millage rate.

(f) The analysis of a constructing a new school building compared to retrofitting the existing building referenced in subsection (3).

(g) The geographic distribution of award, which the department should maximize where funding and quality applications permit.

(h) Whether a district has previously received funding from the school infrastructure fund. Priority shall be given to districts that have not previously received funding under this section.
(i) The complete application submitted and whether it meets all the requirements described in subsection 3.

(7) If the department approves an application for funding, it may approve the project submitted by the district either partially or in full.

(8) The department shall report on award activities under this section, including number of approved and denied applications, projected cost included in each application, and progress made on approved projects, to the senate and house appropriations subcommittees on school aid and the department of education, the senate and house fiscal agencies, and the state budget office by September 30, 2023.

(9) No one district shall receive more than 15% of the funds allocated under subsection (1) from the school infrastructure fund.

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

Sec. 15. (1) If a district or intermediate district fails to receive its proper apportionment, the department, upon satisfactory proof that the district or intermediate district was entitled justly, shall apportion the deficiency in the next apportionment. Subject to subsections (2) and (3), if a district or intermediate district has received more than its proper apportionment, the department, upon satisfactory proof, shall deduct the excess in the next apportionment. Notwithstanding any other provision in this article, state aid overpayments to a district, other than overpayments in payments for special education or special education transportation, may be recovered from any payment made under this article other than a special education or special education transportation payment, from the proceeds of a loan to the district under the emergency municipal loan act, 1980 PA 243, MCL 141.931 to 141.942, or from the proceeds of millage levied or pledged under section 1211 of the revised school code, MCL 380.1211. State aid overpayments made in special education or
special education transportation payments may be recovered from subsequent special
education or special education transportation payments, from the proceeds of a loan to
the district under the emergency municipal loan act, 1980 PA 243, MCL 141.931 to
141.942, or from the proceeds of millage levied or pledged under section 1211 of the
revised school code, MCL 380.1211.

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

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

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

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

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

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

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

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

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

(b) Using data that have already been collected and submitted to the department, a summary of district expenditures for the most recent fiscal year for which they are available, expressed in the following 2 visual displays:
(i) A chart of personnel expenditures, broken into the following subcategories:

(A) Salaries and wages.

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

(C) Retirement benefit costs.

(D) All other personnel costs.

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

(A) Instruction.

(B) Support services.

(C) Business and administration.

(D) Operations and maintenance.

(c) Links to all of the following:

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

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

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

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

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

(vi) The district's written policy establishing specific categories of reimbursable expenses, as described in section 1254(2) of the revised school code, MCL
Either the district's accounts payable check register for the most recent school fiscal year or a statement of the total amount of expenses incurred by board members or employees of the district that were reimbursed by the district for the most recent school fiscal year.

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

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

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

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

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

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

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

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

(a) The department shall require that each district and intermediate district have an audit of the district's or intermediate district's financial and pupil accounting records conducted at least annually, and at such other times as determined by the department, at the expense of the district or intermediate district, as applicable. The audits must be performed by a certified public accountant or by the intermediate district superintendent, as may be required by the department, or in the case of a district of the first class by a certified public accountant, the intermediate superintendent, or the auditor general of the city. A district or intermediate district shall retain these records for the current fiscal year and from at least the 3 immediately preceding fiscal years.

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

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

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

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

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

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

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

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

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

(5) By the first business day in November of each fiscal year, each district and
intermediate district shall submit to the center, in a manner prescribed by the
center, annual comprehensive financial data consistent with the district's or
intermediate district's audited financial statements and consistent with accounting
manuals and charts of accounts approved and published by the department. For an
intermediate district, the report must also contain the website address where the
department can access the report required under section 620 of the revised school code, MCL 380.620. The department shall ensure that the prescribed Michigan public school accounting manual chart of accounts includes standard conventions to distinguish expenditures by allowable fund function and object. The functions must include at minimum categories for instruction, pupil support, instructional staff support, general administration, school administration, business administration, transportation, facilities operation and maintenance, facilities acquisition, and debt service; and must include object classifications of salary, benefits, including categories for active employee health expenditures, purchased services, supplies, capital outlay, and other. A district shall report the required level of detail consistent with the manual as part of the comprehensive annual financial report.

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

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

(8) The department shall review its pupil accounting and pupil auditing manuals at least annually and shall periodically update those manuals to reflect changes in this article. Any changes to the pupil accounting manual that are applicable for the school year that begins after March 31 of a fiscal year must be published by not later than March 31 of that fiscal year. However, if legislation is enacted that necessitates adjustments to the pupil accounting manual after March 31 of a fiscal
year, and a district incurs a violation of the amended pupil accounting manual in the
subsequent fiscal year, the department must notify the district of that violation and
allow the district 30 days to correct the violation before the department is allowed
to impose financial penalties under this act related to the violation.

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

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

(11) If a district or intermediate district does not comply with subsection (2),
the department may withhold up to 10% of the total state school aid due to the
district or intermediate district under this article, beginning with the next payment
due to the district or intermediate district, until the district or intermediate
district complies with subsection (2). If the district or intermediate district does
not comply with subsection (2) by the end of the fiscal year, the district or
intermediate district forfeits the amount withheld.

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

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

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

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

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

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

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

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

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

Sec. 20. (1) For 2021-2022, both of the following apply: 2022-2023, the target foundation allowance is $9,135.00.

(a) The target foundation allowance is $8,700.00.

(b) The minimum foundation allowance is $8,700.00.

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

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

(a) Except as otherwise provided in this subdivision, except for 2021-2022, for a district that had a foundation allowance for the immediately preceding fiscal year that was at least equal to the minimum foundation allowance for the immediately preceding fiscal year, but less than equal to the target foundation allowance for the immediately preceding fiscal year, the district receives a foundation allowance in an amount equal to the sum of the district’s foundation allowance for the immediately preceding fiscal year plus the difference between twice the dollar amount of the adjustment from the immediately preceding fiscal year to the current fiscal year made in the target foundation allowance and ((the difference between the target foundation allowance for the current fiscal year and target foundation allowance for the immediately preceding fiscal year minus $40.00) times (the difference between the district’s foundation allowance for the immediately preceding fiscal year and the minimum foundation allowance for the immediately preceding fiscal year) divided by the
difference between the target foundation allowance for the current fiscal year and the
minimum foundation allowance for the immediately preceding fiscal year.) The
foundation allowance for a district that had less than the target foundation allowance
for the immediately preceding fiscal year must not exceed the target foundation
allowance for the current fiscal year. For 2021-2022, for a district that had a
foundation allowance for the immediately preceding fiscal year that was at least equal
to the minimum foundation allowance for the immediately preceding fiscal year, but
less than the target foundation allowance for the immediately preceding fiscal year,
the district's foundation allowance is $8,700.00. The target foundation allowance
described in subsection (1). The foundation allowance for a public school academy that
was issued a contract under section 552 of the revised school code, MCL 380.552, to
operate as a school of excellence that is a cyber school is $8,700.00.

(b) Except as otherwise provided in this subsection, for a district that in the
immediately preceding fiscal year had a foundation allowance in an amount equal to the
amount of the target foundation allowance for the immediately preceding fiscal year,
the district receives a foundation allowance for 2021-2022 in an amount equal to the

(b) (c) For a district that had a foundation allowance for the immediately
preceding fiscal year that was greater than the target foundation allowance for the
immediately preceding fiscal year, the district's foundation allowance is an amount
equal to the lesser of (the sum of the district's foundation allowance for the
immediately preceding fiscal year plus any per pupil amount calculated under section
20m(2) in the immediately preceding fiscal year plus the lesser of the increase in the
target foundation allowance for the current fiscal year, as compared to the
immediately preceding fiscal year) or (the product of the district's foundation
allowance for the immediately preceding fiscal year times the percentage increase in
the United States Consumer Price Index in the calendar year ending in the immediately
preceding fiscal year as reported by the May revenue estimating conference conducted
under section 367b of the management and budget act, 1984 PA 431, MCL 18.1367b).

(c) For a district that has a foundation allowance less than the target
foundation in the current year but had a foundation allowance in fiscal year 2020-2021
that was greater than the target foundation in effect for that year, the district’s
foundation allowance is an amount equal to the lesser of (the sum of the district’s
foundation allowance for fiscal year 2020-2021 plus the increase in the target
foundation allowance for the current fiscal year, as compared to fiscal year 2020-
2021) or (the product of the district’s foundation allowance for the immediately
preceding fiscal year times the percentage increase in the United States Consumer
Price Index in the calendar year ending in the immediately preceding fiscal year as
reported by the May revenue estimating conference conducted under section 367b of the
management and budget act, 1984 PA 431, MCL 18.1367b).

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

(4) Except as otherwise provided in this subsection, beginning in 2021-2022, the
state portion of a district’s foundation allowance is an amount equal to the
district's foundation allowance or the target foundation allowance for the current
fiscal year, whichever is less, minus the local portion of the district's foundation
allowance. Except as otherwise provided in this subsection, for a district described
in subsections (3)(b) and (3)(c), beginning in 2021-2022, the state portion of the
district's foundation allowance is an amount equal to the target foundation allowance
minus the district's foundation allowance supplemental payment per pupil calculated
under section 20m and minus the local portion of the district's foundation allowance.
For a district that has a millage reduction required under section 31 of article IX of the state constitution of 1963, the department shall calculate the state portion of the district's foundation allowance as if that reduction did not occur. For a receiving district, if school operating taxes continue to be levied on behalf of a dissolved district that has been attached in whole or in part to the receiving district to satisfy debt obligations of the dissolved district under section 12 of the revised school code, MCL 380.12, the taxable value per membership pupil of property in the receiving district used for the purposes of this subsection does not include the taxable value of property within the geographic area of the dissolved district. For a community district, if school operating taxes continue to be levied by a qualifying school district under section 12b of the revised school code, MCL 380.12b, with the same geographic area as the community district, the taxable value per membership pupil of property in the community district to be used for the purposes of this subsection does not include the taxable value of property within the geographic area of the community district.

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

(6) Except as otherwise provided in this subsection, for pupils in membership, other than special education pupils, in a public school academy, the allocation calculated under this section is an amount per membership pupil other than special education pupils in the public school academy equal to the minimum foundation target foundation allowance specified in subsection (1). Notwithstanding section 101, for a public school academy that begins operations after the pupil membership count day, the amount per membership pupil calculated under this subsection must be adjusted by multiplying that amount per membership pupil by the number of hours of pupil instruction provided by the public school academy after it begins operations, as determined by the department, divided by the minimum number of hours of pupil instruction required under section 101(3). The result of this calculation must not exceed the amount per membership pupil otherwise calculated under this subsection.

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

(8) Subject to subsection (4), for a district that is formed or reconfigured after June 1, 2002 by consolidation of 2 or more districts or by annexation, the resulting district's foundation allowance under this section beginning after the effective date of the consolidation or annexation is the lesser of the sum of the average of the foundation allowances of each of the original or affected districts, calculated as provided in this section, weighted as to the percentage of pupils in total membership in the resulting district who reside in the geographic area of each
of the original or affected districts plus $100.00 or the highest foundation allowance among the original or affected districts. This subsection does not apply to a receiving district unless there is a subsequent consolidation or annexation that affects the district. The calculation under this subsection must take into account a district's per-pupil allocation under section 20m.

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

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

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

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

(b) The revenue adjustment factor is computed by dividing the sum of the estimated total state school aid fund revenue for the subsequent fiscal year plus the
estimated total state school aid fund revenue for the current fiscal year, adjusted
for any change in the rate or base of a tax the proceeds of which are deposited in
that fund and excluding money transferred into that fund from the countercyclical
budget and economic stabilization fund under the management and budget act, 1984 PA
431, MCL 18.1101 to 18.1594, by the sum of the estimated total school aid fund revenue
for the current fiscal year plus the estimated total state school aid fund revenue for
the immediately preceding fiscal year, adjusted for any change in the rate or base of
a tax the proceeds of which are deposited in that fund. If a consensus revenue factor
is not determined at the revenue estimating conference, the principals of the revenue
estimating conference shall report their estimates to the house and senate
subcommittees responsible for school aid appropriations not later than 7 days after
the conclusion of the revenue conference.

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

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

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

(14) As used in this section:
(a) "Certified mills" means the lesser of 18 mills or the number of mills of school operating taxes levied by the district in 1993-94.

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

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

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

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

(f) "Immediately preceding fiscal year" means the fiscal year immediately preceding the current fiscal year.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) The funding under this subsection is from the allocation under subsection (1). A district is eligible for funding under this subsection if the district received a payment under this section as it was in effect for 2013-2014. A district was eligible for funding in 2013-2014 if the sum of the following was less than $5.00: (a) The increase in the district's foundation allowance or per-pupil payment as calculated under section 20 from 2012-2013 to 2013-2014. (b) The district's equity payment per membership pupil under former section 22c for 2013-2014. (c) The quotient of the district's allocation under section 147a for 2012-2013 divided by the district's membership pupils for 2012-2013 minus the quotient of the
district's allocation under section 147a for 2013-2014 divided by the district's membership pupils for 2013-2014.

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

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

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

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

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

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

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

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

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

(c) The decrease in the district's pupil performance per-pupil funding under former section 22j from 2014-2015 to 2015-2016.
(d) The quotient of the district's allocation under section 31a for 2015-2016 divided by the district's membership pupils for 2015-2016 minus the quotient of the district's allocation under section 31a for 2014-2015 divided by the district's membership pupils for 2014-2015.

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

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

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

(3) If a district's local revenue per pupil does not exceed the sum of its foundation allowance under section 20 plus the per-pupil allocation under subsection (2), the total payment to the district calculated under this section is the product of the per-pupil allocation under subsection (2) multiplied by the district's membership, excluding special education pupils. If a district's local revenue per pupil exceeds the foundation allowance under section 20 but does not exceed the sum of the foundation allowance under section 20 plus the per-pupil allocation under subsection
(2), the total payment to the district calculated under this section is the product of
the difference between the sum of the foundation allowance under section 20 plus the
per-pupil allocation under subsection (2) minus the local revenue per pupil multiplied
by the district's membership, excluding special education pupils. If a district's
local revenue per pupil exceeds the sum of the foundation allowance under section 20
plus the per-pupil allocation under subsection (2), there is no payment calculated
under this section for the district.

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

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

Sec. 21f. (1) A primary district shall enroll an eligible pupil in virtual
courses in accordance with the provisions of this section. A primary district shall
not offer a virtual course to an eligible pupil unless the virtual course is published
in the primary district's catalog of board-approved courses or in the statewide
catalog of virtual courses maintained by the Michigan Virtual University pursuant to
section 98. The primary district shall also provide on its publicly accessible website
a link to the statewide catalog of virtual courses maintained by the Michigan Virtual
University. Unless the pupil is at least age 18 or is an emancipated minor, a pupil
must not be enrolled in a virtual course without the consent of the pupil's parent or
legal guardian.
(2) Subject to subsection (3), a primary district shall enroll an eligible pupil in up to 2 virtual courses as requested by the pupil during an academic term, semester, or trimester.

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

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

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

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

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

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

(a) The pupil is enrolled in any of grades K to 5.
(b) The pupil has previously gained the credits that would be provided from the completion of the virtual course.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(14) As used in this section:

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

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

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

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

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

(i) Holds a valid Michigan teaching certificate or a teaching permit recognized by the department.
(ii) If applicable, is endorsed in the subject area and grade of the virtual
course.

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

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

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

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

(g) “Virtual course syllabus” means a document that includes all of the
following:

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

(ii) The virtual course content outline.

(iii) The virtual course required assessments.

(iv) The virtual course prerequisites.

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

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

(vii) The virtual course learning outcomes and objectives.
(viii) The name of the institution or organization providing the virtual content.
(ix) The name of the institution or organization providing the instructor or teacher of record.
(x) The course titles assigned by the provider and the course titles and course codes from the National Center for Education Statistics (NCES) school codes for the exchange of data (SCED).
(xi) The number of eligible pupils that will be accepted by the provider in the virtual course. A primary district that is also the provider may limit the enrollment to those pupils enrolled in the primary district.
(xii) The results of the virtual course quality review using the guidelines and model review process published by the Michigan Virtual University.
(h) “Virtual learning pupil” means a pupil enrolled in 1 or more virtual courses.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 22a. (1) From the state school aid fund money appropriated in section 11,
there is allocated an amount not to exceed $4,836,000,000.00 for 2020-2021 and there
is allocated an amount not to exceed $4,742,000,000.00 $4,421,000,000.00 for 2021-2022
2022-2023 for payments to districts and qualifying public school academies to
guarantee each district and qualifying public school academy an amount equal to its
1994-95 total state and local per-pupil revenue for school operating purposes under
section 11 of article IX of the state constitution of 1963. Pursuant to section 11 of
article IX of the state constitution of 1963, this guarantee does not apply to a
district in a year in which the district levies a millage rate for school district
operating purposes less than it levied in 1994. However, subsection (2) applies to
calculating the payments under this section. Funds allocated under this section that
are not expended in the fiscal year for which they were allocated, as determined by
the department, may be used to supplement the allocations under sections 22b and 51c
to fully fund those allocations for the same fiscal year. For each fund transfer as
described in the immediately preceding sentence that occurs, the state budget director
shall send notification of the transfer to the house and senate appropriations
subcommittees on state school aid and the house and senate fiscal agencies by not
later than 14 calendar days after the transfer occurs.

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

(a) Except as otherwise provided in this subsection, the state portion of a
district's 1994-95 foundation allowance is an amount equal to the district's 1994-95
foundation allowance or $6,500.00, whichever is less, minus the difference between the
sum of the product of the taxable value per membership pupil of all property in the
district that is nonexempt property times the district's certified mills and, for a
district with certified mills exceeding 12, the product of the taxable value per
membership pupil of property in the district that is commercial personal property
times the certified mills minus 12 mills and the quotient of the ad valorem property
tax revenue of the district captured under tax increment financing acts divided by the
district's membership. For a district that has a millage reduction required under
section 31 of article IX of the state constitution of 1963, the department shall
calculate the state portion of the district's foundation allowance as if that
reduction did not occur. For a receiving district, if school operating taxes are to be
levied on behalf of a dissolved district that has been attached in whole or in part to
the receiving district to satisfy debt obligations of the dissolved district under
section 12 of the revised school code, MCL 380.12, taxable value per membership pupil of all property in the receiving district that is nonexempt property and taxable value per membership pupil of property in the receiving district that is commercial personal property do not include property within the geographic area of the dissolved district; ad valorem property tax revenue of the receiving district captured under tax increment financing acts does not include ad valorem property tax revenue captured within the geographic boundaries of the dissolved district under tax increment financing acts; and certified mills do not include the certified mills of the dissolved district. For a community district, the department shall reduce the allocation as otherwise calculated under this section by an amount equal to the amount of local school operating tax revenue that would otherwise be due to the community district if not for the operation of section 386 of the revised school code, MCL 380.386, and the amount of this reduction is offset by the increase in funding under section 22b(2).

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

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

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

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

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

(7) As used in this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 22b. (1) For discretionary nonmandated payments to districts under this
section, there is allocated for 2020-2021 an amount not to exceed $4,478,200,000.00
from the state school aid fund and general fund appropriations in section 11 and an
amount not to exceed $79,800,000.00 from the community district education trust fund
appropriation in section 11, and there is allocated for 2021-2022-2022-2023 an amount
not to exceed $5,132,000,000.00 $5,672,000,000.00 from the state school aid fund and
general fund appropriations in section 11 and an amount not to exceed $72,000,000.00
from the community district education trust fund appropriation in section 11. Of the
funds allocated under this section for 2021-2022, $13,600,000.00 $16,700,000.00 represents the amount of the general fund revenue deposited into the
state school aid fund to reimburse the state school aid fund for community district
education trust fund costs in excess of $72,000,000.00. If the amount allocated under
this subsection from the community district education trust fund appropriation under
section 11 is insufficient to pay for an increase under this section, any amount
exceeding that allocation may be paid from other allocations under this subsection.
Except for money allocated under this section from the community district education
trust fund appropriation in section 11, funds allocated under this section that are
not expended in the fiscal year for which they were allocated, as determined by the
department, may be used to supplement the allocations under sections 22a and 51c to
fully fund those allocations for the same fiscal year. For each fund transfer as
described in the immediately preceding sentence that occurs, the state budget director
shall send notification of the transfer to the house and senate appropriations
subcommittees on state school aid and the house and senate fiscal agencies by not
later than 14 calendar days after the transfer occurs.
(2) Subject to subsection (3) and section 296, the allocation to a district under this section is an amount equal to the sum of the amounts calculated under sections 20, 20m, 51a(2), 51a(3), and 51a(11), minus the sum of the allocations to the district under sections 22a and 51c. For a community district, the allocation as otherwise calculated under this section is increased by an amount equal to the amount of local school operating tax revenue that would otherwise be due to the community district if not for the operation of section 386 of the revised school code, MCL 380.386, and this increase must be paid from the community district education trust fund allocation in subsection (1) in order to offset the absence of local school operating revenue in a community district in the funding of the state portion of the foundation allowance under section 20(4).

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

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

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

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

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

(e) Comply with section 21f.

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

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

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

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

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

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

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

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

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

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

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

(b) "Local school operating revenue per membership pupil" means that term as defined in section 20.

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

(2) From the allocation under subsection (1), there is allocated for 2021-2022-2022-2023 an amount not to exceed $1,557,300.00-1,635,200.00 for payments under this subsection to districts that meet all of the following:

(a) Operates grades K to 12.

(b) Has fewer than 250 pupils in membership.

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

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

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

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

(4) Subject to subsection (7), from the allocation in subsection (1), there is allocated for 2021-2022 an amount not to exceed $5,042,700.00 and for 2022-2023 an amount not to exceed $6,344,800.00 for payments under this subsection to districts that have fewer than 10.0 pupils per square mile as determined by the department.

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

(a) An amount equal to $4,200,000.00 is allocated to districts with fewer than 8.0 pupils per square mile, as determined by the department, on an equal per-pupil basis.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) Promoting the use of a more common set of applications by promoting systems that integrate with the Michigan data hub network.
(d) Promoting 100% district adoption of the Michigan data hub network by September 30, 2022.

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

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

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

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

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

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

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

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

(ii) Either of the following, as applicable:

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

(B) At least 1 proficiency or growth outcome based on a benchmark assessment described in section 104a.

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 24a. From the state school aid fund money appropriated in section 11, there
is allocated an amount not to exceed $1,355,700.00 for 2021-2022-2022-2023 for
payments to intermediate districts for pupils who are placed in juvenile justice
service facilities operated by the department of health and human services. The amount
of the payment to each intermediate district is an amount equal to the state share of
those costs that are clearly and directly attributable to the educational programs for
pupils placed in facilities described in this section that are located within the
intermediate district's boundaries. The intermediate districts receiving payments
under this section shall cooperate with the department of health and human services to
ensure that all funding allocated under this section is utilized by the intermediate
district and department of health and human services for educational programs for
pupils described in this section. Pupils described in this section are not eligible to
be funded under section 24. However, a program responsibility or other fiscal
responsibility associated with these pupils must not be transferred from the
department of health and human services to a district or intermediate district unless
the district or intermediate district consents to the transfer.

Sec. 25f. (1) From the state school aid fund money appropriated in section 11, there
is allocated an amount not to exceed $1,600,000.00 for 2021-2022-2022-2023 for
payments to strict discipline academies established under sections 1311b to 1311m of
the revised school code, MCL 380.1311b to 380.1311m, as provided under this section.
(2) In order to receive funding under this section, a strict discipline academy must first comply with section 25e and use the pupil transfer process under that section for changes in enrollment as prescribed under that section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 26d. (1) From the state school aid fund money appropriated under section
11, there is allocated an amount not to exceed $7,500,000.00 for 2021-2022-2023
for reimbursements to intermediate districts as required under section 15b of the
brownfield redevelopment financing act, 1996 PA 381, MCL 125.2665b.
(2) The amounts reimbursed under subsection (1) must be used by the intermediate district only for the purposes for which the property taxes were originally levied.

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

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

Sec. 27a. (1) From the state school aid fund appropriation in section 11, there is allocated for 2022-2023 an amount not to exceed $100,000,000.00 for the Mi Future Educator Fellowship program. These funds must be used to offset tuition costs for students who are working toward earning their initial teacher certification. All of the following apply to payments under this section:

(a) To establish initial eligibility for an award under this section, an individual must meet all of the following conditions by the date of enrollment described in subparagraph (ii):

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

(ii) Be admitted to an eligible educator preparation program working toward a teacher certification and enrolled in enough coursework to earn at least 24 credits in an academic year or the equivalent of full-time participation for individuals enrolled in an alternative certification program, as defined by the department.

(iii) Not have previously earned a teacher certification.

(iv) Timely complete a grant application in a form and manner determined by the department of treasury.

(v) Timely file the Free Application for Federal Student Aid for the enrollment period described in subparagraph (ii).
(vi) Timely apply for all available gift aid for the enrollment period described in subparagraph (ii).

(vii) Agree to repay any award funds received if the individual does not maintain enrollment in their educator preparation program, does not successfully complete their educator program, or does not work in a Michigan public school or a qualifying public preschool program for at least 2 years for every year awards were received under this section as a certified teacher beginning within one year of completion of their educator preparation program and the receipt of their teacher certification, subject to the provisions under subdivision (f) and guidance developed by the department of treasury.

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

(i) Maintain continuous enrollment in an eligible educator preparation program and earn at least 24 credits in an academic year or the equivalent of full-time participation for individuals enrolled in an alternative certification program, as defined by the department.

(ii) Maintain satisfactory academic progress.

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

(iv) Timely file the Free Application for Federal Student Aid for each academic year in which the individual receives an award under this section.

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

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

(d) Awards under this section shall be distributed to eligible educator
preparation programs on a timeline determined by the department of treasury.

(e) Pending available funds, applicants may renew their award for up to three
years, or until program completion, whichever comes first.

(f) If an award recipient does not maintain enrollment in their educator
preparation program, does not successfully complete their educator preparation
program, does not work as a certified teacher in a Michigan public school or a
qualifying public preschool program within a year of completing their educator
preparation program and receiving their teacher certification, or does not maintain
employment in a Michigan school for at least 2 years for every year an award was
received under this section, any amount received from funds under this section
converts to a 0% interest loan that must be repaid to the state. The amount of
repayment must be reduced proportionate to the number of years worked in Michigan
schools as a certified teacher out of the total number of years the recipient agreed
to work in Michigan schools as a certified teacher. The department of treasury shall
develop guidance to enforce this subdivision. This guidance may include hardship
provisions that allow a loan to be reduced or discharged.

(2) An individual may be eligible for an award under this section and an award
from funds appropriated in this section in the immediately preceding fiscal year for
the Mi Future Educator – Student Teacher Stipend Program.

(3) An individual may not concurrently receive funding through programs funded
under this section and grow your own programs funded under section 27b in the
immediately preceding fiscal year.

Sec. 27d. (1) From the state school aid fund appropriation in section 11, there
is allocated for 2022-2023 an amount not to exceed $50,000,000.00 for the purposes of
this section. Programs funded under this section are intended to expand support for
new teachers, improve their instructional practices, and improve teacher retention.

(2) From the allocation under subsection (1), the department shall partner with
educator preparation programs provided by public institutions of higher education,
districts, or districts in partnership with an institution of higher education or an
alternative educator preparation program to provide coaching and cohort support to
students in educator preparation programs and new teachers. The service must be free
and must continue to be available for at least the first three years of a teacher’s
service. This partnership is intended to create a robust support system for new
teachers. A cohort system of supports must provide both of the following:

(a) Provide new teachers with professional connections to similarly experienced
teachers who face many of the same challenges when beginning their profession.

(b) Provide coaches or mentors who are experts in the field of education to new
teachers who can offer guidance on complex issues and subsequently share that
expertise with new teachers.

(3) From the allocation under subsection (1), the department shall provide
grants for mentor stipends to support and retain quality teachers in Michigan.
Districts are eligible to receive grants under this subsection and may use the funding
for any of the following allowable expenditures:

(a) Stipends for veteran teachers who serve as mentor teachers.

(b) Training for mentor teachers.

(c) Books, materials, professional learning expenses, and other resources
necessary for mentoring and onboarding new teachers.

(d) Staffing costs to cover time spent by both new and mentor teachers dedicated
to mentoring and onboarding rather than being in the classroom.
(4) From the allocation under subsection (1), there is allocated $500,000.00 for a competitive grant to assist the department with the development of research-based mentor standards, curriculum, and professional learning to ensure mentors are prepared to support new teachers. Intermediate districts and other educational entities are eligible to apply for this grant in a form and manner determined by the department.

(5) From the allocation under subsection (1), there is allocated $500,000.00 for a competitive grant to conduct a program evaluation of activities funded under this section. The evaluation shall identify recommendations to strengthen the program. Qualified evaluators are eligible to apply for this grant in a form and manner determined by the department.

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

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

(a) Section 22d, isolated and rural districts, $8,420,000.00 — $8,841,000.00.

(b) Section 31a, at risk, standard programming, $512,500,000.00 — $746,500,000.00.

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

(d) Section 41, bilingual education for English language learners, $25,200,000.00 — $26,475,000.00.

(e) Section 51c, special education, mandated percentages, $733,400,000.00 — $710,000,000.00.

(f) Section 51f, special education, additional percentages, $90,207,000.00 — $240,207,000.00.
(f) Section 61a, career and technical education, standard reimbursement, $37,611,300.00—$47,611,300.00

(g) Section 61d, career and technical education incentives, $5,000,000.00.

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

Sec. 31a. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2021-2022-2022-2023 an amount not to exceed $537,650,000.00, and from the general fund money appropriated in section 11 there is allocated for 2021-2022-2022-2023 an amount not to exceed $1,500,000.00, for payments to eligible districts and eligible public school academies for the purposes of ensuring that pupils are proficient in English language arts by the end of grade 3, that pupils are proficient in mathematics by the end of grade 8, that pupils are attending school regularly, that high school graduates are career and college ready, and for the purposes under subsections (7) (6) and (8) (7).

(2) For a district that has combined state and local revenue per membership pupil under section 20 that is greater than the target foundation allowance under section 20 for the current fiscal year and that, for the immediately preceding fiscal year, had combined state and local revenue per membership pupil under section 20 that was greater than the target foundation allowance under section 20 that was in effect for that fiscal year, the allocation under subsection (4) is an amount equal to 35% of the allocation for which it would otherwise be eligible under subsection (4) before any proration under subsection (15). It is the intent of the legislature that, if revenues are sufficient and if districts with combined state and local revenue per membership pupil under section 20 that is below the target foundation allowance are receiving nonprorated payments under subsection (4), the percentage in the immediately
preceding sentence must be increased annually until it reaches 100%. If a district has combined state and local revenue per membership pupil under section 20 that is greater than the target foundation allowance under section 20 for the current fiscal year, but for the 2018-2019 fiscal year had combined state and local revenue per membership pupil under section 20 that was less than the basic foundation allowance under section 20 that was in effect for the 2018-2019 fiscal year, the district shall receive an amount per pupil equal to 11.5% of the statewide weighted average foundation allowance, as applied under subsection (4), and before any proration under subsection (15).

(2) For a district or public school academy to be eligible to receive funding under this section, other than funding under subsection (6) and (7), the district or public school academy, for grades K to 12, must comply with the requirements under section 1280f of the revised school code, MCL 380.1280f, and shall use resources to address early literacy and numeracy, and for at least grades K to 12 or, if the district or public school academy does not operate all of grades K to 12, for all of the grades it operates, must implement a multi-tiered system of supports that is an evidence based framework that uses data driven problem solving to integrate academic and behavioral instruction and that uses intervention delivered to all pupils in varying intensities based on pupil needs. The multi-tiered system of supports described in this subsection must provide at least all of the following essential components:

(a) Team-based leadership.

(b) A tiered delivery system.

(c) Selection and implementation of instruction, interventions, and supports.

(d) A comprehensive screening and assessment system.

(e) Continuous data-based decision making.
(3) From the state school aid fund money allocated under subsection (1), there is allocated for the 2021-2022 fiscal year an amount not to exceed $512,500,000.00 to continue a weighted foundation per pupil payment for districts and public school academies enrolling economically disadvantaged pupils. The department shall pay under this subsection to each eligible district or eligible public school academy an amount per pupil equal to 11.5% of the statewide weighted average target foundation allowance for the following, as applicable:

(a) Except as otherwise provided under subdivision (b), (c), or (d) the greater of the following:

(i) The number of membership pupils in the district or public school academy who are determined to be economically disadvantaged, as reported to the center in the form and manner prescribed by the center not later than the fifth Wednesday after the pupil membership count day of the immediately preceding fiscal year.

(ii) If the district or public school academy is in the community eligibility program, the number of pupils determined to be eligible based on the product of the identified student percentage multiplied by the total number of pupils in the district or public school academy, as reported to the center in the form and manner prescribed by the center not later than the fifth Wednesday after the pupil membership count day of the immediately preceding fiscal year. These calculations must be made at the building level. This subparagraph only applies to an eligible district or eligible public school academy for the fiscal year immediately following the first fiscal year in which it is in the community eligibility program. As used in this subparagraph, "identified student percentage" means the quotient of the number of pupils in an eligible district or eligible public school academy who are determined to be economically disadvantaged, as reported to the center in a form and manner prescribed by the center, not later than the fifth Wednesday after the pupil membership count day.
in the fiscal year preceding the first fiscal year in which the eligible district or
eligible public school academy is in the community eligibility program, divided by the
total number of pupils counted in an eligible district or eligible public school
academy on the pupil membership count day in the fiscal year preceding the first
fiscal year in which the eligible district or eligible public school academy is in the
community eligibility program.

(b) If the district or public school academy began operations as a district or
public school academy after the pupil membership count day of the immediately
preceding school year, the number of membership pupils in the district or public
school academy who are determined to be economically disadvantaged, as reported to the
center in the form and manner prescribed by the center not later than the fifth
Wednesday after the pupil membership count day of the current fiscal year.

(c) If the district or public school academy began operations as a district or
public school academy after the pupil membership count day of the current fiscal year,
the number of membership pupils in the district or public school academy who are
determined to be economically disadvantaged, as reported to the center in the form and
manner prescribed by the center not later than the fifth Wednesday after the
supplemental count day of the current fiscal year.

(d) If, for a particular fiscal year, the number of membership pupils in a
district or public school academy who are determined under subdivision (a) to be
economically disadvantaged or to be eligible based on the identified student
percentage varies by more than 20 percentage points from the number of those pupils in
the district or public school academy as calculated under subdivision (a) for the
immediately preceding fiscal year caused by an egregious reporting error by the
district or public school academy, the department may choose to have the calculations
under subdivision (a) instead be made using the number of membership pupils in the
district or public school academy who are determined to be economically disadvantaged, as reported to the center in the form and manner prescribed by the center not later than the fifth Wednesday after the supplemental count day of the immediately preceding fiscal year.

(4) Except as otherwise provided in this section, a district or public school academy receiving funding under this section shall use that money only to provide instructional programs and direct noninstructional services, including, but not limited to, medical, mental health, or counseling services, for at-risk pupils; for school health clinics; and for the purposes of subsection (6), (7), or (8). In addition, a district that is a school district of the first class or a district or public school academy in which at least 50% of the pupils in membership were determined to be economically disadvantaged in the immediately preceding state fiscal year, as determined and reported as described in subsection (3) may use the funds it receives under this section for school security or school parent liaison personnel. The uses of the funds described in the immediately preceding sentence must align to the needs assessment and the multi-tiered system of supports model and, for funds spent on parent liaison personnel, must connect parents to the school community. A district or public school academy shall not use any of the money received under this section for administrative costs. The instruction or direct noninstructional services provided under this section may be conducted before or after regular school hours or by adding extra school days to the school year.

(5) A district or public school academy that receives funds under this section and that operates a school breakfast program under section 1272a of the revised school code, MCL 380.1272a, shall use from the funds received under this section an amount, not to exceed $10.00 per pupil for whom the district or public school academy receives funds under this section, necessary to pay for costs
associated with the operation of the school breakfast program.

(6) From the state school aid fund money allocated under subsection (1), there is allocated for 2021-2022-2022-2023 an amount not to exceed $8,000,000.00 to support primary health care services provided to children and adolescents up to age 21. These funds must be expended in a form and manner determined jointly by the department and the department of health and human services. If any funds allocated under this subsection are not used for the purposes of this subsection for the fiscal year in which they are allocated, those unused funds must be used that fiscal year to avoid or minimize any proration that would otherwise be required under subsection (15) for that fiscal year.

(7) From the state school aid fund money allocated under subsection (1), there is allocated for 2021-2022-2022-2023 an amount not to exceed $19,000,000.00 to support primary health care services provided to children and adolescents up to age 21. These funds must be expended in a form and manner determined jointly by the department and the department of health and human services. If any funds allocated under this subsection are not used for the purposes of this subsection for the fiscal year in which they are allocated, those unused funds must be used that fiscal year to avoid or minimize any proration that would otherwise be required under subsection (15) for that fiscal year.

(8) Each district or public school academy receiving funds under this
section shall submit to the department by July 15 of each fiscal year a report, in the
form and manner prescribed by the department, that includes a brief description of
each program conducted or services performed by the district or public school academy
using funds under this section, the amount of funds under this section allocated to
each of those programs or services, the total number of at risk pupils served by each
of those programs or services, and the data necessary for the department and the
department of health and human services to verify matching funds for the temporary
assistance for needy families program. In prescribing the form and manner of the
report, the department shall ensure that districts are allowed to expend funds
received under this section on any activities that are permissible under this section.
If a district or public school academy does not comply with this subsection, the
department shall withhold an amount equal to the August payment due under this section
until the district or public school academy complies with this subsection. If the
district or public school academy does not comply with this subsection by the end of
the fiscal year, the withheld funds are forfeited to the school aid fund.

(9) In order to receive funds under this section, a district or public
school academy must allow access for the department or the department's designee to
audit all records related to the program for which it receives those funds. The
district or public school academy shall reimburse the state for all disallowances
found in the audit.

(10) Subject to subsections (6), (7), or (8), or (5), (6), or (7), for schools
in which more than 40% of pupils are identified as at-risk, a district or public
school academy may use the funds it receives under this section to implement tier 1,
evidence-based practices in schoolwide reforms that are guided by the district's
comprehensive needs assessment and are included in the district improvement plan.
Schoolwide reforms must include parent and community supports, activities, and
services, that may include the pathways to potential program created by the department of health and human services or the communities in schools program. As used in this subsection, "tier 1, evidence-based practices" means research based instruction and classroom interventions that are available to all learners and effectively meet the needs of most pupils.

(11) A district or public school academy that receives funds under this section may use those funds to provide research based professional development and to implement a coaching model that supports the multi-tiered system of supports framework. Professional development may be provided to district and school leadership and teachers and must be aligned to professional learning standards; integrated into district, school building, and classroom practices; and solely related to the following:

(a) Implementing the multi-tiered system of supports required in subsection (3) with fidelity and utilizing the data from that system to inform curriculum and instruction.

(b) Implementing section 1280f of the revised school code, MCL 380.1280f, as required under subsection (2) with fidelity.

(12) A district or public school academy that receives funds under subsection (4) or (17) may use funds received under subsection (4) or (17) for support staff providing services to at-risk pupils.

(13) A district or public school academy that receives funds under this section may use up to 10% of the funds received under this section to provide evidence-based instruction for pre-kindergarten instructional and noninstructional services to children who meet at least 1 of the criteria in subsection (20) (a) (i) to (x).

(14) If necessary, and before any proration required under section 296, the
department shall prorate payments under this section, except payments under subsection 
(7), (8), or (17), (6) or (7) by reducing the amount of the allocation as otherwise 
calculated under this section by an equal percentage per district.

(15) If a district is dissolved pursuant to section 12 of the revised 
school code, MCL 380.12, the intermediate district to which the dissolved district was 
constituent shall determine the estimated number of pupils that are economically 
disadvantaged and that are enrolled in each of the other districts within the 
intermediate district and provide that estimate to the department for the purposes of 
distributing funds under this section within 60 days after the district is declared 
dissolved.

(17) From the state school aid fund money allocated under subsection (1), there 
is allocated for 2021-2022 an amount not to exceed $12,000,000.00 for payments to 
districts and public school academies that otherwise received an allocation under this 
subsection for 2020-2021 and whose allocation under this section for 2020-2021, 
excluding any payments under subsection (7) or (8), would have been more than the 
district's or public school academy's allocation under this section for 2021-2022 as 
calculated under subsection (4) only and as adjusted under subsection (15). The 
allocation for each district or public school academy under this subsection is an 
amount equal to its allocation under this section for 2020-2021 minus its allocation 
as otherwise calculated under subsection (4) for 2021-2022 as adjusted by subsection 
(15), using in those calculations the 2017-2018 number of pupils determined to be 
economically disadvantaged. However, if the allocation as otherwise calculated under 
this subsection would have been less than $0.00, the allocation under this subsection 
is $0.00. If necessary, and before any proration required under section 296, the 
department shall prorate payments under this subsection by reducing the amount of the 
allocation as otherwise calculated under this subsection by an equal percentage per
district or public school academy. Any unexpended funds under this subsection are to be distributed through payments made under subsection (4) as provided under subsection (4), but those funds must not be factored into calculating payments under this subsection.

(16) A district or public school academy that receives funds under this section may use funds received under this section to provide an anti-bullying or crisis intervention program.

(17) The department shall collaborate with the department of health and human services to prioritize assigning Pathways to Potential success coaches to elementary schools that have a high percentage of pupils in grades K to 3 who are not proficient in English language arts, based upon state assessments for pupils in those grades.

(18) As used in this section:

(a) "At-risk pupil" means a pupil in grades pre-K to 12 for whom the district has documentation that the pupil meets any of the following criteria:

(i) The pupil is economically disadvantaged.

(ii) The pupil is an English language learner.

(iii) The pupil is chronically absent as defined by and reported to the center.

(iv) The pupil is a victim of child abuse or neglect.

(v) The pupil is a pregnant teenager or teenage parent.

(vi) The pupil has a family history of school failure, incarceration, or substance abuse.

(vii) The pupil is an immigrant who has immigrated within the immediately preceding 3 years.

(viii) The pupil did not complete high school in 4 years and is still continuing in school as identified in the Michigan cohort graduation and dropout report.
For pupils for whom the results of the state summative assessment have been received, is a pupil who did not achieve proficiency on the English language arts, mathematics, science, or social studies content area assessment.

(x) Is a pupil who is at risk of not meeting the district's or public school academy's core academic curricular objectives in English language arts or mathematics, as demonstrated on local assessments.

(b) "Economically disadvantaged" means a pupil who has been determined eligible for free or reduced-price meals as determined under the Richard B. Russell national school lunch act, 42 USC 1751 to 1769j; who is in a household receiving supplemental nutrition assistance program or temporary assistance for needy families assistance; or who is homeless, migrant, or in foster care, as reported to the center.

(c) "English language learner" means limited English proficient pupils who speak a language other than English as their primary language and have difficulty speaking, reading, writing, or understanding English as reported to the center.

(d) "Statewide weighted average foundation allowance" means the number that is calculated by adding together the result of each district's or public school academy's foundation allowance, not to exceed the target foundation allowance for the current fiscal year, or per-pupil payment calculated under section 20 multiplied by the number of pupils in membership in that district or public school academy, and then dividing that total by the statewide number of pupils in membership.

Sec. 31d. (1) From the appropriations in section 11, there is allocated an amount not to exceed $23,838,400.00 for 2020-2021 and there is allocated an amount not to exceed $23,838,400.00 for 2021-2022-2022-2023 for the purpose of making payments to districts and other eligible entities under this section.

(2) The amounts allocated from state sources under this section are used to pay the amount necessary to reimburse districts for 6.0127% of the necessary costs of the
state mandated portion of lunch programs provided by those districts. The department shall calculate the amount due to each district under this section using the methods of calculation adopted by the Michigan supreme court in the consolidated cases known as Durant v State of Michigan, 456 Mich 175 (1997).

(3) The payments made under this section include all state payments made to districts so that each district receives at least 6.0127% of the necessary costs of operating the state mandated portion of the lunch program in a fiscal year.

(4) The payments made under this section to districts and other eligible entities that are not required under section 1272a of the revised school code, MCL 380.1272a, to provide a lunch program must be in an amount not to exceed $10.00 per eligible pupil plus 5 cents for each free lunch and 2 cents for each reduced price lunch provided, as determined by the department.

(5) From the federal funds appropriated in section 11, there is allocated for 2020-2021 all available federal funding, estimated at $800,000,000.00, and there is allocated for 2021-2022-2022-2023 all available federal funding, estimated at $545,000,000.00-$900,000,000.00 for child nutrition programs and, for 2020-2021, all available federal funding, estimated at $50,000,000.00 for the child nutrition program pandemic electronic benefit transfer cost reimbursement program, $50,000,000.00 for child nutrition program emergency operational cost reimbursement programs, and $259,600.00 for commodity supplemental fund programs, and, for 2021-2022-2022-2023, all available federal funding, estimated at $11,000,000.00, $15,000,000.00 for food distribution programs.

(6) Notwithstanding section 17b, the department shall make payments to eligible entities other than districts under this section on a schedule determined by the department.

(7) In purchasing food for a lunch program funded under this section, a district
or other eligible entity shall give preference to food that is grown or produced by Michigan businesses if it is competitively priced and of comparable quality.

Sec. 31f. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $11,900,000.00 for 2020-2021 and there is allocated an amount not to exceed $11,900,000.00 for 2021-2022, 2022-2023 for the purpose of making payments to districts to reimburse for the cost of providing breakfast.

(2) The funds allocated under this section for school breakfast programs are made available to all eligible applicant districts that meet all of the following criteria:

(a) The district participates in the federal school breakfast program and meets all standards as prescribed by 7 CFR parts 210, 220, 225, 226, and 245.

(b) Each breakfast eligible for payment meets the federal standards described in subdivision (a).

(3) The payment for a district under this section is at a per meal rate equal to the lesser of the district's actual cost or 100% of the statewide average cost of a meal served, as determined and approved by the department, less federal reimbursement, participant payments, and other state reimbursement. The department shall determine the statewide average cost using costs as reported in a manner approved by the department for the preceding school year.

(4) Notwithstanding section 17b, the department may make payments under this section pursuant to an agreement with the department.

(5) In purchasing food for a school breakfast program funded under this section, a district shall give preference to food that is grown or produced by Michigan businesses if it is competitively priced and of comparable quality.

Sec. 31j. (1) From the general fund money appropriated in section 11, there is
allocated an amount not to exceed $500,000.00 and from the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $4,500,000.00 for a program to support districts and other non-school sponsors in the purchase of locally grown fruits and vegetables as described in this section.

(2) Funding under this section retained by the department for administration must not exceed 5%. Funding under this section retained by project partners for data collection, outreach and training must not exceed 1% for each partner.

(3) The department shall develop and implement a competitive grant program for districts and other non-school sponsors to assist in paying for the costs incurred by the district or other non-school sponsor to purchase or increase purchases of whole or minimally processed fruits, vegetables, and legumes grown in this state. The maximum amount that may be drawn down on a grant to a district or other non-school sponsor is based on the number of meals served by the district during the previous school year under the Richard B. Russell national school lunch act, 42 USC 1751 to 1769j, or meals served by the other non-school sponsor in the previous school year. The department shall collaborate with the Michigan department of agriculture and rural development to provide training to newly participating schools and other non-school sponsors and electronic information on Michigan agriculture.

(4) The goals of the program under this section include improving daily nutrition and eating habits for children through the school and child care settings while investing in Michigan's agricultural and related food business economy.

(5) A district or other non-school sponsor that receives a grant under this section shall use those funds for the costs incurred by the district or the sponsor to purchase whole or minimally processed fruits, vegetables, and legumes that meet all of the following:
(a) Were purchased for use in school meals served between September 1, 2021 through August 30, 2022.

(b) Are grown in this state and, if minimally processed, are also processed in this state.

(c) Are used for meals that are served as part of the United States Department of Agriculture's child nutrition programs.

(6) For Michigan-grown fruits, vegetables, and legumes that satisfy the requirements of subsection (5), the department shall make matching reimbursements in an amount not to exceed 10 cents for every school meal that is served as part of the United States Department of Agriculture's child nutrition programs and that uses Michigan-grown fruits, vegetables, and legumes.

(7) A district or other non-school sponsor that receives a grant for reimbursement under this section shall use the grant to purchase whole or minimally processed fruits, vegetables, and legumes that are grown in this state and, if minimally processed, are also processed in this state.

(8) In awarding grants under this section, the department shall work in consultation with Michigan-based farm to school resource organizations, to develop scoring criteria that assess an applicant's ability to procure Michigan-grown products, prepare and menu Michigan-grown products, promote and market Michigan-grown products, and submit letters of intent from districts or other non-school sponsors on plans for educational activities that promote the goals of the program.

(9) The department shall give preference to districts or other non-school sponsors that propose educational activities that meet 1 or more of the following: promote healthy food activities; have clear educational objectives; involve parents or the community; connect to a school's or child care center's farm-to-school or farm-to-early-child-care procurement activities; and market and promote the program, leading
to increased pupil knowledge and consumption of Michigan-grown products. The department shall give stronger weighting and consideration to applications with robust marketing and promotional activities.

(10) In awarding grants, the department shall also consider all of the following:

(a) The percentage of children who qualify for free or reduced price school meals under the Richard B. Russell national school lunch act, 42 USC 1751 to 1769j.

(b) The variety of school or child care center sizes and geographic locations within the identified prosperity regions.

(c) The existing or future collaboration opportunities between more than 1 district or child care center.

(11) As a condition of receiving a grant under this section, a district or other non-school sponsor shall provide or direct its vendors to provide to the department copies of monthly receipts that show the quantity of different Michigan-grown fruits, vegetables, and legumes purchased, the amount of money spent on each of these products, the name and Michigan location of the farm that grew the products, and the methods or plans to market and promote the program. The district or other non-school sponsor also shall provide to the department monthly United States Department of Agriculture child nutrition reimbursable meal numbers and participation rates and must retain monthly menus noting when and how Michigan-grown products were used in meals. The district or other non-school sponsor and school or non-school sponsor food service director or directors also shall agree to respond to brief online surveys and to provide a report that shows the percentage relationship of Michigan spending compared to total food spending. Not later than 60 days after the end of the school year in which funds under this section were received, each district or each non-school sponsor shall submit a report to the department on outcomes and related measurements for
economic development and children's nutrition and readiness to learn. The report must include at least both of the following:

(a) The extent to which farmers and related businesses, including distributors and processors, saw an increase in market opportunities and income generation through sales of Michigan or local products to districts and other non-school sponsors. All of the following apply for purposes of this subdivision:

(i) The data used to determine the amount of this increase are the total dollar amount of Michigan or local fruits, vegetables, and legumes purchased by schools and other non-school sponsors, along with the number of different types of products purchased; school and non-school sponsor food purchasing trends identified along with products that are of new and growing interest among food service directors; the number of businesses impacted; and the percentage of total food budget spent on Michigan-grown fruits, vegetables, and legumes.

(ii) The district or other non-school sponsor shall use purchasing data collected for the program and surveys of school and non-school sponsor food service directors on the impact and success of the program as the source for the data described in subparagraph (i).

(b) The ability to which pupils can access a variety of healthy Michigan-grown foods through schools and other non-school sponsor centers and increase their consumption of those foods. All of the following apply for purposes of this subdivision:

(i) The data used to determine whether this subdivision is met are the number of pupils exposed to Michigan-grown fruits, vegetables, and legumes at schools and non-school sponsor centers; the variety of products served; new items taste-tested or placed on menus; and the increase in pupil willingness to try new local healthy foods.

(ii) The district or other non-school sponsor shall use purchasing data collected
for the project, meal count and enrollment numbers, school menu calendars, and surveys of school and non-school sponsor food service directors as the source for the data described in subparagraph (i).

(12) The department shall compile the reports provided by districts and other non-school sponsors under subsection (11) into 1 legislative report. The department shall provide this report not later than November 1, 2022 to the house and senate subcommittees responsible for school aid, the house and senate fiscal agencies, and the state budget director.

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

Sec. 31n. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2021-2022 2022-2023 for the purposes of this section an amount not to exceed $52,600,000.00 $102,600,000.00 and from the general fund money appropriated in section 11, there is allocated for 2021-2022 2022-2023 for the purposes of this section an amount not to exceed $1,300,000.00. The department and the department of health and human services shall continue a program to distribute this funding to add licensed behavioral health providers for general education pupils, and shall continue to seek federal Medicaid match funding for all eligible mental health and support services.

(2) The department and the department of health and human services shall maintain an advisory council for programs funded under this section. The advisory council shall define goals for implementation of programs funded under this section, and shall provide feedback on that implementation. At a minimum, the advisory council shall consist of representatives of state associations representing school health, school mental health, school counseling, education, health care, and other organizations, representatives from the department and the department of health and

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human services, and a representative from the school safety task force created under Executive Order No. 2018-5. The department and department of health and human services, working with the advisory council, shall determine an approach to increase capacity for mental health and support services in schools for general education pupils, and shall determine where that increase in capacity qualifies for federal Medicaid match funding.

(3) The advisory council shall develop a fiduciary agent checklist for intermediate districts to facilitate development of a plan to submit to the department and to the department of health and human services. The department and department of health and human services shall determine the requirements and format for intermediate districts to submit a plan for possible funding under subsection (6). The department shall make applications for funding for this program available to districts and intermediate districts not later than December 1, 2021-2022 for the 2021-2022 fiscal year and shall award the funding not later than February 1, 2022-2023 for the 2021-2022-2023 fiscal year.

(4) The department of health and human services shall seek to amend the state Medicaid plan or obtain appropriate Medicaid waivers as necessary for the purpose of generating additional Medicaid match funding for school mental health and support services for general education pupils. The intent is that a successful state plan amendment or other Medicaid match mechanisms will result in additional federal Medicaid match funding for both the new funding allocated under this section and for any expenses already incurred by districts and intermediate districts for mental health and support services for general education pupils.

(5) From the state school aid fund money allocated under subsection (1), there is allocated for 2021-2022-2022-2023 an amount not to exceed $14,300,000.00 to be distributed to the network of child and adolescent health centers to place a licensed

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master's level behavioral health provider in schools that do not currently have
services available to general education students. Child and adolescent health centers
that are part of the network described in this subsection shall provide a commitment
to maintain services and implement all available federal Medicaid match methodologies.
The department of health and human services shall use all existing or additional
federal Medicaid match opportunities to maximize funding allocated under this
subsection. The department shall provide funds under this subsection to child and
adolescent health centers that are part of the network described in this subsection in
the same proportion that funding under section 31a(7) is provided to child and
adolescent health centers that are part of the network described in this subsection
and that are located and operating in those districts. A payment from funding
allocated under this subsection must not be paid to an entity that is not part of the
network described in this subsection.

(6) From the state school aid fund money allocated under subsection (1), there
is allocated for 2021-2022-2022-2023 an amount not to exceed $37,800,000.00
$87,800,000.00 to be distributed to intermediate districts for the provision of mental
health and support services to general education students. If a district or
intermediate district is not able to procure the services of a licensed master's level
behavioral health provider, the district or intermediate district shall notify the
department and the department of health and human services and, if the department and
department of health and human services verify that the district or intermediate
district attempted to procure services from a master's level behavioral health
provider and was not able to do so, then the district or intermediate district may
instead procure services from a provider with less than a master's degree in
behavioral health. To be able to use the exemption in the immediately preceding
sentence, the district or intermediate district must submit evidence satisfactory to
the department and department of health and human services demonstrating that the
district or intermediate district took measures to procure the services of a licensed
master's level behavioral health provider but was unable to do so, and the department
and department of health and human services must be able to verify this evidence. From
the first $32,200,000.00 $74,760,000.00 of the funds allocated under this subsection,
the department shall distribute $575,000.00 $1,335,000.00 for 2021-2022-2022-2023 to
each intermediate district that submits a plan approved by the department and the
department of health and human services. The department shall distribute the remaining
$5,600,000.00 $13,040,000.00 of the funds allocated under this subsection for 2021-
2022-2023 to intermediate districts on an equal per-pupil basis based on the
combined total number of pupils in membership in the intermediate district and its
constituent districts, including public school academies that are considered to be
constituent districts under section 705(7) of the revised school code, MCL 380.705.
The department and department of health and human services shall work cooperatively in
providing oversight and assistance to intermediate districts during the plan
submission process and shall monitor the program upon implementation. An intermediate
district shall use funds awarded under this subsection to provide funding to its
constituent districts, including public school academies that are considered to be
constituent districts under section 705(7) of the revised school code, MCL 380.705,
for the provision of mental health and support services to general education students.
In addition to the criteria identified under subsection (7), an intermediate district
shall consider geography, cost, or other challenges when awarding funding to its
constituent districts. Districts receiving funding under this subsection are
encouraged to provide suicide prevention and awareness education and counseling. If
funding awarded to an intermediate district remains after funds are provided by the
intermediate district to its constituent districts, the intermediate district may hire
or contract for experts to provide mental health and support services to general
education students residing within the boundaries of the intermediate district,
including, but not limited to, expanding, hiring, or contracting for staff and experts
to provide those services directly or to increase access to those services through
coordination with outside mental health agencies; the intermediate district may
contract with 1 or more other intermediate districts for coordination and facilitation
of activities related to providing mental health and support services to general
education students residing within the boundaries of the intermediate district; and
the intermediate district is encouraged to provide suicide prevention and awareness
education and counseling. If funding awarded to an intermediate district under this
section for 2018-2019 or 2019-2020 remains unspent as of April 1, 2022, the
department, in conjunction with the intermediate district, may reallocate the funds to
another intermediate district or other intermediate districts capable of expending the
funds before September 30, 2022 in accordance with this section as if those funds were
originally allocated to the intermediate district or intermediate districts to which
the funds are being reallocated.

(7) A district requesting funds under this section from the intermediate
district in which it is located shall submit an application for funding for the
provision of mental health and support services to general education pupils. A
district receiving funding from the application process described in this subsection
shall provide services to nonpublic students upon request. An intermediate district
shall not discriminate against an application submitted by a public school academy
simply on the basis of the applicant being a public school academy. The department
shall approve grant applications based on the following criteria:

(a) The district’s commitment to maintain mental health and support services
delivered by licensed providers into future fiscal years.
(b) The district's commitment to work with its intermediate district to use funding it receives under this section that is spent by the district for general education pupils toward participation in federal Medicaid match methodologies. A district must provide a local match of at least 20% of the funding allocated to the district under section 31n.

(c) The district's commitment to adhere to any local funding requirements determined by the department and the department of health and human services.

(d) The extent of the district's existing partnerships with community health care providers or the ability of the district to establish such partnerships.

(e) The district's documentation of need, including gaps in current mental health and support services for the general education population.

(f) The district's submission of a formal plan of action identifying the number of schools and students to be served.

(g) Whether the district will participate in ongoing trainings.

(h) Whether the district will submit an annual report to the state.

(i) Whether the district demonstrates a willingness to work with the state to establish program and service delivery benchmarks.

(j) Whether the district has developed a school safety plan or is in the process of developing a school safety plan.

(k) Any other requirements determined by the department or the department of health and human services.

(8) Funding under this section, including any federal Medicaid funds that are generated, must not be used to supplant existing services.

(9) Both of the following are allocated to the department of health and human services from the general fund money allocated under subsection (1):

(a) For 2021-2022, 2022-2023, an amount not to exceed $1,000,000.00 for the
purpose of upgrading technology and systems infrastructure and other administrative 
requirements to support the programs funded under this section.

(b) For 2021-2022–2022-2023 an amount not to exceed $300,000.00 for the purpose 
of administering the programs under this section and working on generating additional 
Medicaid funds as a result of programs funded under this section.

(10) From the state school aid fund money allocated under subsection (1), there 
is allocated for 2021-2022–2022-2023 an amount not to exceed $500,000.00–to 
intermediate districts on an equal per intermediate district basis for the purpose of 
administering programs funded under this section.

(11) In addition to state school aid fund money allocated under subsection (1), 
from the state school aid allocation in section 11, there is allocated for 2022-2023 
an amount not to exceed $5,000,000.00 to be distributed by the department to a public 
institution of higher education for a partnership between child and adolescent health 
centers, school districts, and a program that provides statewide capacity building 
supports to school-based mental health personnel. This program must provide school-based mental health personnel access to professional development, same-day 
consultation with behavioral health clinicians to respond to students’ complex mental 
health needs, telehealth evaluations as necessary, and information and resources for 
child and adolescent health centers and school districts on managing mental health 
conditions.

(12) In addition to state school aid fund money allocated under subsection (1), 
from the state school aid fund allocation in section 11, there is allocated for 2022- 
2023 an amount not to exceed $25,000,000.00 to districts and intermediate districts to 

improve student mental health services through the adoption and implementation of 
health insurance portability and accountability act compliant tools for the purposes 
of conducting mental health screenings, managing referral and consent, care management
and coordination, virtual visits, and reporting on outcomes. The department, in collaboration with intermediate districts, shall develop guidance on tools eligible for funding under this subsection. Funds shall be distributed to districts and intermediate districts for the purchase or licensing of, and for the implementation of, eligible tools, including a platform to access multiple assessments; for professional development on the use of eligible tools and how to respond to results; and for development of local and regional systems to coordinate student services. Notwithstanding section 17b, the department shall make payments under this subsection on a schedule determined by the department. Funds allocated under this subsection for 2022-2023 are a work project appropriation, and any unexpended funds for 2022-2023 are carried forward into 2023-2024. The purpose of the work project is to provide and deploy mental health screening tools and referral processes in districts and intermediate districts statewide. The estimated completion date of the work project is September 30, 2027.

(13) (11) The department and the department of health and human services shall work with the advisory council to develop proposed measurements of outcomes and performance. Those measurements must include, at a minimum, the number of pupils served, the number of schools served, and where those pupils and schools were located. The department and the department of health and human services shall compile data necessary to measure outcomes and performance, and districts and intermediate districts receiving funding under this section shall provide data requested by the department and department of health and human services for the measurement of outcomes and performance. The department and department of health and human services shall provide an annual report not later than December 1 of each year to the house and senate appropriations subcommittees on school aid and health and human services, to the house and senate fiscal agencies, and to the state budget director. At a minimum,
the report must include measurements of outcomes and performance, proposals to increase efficacy and usefulness, proposals to increase performance, and proposals to expand coverage.

(14) A district or intermediate district that receives funding directly or indirectly under this section may carry over any unexpended funds received under this section for up to 2 fiscal years beyond the fiscal year in which the funds were received.

Sec. 31o. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2021-2022-2022-2023 only an amount not to exceed $240,000,000.00 for payments to eligible districts and intermediate districts for the purpose of increasing the number of school psychologists, school social workers, school counselors, and school nurses serving students in this state.

(2) Except as otherwise provided in this subsection, to receive funding under this section, a district or intermediate district must apply for the funding in a form and manner prescribed by the department. In its application for funding under this section, a district or intermediate district must pledge and provide assurances to the department that it will fully annually fund all staff that are supported with funding under this section in an ongoing manner after the district or intermediate district receives its final payment under this section. third year it receives funding under this section.

(3) The department shall award funding to districts and intermediate districts with the greatest need for additional school psychologists, school social workers, school counselors, or school nurses. To determine the districts and intermediate districts with the greatest needs under this subsection, the department shall consider the physical and mental health services available at the district or intermediate district and how close an applicant district or intermediate district is to meeting
the following recommended staff-to-student ratios:

(a) 1 school psychologist for every 500 full-time equated pupils counted in the district or directly served by the intermediate district.

(b) 1 school social worker for every 250 full-time equated pupils counted in the district or directly served by the intermediate district.

(c) 1 school counselor for every 250 full-time equated pupils counted in the district or directly served by the intermediate district.

(d) 1 school nurse for every 750 full-time equated pupils counted in the district or directly served by the intermediate district.

(4) To be eligible for funding under this section, a district or intermediate district must hire additional school psychologists, school social workers, school counselors, or school nurses by March 1, 2022 and must maintain support for the new staff in an ongoing manner. As determined by the department, staff hired and supported by funding under this section must meet all applicable state and federal laws, rules, and license requirements to be considered a school psychologist, school social worker, school counselor, or school nurse.

(5) Subject to subsection (6), payments to eligible districts and intermediate districts must be made as follows:

(a) In the first year funds are distributed from this section, for staff hired on or after March 1, 2022 and before March 1, 2023 the department shall provide payments to eligible districts or intermediate districts equal to 100% of the annual cost of newly hired school psychologists, school social workers, school counselors, or school nurses. The amount paid to the eligible district or intermediate district must be the lesser of the actual cost of the employee, as determined by the department, or the median wage for an equivalent employee working in a school setting, as determined by the department, using wage data from the Bureau of Labor Statistics that is
specific to this state.

(b) In the second year funds are distributed under this section, for staff retained with funding under this section or new staff hired before March 1, 2024 the department shall pay eligible districts or intermediate districts 66% of the amount paid to the eligible district or intermediate district under subdivision (a).

(c) In the third year funds are distributed under this section, for staff retained with funding under this section or new staff hired before March 1, 2025 the department shall pay eligible districts or intermediate districts 33% of the amount paid to the eligible district or intermediate district under subdivision (a).

(6) If, after awarding funding under subsection (3) and calculating payment amounts under subsection (5), the department determines that the amount allocated in subsection (1) is insufficient to fully fund payments under this section, the department shall prorate payments to eligible districts or intermediate districts on an equal percentage basis.

(7) The funds allocated under this section for 2021-2022-2022-2023 are a work project appropriation, and any unexpended funds for 2021-2022-2022-2023 are carried forward into 2022-2023-2023-2024. The purpose of the work project is to increase the number of school psychologists, school social workers, school counselors, and school nurses in school buildings. The estimated completion date of the work project is September 30, 2024-2025.

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

Sec. 31p. (1) From the state school aid fund money appropriated under section 11, there is allocated for 2020-2021-2022-2023 only an amount not to exceed $5,400,000.00-$150,000,000.00 for grants to intermediate districts to implement for statewide implementation of a TRAILS program as described in subsection (2).
(2) Intermediate districts receiving funding under this section must use the funding to implement a TRAILS program within the boundaries of the intermediate district. The TRAILS program described in this subsection must improve youth access to evidence-based mental health services by training school mental health professionals in effective practices, such as cognitive behavioral therapy and mindfulness.

(3) The department shall establish a grant process to distribute funds under this section.

(4) The department shall award, in an equal amount, grants under this section to each intermediate district that has an approved grant application for funding under this section. Intermediate districts must use funds received this section for a direct partnership with the TRAILS program.

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

(6) The funds allocated under this section for 2020-2021 2022-2023 are a work project appropriation, and any unexpended funds for 2020-2021 2022-2023 are carried forward into 2021-2022 2023-2024. The purpose of the work project is to continue support for the statewide implementation of the TRAILS program. The estimated completion date of the work project is September 30, 2024 2027.

Sec. 32d. (1) From the state school aid fund money appropriated in section 11, there is allocated to eligible intermediate districts and consortia of intermediate districts for great start readiness programs an amount not to exceed $297,120,000.00 $451,120,000.00 for 2021-2022 2022-2023. In addition, from the federal funds allocated in section 11n, there is allocated to eligible intermediate districts and consortia of intermediate districts for great start readiness programs an amount not to exceed $121,000,000.00 for 2021-2022 from the coronavirus state fiscal recovery funds under the American rescue plan act of 2021, title IX, subtitle M of Public Law
An intermediate district or consortium shall use funds allocated under this section for great start readiness programs to provide part-day, school-day, or GSRP/Head Start blended comprehensive free compensatory classroom programs designed to improve the readiness and subsequent achievement of educationally disadvantaged children who meet the participant eligibility and prioritization guidelines as defined by the department. For a child to be eligible to participate in a program under this section, the child must be at least 4, but less than 5, years of age as of September 1 of the school year in which the program is offered and must meet those eligibility and prioritization guidelines. A child who is not 4 years of age as of September 1, but who will be 4 years of age not later than December 1, is eligible to participate if the child's parent or legal guardian seeks a waiver from the September 1 eligibility date by submitting a request for enrollment in a program to the responsible intermediate district, if the program has capacity on or after September 1 of the school year, and if the child meets eligibility and prioritization guidelines.

(2) From the state school aid fund money allocated under subsection (1), an amount not to exceed $295,120,000.00 and from the federal funds allocated under subsection (1), an amount not to exceed $121,000,000.00 is allocated to intermediate districts or consortia of intermediate districts based on the formula in section 39. An intermediate district or consortium of intermediate districts receiving funding under this section shall act as the fiduciary for the great start readiness programs. An intermediate district or consortium of intermediate districts receiving funding under this section may collaborate with local governments to identify children eligible for programs funded under this section and may contract with local governments to provide services. In order to be eligible to receive funds allocated under this subsection from an intermediate district or consortium of intermediate districts, a district, a consortium of districts, a local government, or
a public or private for-profit or nonprofit legal entity or agency must comply with this section and section 39. The funds allocated under this subsection for 2021-2022 are a work project appropriation, and any unexpended funds for 2021-2022 are carried forward into 2022-2023. The purpose of the work project is to continue to improve access to preschool programming for economically disadvantaged children. The estimated completion date of the work project described in the immediately preceding sentence is September 30, 2023.

(3) In addition to the allocation under subsection (1), from the general fund money appropriated under section 11, there is allocated an amount not to exceed $350,000.00 for 2021-2022-2023 for a competitive grant to continue a longitudinal evaluation of children who have participated in great start readiness programs.

(4) To be eligible for funding under this section, a program must prepare children for success in school through comprehensive part-day, school-day, or GSRP/Head Start blended programs that contain all of the following program components, as determined by the department:

(a) Participation in a collaborative recruitment and enrollment process to assure that each child is enrolled in the program most appropriate to his or her needs and to maximize the use of federal, state, and local funds.

(b) An age-appropriate educational curriculum that is in compliance with the early childhood standards of quality for prekindergarten children adopted by the state board, including, at least, the Connect4Learning curriculum.

(c) Nutritional services for all program participants supported by federal, state, and local resources as applicable.

(d) Physical and dental health and developmental screening services for all program participants.

(e) Referral services for families of program participants to community social
service agencies, including mental health services, as appropriate.

(f) Active and continuous involvement of the parents or guardians of the program participants.

(g) A plan to conduct and report annual great start readiness program evaluations and continuous improvement plans using criteria approved by the department.

(h) Participation in a school readiness advisory committee convened as a workgroup of the great start collaborative that provides for the involvement of classroom teachers, parents or guardians of program participants, and community, volunteer, and social service agencies and organizations, as appropriate. The advisory committee annually shall review and make recommendations regarding the program components listed in this subsection. The advisory committee also shall make recommendations to the great start collaborative regarding other community services designed to improve all children's school readiness.

(i) The ongoing articulation of the kindergarten and first grade programs offered by the program provider.

(j) Participation in this state's great start to quality process with a rating of at least 3 stars.

(5) An application for funding under this section must provide for the following, in a form and manner determined by the department:

(a) Ensure compliance with all program components described in subsection (4).

(b) Except as otherwise provided in this subdivision, ensure that at least 85% of the children participating in an eligible great start readiness program for whom the intermediate district is receiving funds under this section are children who live with families with a household income that is equal to or less than 250% of the federal poverty guidelines. If the intermediate district determines that all eligible
children are being served and that there are no children on the waiting list who live with families with a household income that is equal to or less than 250% of the federal poverty guidelines, the intermediate district may then enroll children who live with families with a household income that is equal to or less than 300% of the federal poverty guidelines. The enrollment process must consider income and risk factors, such that children determined with higher need are enrolled before children with lesser need. For purposes of this subdivision, all age-eligible children served in foster care or who are experiencing homelessness or who have individualized education programs recommending placement in an inclusive preschool setting are considered to live with families with household income equal to or less than 250% of the federal poverty guidelines regardless of actual family income and are prioritized for enrollment within the lowest quintile.

(c) Ensure that the applicant only uses qualified personnel for this program, as follows:

(i) Teachers possessing proper training. A lead teacher must have a valid Michigan teaching certificate with an early childhood or lower elementary endorsement or a bachelor's or higher degree in child development or early childhood education with specialization in preschool teaching. However, if an applicant demonstrates to the department that it is unable to fully comply with this subparagraph after making reasonable efforts to comply, teachers or paraprofessionals with at least 5 years of experience as a paraprofessional in a great start readiness program classroom who have significant but incomplete training in early childhood education or child development may be used if the applicant provides to the department, and the department approves, a plan for each teacher to come into compliance with the standards in this subparagraph. A teacher's compliance plan must be completed within 3 years of the date of employment. Progress toward completion of the compliance plan consists of at least
2 courses per calendar year.

(ii) Paraprofessionals possessing proper training in early childhood education, including an associate degree in early childhood education or child development or the equivalent, or a child development associate (CDA) credential. However, if an applicant demonstrates to the department that it is unable to fully comply with this subparagraph after making reasonable efforts to comply, the applicant may use paraprofessionals who have completed at least 1 course that earns college credit in early childhood education or child development if the applicant provides to the department, and the department approves, a plan for each paraprofessional to come into compliance with the standards in this subparagraph. A paraprofessional's compliance plan must be completed within 3 years of the date of employment. Progress toward completion of the compliance plan consists of at least 2 courses or 60 clock hours of training per calendar year.

(d) Include a program budget that contains only those costs that are not reimbursed or reimbursable by federal funding, that are clearly and directly attributable to the great start readiness program, and that would not be incurred if the program were not being offered. Eligible costs include transportation costs. The program budget must indicate the extent to which these funds will supplement other federal, state, local, or private funds. An applicant shall not use funds received under this section to supplant any federal funds received by the applicant to serve children eligible for a federally funded preschool program that has the capacity to serve those children.

(6) For a grant recipient that enrolls pupils in a school-day program funded under this section, each child enrolled in the school-day program is counted as described in section 39 for purposes of determining the amount of the grant award.

(7) For a grant recipient that enrolls pupils in a GSRP/Head Start blended
program, the grant recipient shall ensure that all Head Start and GSRP policies and regulations are applied to the blended slots, with adherence to the highest standard from either program, to the extent allowable under federal law.

(8) An intermediate district or consortium of intermediate districts receiving a grant under this section shall designate an early childhood coordinator, and may provide services directly or may contract with 1 or more districts or public or private for-profit or nonprofit providers that meet all requirements of subsections (4) and (5).

(9) An intermediate district or consortium of intermediate districts may retain for administrative services provided by the intermediate district or consortium of intermediate districts an amount not to exceed 4% of the grant amount. Expenses incurred by subrecipients engaged by the intermediate district or consortium of intermediate districts for directly running portions of the program are considered program costs or a contracted program fee for service. Subrecipients operating with a federally approved indirect rate for other early childhood programs may include indirect costs, not to exceed the federal 10% de minimis.

(10) An intermediate district or consortium of intermediate districts may expend not more than 2% of the total grant amount for outreach, recruiting, and public awareness of the program.

(11) Each grant recipient shall enroll children identified under subsection (5)(b) according to how far the child's household income is below 250% of the federal poverty guidelines by ranking each applicant child's household income from lowest to highest and dividing the applicant children into quintiles based on how far the child's household income is below 250% of the federal poverty guidelines, and then enrolling children in the quintile with the lowest household income before enrolling children in the quintile with the next lowest household income until slots are
completely filled. If the grant recipient determines that all eligible children are being served and that there are no children on the waiting list who live with families with a household income that is equal to or less than 250% of the federal poverty guidelines, the grant recipient may then enroll children who live with families with a household income that is equal to or less than 300% of the federal poverty guidelines. The enrollment process must consider income and risk factors, such that children determined with higher need are enrolled before children with lesser need. For purposes of this subsection, all age-eligible children served in foster care or who are experiencing homelessness or who have individualized education programs recommending placement in an inclusive preschool setting are considered to live with families with household income equal to or less than 250% of the federal poverty guidelines regardless of actual family income and are prioritized for enrollment within the lowest quintile.

(12) An intermediate district or consortium of intermediate districts receiving a grant under this section shall allow parents of eligible children who are residents of the intermediate district or within the consortium to choose a program operated by or contracted with another intermediate district or consortium of intermediate districts and shall enter into a written agreement regarding payment, in a manner prescribed by the department.

(13) An intermediate district or consortium of intermediate districts receiving a grant under this section shall conduct a local process to contract with interested and eligible public and private for-profit and nonprofit community-based providers that meet all requirements of subsection (4) for at least 30% of its total allocation. For the purposes of this 30% allocation, an intermediate district or consortium of intermediate districts may count children served by a Head Start grantee or delegate in a blended Head Start and great start readiness school-day program. Children served
in a program funded only through Head Start are not counted toward this 30% allocation. The intermediate district or consortium shall report to the department, in a manner prescribed by the department, a detailed list of community-based providers by provider type, including private for-profit, private nonprofit, community college or university, Head Start grantee or delegate, and district or intermediate district, and the number and proportion of its total allocation allocated to each provider as subrecipient. If the intermediate district or consortium is not able to contract for at least 30% of its total allocation, the grant recipient shall notify the department and, if the department verifies that the intermediate district or consortium attempted to contract for at least 30% of its total allocation and was not able to do so, then the intermediate district or consortium may retain and use all of its allocation as provided under this section. To be able to use this exemption, the intermediate district or consortium shall demonstrate to the department that the intermediate district or consortium increased the percentage of its total allocation for which it contracts with a community-based provider and the intermediate district or consortium shall submit evidence satisfactory to the department, and the department must be able to verify this evidence, demonstrating that the intermediate district or consortium took measures to contract for at least 30% of its total allocation as required under this subsection, including, but not limited to, at least all of the following measures:

(a) The intermediate district or consortium notified each nonparticipating licensed child care center located in the service area of the intermediate district or consortium regarding the center's eligibility to participate, in a manner prescribed by the department.

(b) The intermediate district or consortium provided to each nonparticipating licensed child care center located in the service area of the intermediate district or
consortium information regarding great start readiness program requirements and a
description of the application and selection process for community-based providers.

(c) The intermediate district or consortium provided to the public and to
participating families a list of community-based great start readiness program
subrecipients with a great start to quality rating of at least 3 stars.

(14) If an intermediate district or consortium of intermediate districts
receiving a grant under this section fails to submit satisfactory evidence to
demonstrate its effort to contract for at least 30% of its total allocation, as
required under subsection (13), the department shall reduce the allocation to the
intermediate district or consortium by a percentage equal to the difference between
the percentage of an intermediate district's or consortium's total allocation awarded
to community-based providers and 30% of its total allocation.

(15) In order to assist intermediate districts and consortia in complying with
the requirement to contract with community-based providers for at least 30% of their
total allocation, the department shall do all of the following:

(a) Ensure that a great start resource center or the department provides each
intermediate district or consortium receiving a grant under this section with the
contact information for each licensed child care center located in the service area of
the intermediate district or consortium by March 1 of each year.

(b) Provide, or ensure that an organization with which the department contracts
provides, a community-based provider with a validated great start to quality rating
within 90 days of the provider's having submitted a request and self-assessment.

(c) Ensure that all intermediate district, district, community college or
university, Head Start grantee or delegate, private for-profit, and private nonprofit
providers are subject to a single great start to quality rating system. The rating
system must ensure that regulators process all prospective providers at the same pace
on a first-come, first-served basis and must not allow 1 type of provider to receive a
great start to quality rating ahead of any other type of provider.

(d) Not later than March 1 of each year, compile the results of the information
reported by each intermediate district or consortium under subsection (13) and report
to the legislature a list by intermediate district or consortium with the number and
percentage of each intermediate district's or consortium's total allocation allocated
to community-based providers by provider type, including private for-profit, private
nonprofit, community college or university, Head Start grantee or delegate, and
district or intermediate district.

(16) A recipient of funds under this section shall report to the center in a
form and manner prescribed by the center the information necessary to derive the
number of children participating in the program who meet the program eligibility
criteria under subsection (5)(b), the number of eligible children not participating in
the program and on a waitlist, and the total number of children participating in the
program by various demographic groups and eligibility factors necessary to analyze
equitable and priority access to services for the purposes of subsection (3).

(17) As used in this section:

(a) "GSRP/Head Start blended program" means a part-day program funded under this
section and a Head Start program, which are combined for a school-day program.

(b) "Federal poverty guidelines" means the guidelines published annually in the
Federal Register by the United States Department of Health and Human Services under
its authority to revise the poverty line under 42 USC 9902.

(c) "Part-day program" means a program that operates at least 4 days per week,
30 weeks per year, for at least 3 hours of teacher-child contact time per day but for
fewer hours of teacher-child contact time per day than a school-day program.

(d) "School-day program" means a program that operates for at least the same
length of day as a district’s first grade program for a minimum of 4 days per week, 30
weeks per year. A classroom that offers a school-day program must enroll all children
for the school day to be considered a school-day program.

(18) An intermediate district or consortium of intermediate districts receiving
funds under this section shall establish and charge tuition according to a sliding
scale of tuition rates based upon household income for children participating in an
eligible great start readiness program who live with families with a household income
that is more than 250% of the federal poverty guidelines to be used by all of its
providers, as approved by the department.

(19) From the amount allocated in subsection (2), there is allocated for 2021-
2022-2022-2023 an amount not to exceed $10,000,000.00 for reimbursement of
transportation costs for children attending great start readiness programs funded
under this section. To receive reimbursement under this subsection, not later than
November 1 of each year, a program funded under this section that provides
transportation shall submit to the intermediate district that is the fiscal agent for
the program a projected transportation budget. The amount of the reimbursement for
transportation under this subsection is no more than the projected transportation
budget or $300.00 multiplied by the number of children funded for the program under
this section. If the amount allocated under this subsection is insufficient to fully
reimburse the transportation costs for all programs that provide transportation and
submit the required information, the department shall prorate the reimbursement in an
equal amount per child funded. The department shall make payments to the intermediate
district that is the fiscal agent for each program, and the intermediate district
shall then reimburse the program provider for transportation costs as prescribed under
this subsection.

(20) Subject to, and from the funds allocated under, subsection (19), the
department shall reimburse a program for transportation costs related to parent- or
guardian-accompanied transportation provided by transportation service companies,
buses, or other public transportation services. To be eligible for reimbursement under
this subsection, a program must submit to the intermediate district or consortia of
intermediate districts all of the following:

(a) The names of families provided with transportation support along with a
documented reason for the need for transportation support and the type of
transportation provided.

(b) Financial documentation of actual transportation costs incurred by the
program, including, but not limited to, receipts and mileage reports, as determined by
the department.

(c) Any other documentation or information determined necessary by the
department.

(21) The department shall implement a process to review and approve age-
appropriate comprehensive classroom level quality assessments for GSRP grantees that
support the early childhood standards of quality for prekindergarten children adopted
by the state board. The department shall make available to intermediate districts at
least 2 classroom level quality assessments that were approved in 2018.

(22) An intermediate district that is a GSRP grantee may approve the use of a
supplemental curriculum that aligns with and enhances the age-appropriate educational
curriculum in the classroom. If the department objects to the use of a supplemental
curriculum approved by an intermediate district, the superintendent shall establish a
review committee independent of the department. The review committee shall meet within
60 days of the department registering its objection in writing and provide a final
determination on the validity of the objection within 60 days of the review
commitee's first meeting.
(23) The department shall implement a process to evaluate and approve age-appropriate educational curricula that are in compliance with the early childhood standards of quality for prekindergarten children adopted by the state board.

(24) From the funds allocated under subsection (1), there is allocated for 2022-2023 an amount not to exceed $2,000,000.00 for payments to intermediate districts or consortia of intermediate districts for professional development and training materials for educators in programs implementing new curricula or child assessment tools approved for use in the great start readiness program.

(25) A great start readiness program or a GSRP/Head Start blended program funded under this section is permitted to utilize AmeriCorps Pre-K Reading Corps members in classrooms implementing research-based early literacy intervention strategies.

Sec. 32n. (1) For 2022-2023, from the general fund money appropriated in section 11, there is allocated an amount not to exceed $25,000,000.00 for before and after school programs. In addition, for 2022-2023 only, from the general fund money appropriated in section 11, there is allocated an additional $25,000,000.00 for the purposes of this section. The department shall develop a competitive grant program to distribute this funding to eligible entities, as described in subsection (2), as prescribed under this section.

(2) The department shall establish competitive grant criteria under this program for eligible applicants to expand access to quality, affordable programming before and after the school day for young people. To be eligible for a grant under this section, the applicant must meet, at a minimum, all of the following criteria:

(a) Serve children in any of grades kindergarten to 12.

(b) Be a community-based organization that is exempt from federal income tax under section 501(c)(3) of the internal revenue code, 26 USC 501, an institution of higher education, community or adult education program, a public library, or a local
government.

(c) Provide before school, after school, or before and after school programming to children described in subdivision (a). These programs must be used to support expanded learning opportunities, including but not limited to mentoring, leadership, community engagement, agriculture, art, music, literacy, science, technology, engineering, mathematics, health, and recreation programming.

(d) Address measurable goals including, but not limited to, improved school attendance, academic outcomes, positive behaviors, and skill acquisition, and include activities linked to research or quality practices.

(3) The department shall establish a competitive grant process for awarding funding under this section. The process shall be posted publicly at least 30 days prior to the grant application period. The department shall develop the form and method for applying for the grants. The application shall include a request for information on the applicant's outreach to children, youth, and families who qualify for free or reduced-price lunch. The application must be open for no less than 30 calendar days. At least 30 days before the application is opened, the department must publish on its public website the criteria that will be used in evaluating the application which must include, but are not limited to, priorities under subsection (5).

(4) In determining award amounts under this subsection, the department shall, to the extent practicable, ensure that eligible entities in all geographic regions of this state are represented in the distribution of grant funding under this section.

(5) The department shall prioritize the distribution of grant funding under this section based on, at a minimum, the following:

(a) An applicant's demonstrated need.

(b) The percentage of low-income families in the geographic area being served.
Prioritization must be determined by the average percentage of pupils in the school
district where eligible entities will provide before and after school programs who are
eligible for free and reduced-priced meals as determined under the Richard B. Russell
national school lunch act, 42 USC 1751 to 1769j.

(c) Whether the application provides services for the full school year.

(d) The applicant’s track record providing quality, affordable before and after
school services.

(e) Whether an applicant serving children in any of grades kindergarten through
eighth grade is licensed or is in the process of becoming licensed or has implemented
the Michigan State Board of Education Michigan Out-of-School Time Standards of
Quality. This does not preclude a non-licensed entity from applying and being funded.

(6) An eligible entity that receives grant funding under this section shall use
the funding only to provide before school, after school, or before and after school
programming to children described in subsection (2)(a). The programming offered under
this subsection must meet all of the following:

(a) Be provided to children in a manner in which the children are physically
present at a building or location designated by the eligible entity.

(b) Provide educational programming in core subject areas, including, but not
limited to, mathematics, reading, and science.

(c) Provide data to evaluate the program in a form and manner as prescribed by
the department.

(7) Up to 3% of funding allocated in subsection (2) must be set aside and
awarded to a non-profit entity with experience serving youth serving organizations to
provide start-up grants and capacity building, professional development, and technical
assistance for implementation of high quality, evidence-based out-of-school time
learning opportunities.
(8) Notwithstanding section 17b, the department shall make payments under this section in full upon grant award. Grantees that do not comply with reporting requirements, fail to provide the services proposed in their grant application, and/or close during the grant period may be required to repay state funds.

Sec. 32p. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $13,400,000.00 to $22,900,000.00 to intermediate districts for 2021-2022 2022-2023 for the purpose of providing early childhood funding to intermediate districts to support the goals and outcomes under subsection (2) and subsection (4), and to provide supports for early childhood programs for children from birth through age 8. The funding provided to each intermediate district under this section is determined by the distribution formula established by the department's office of great start to provide equitable funding statewide. In order to receive funding under this section, each intermediate district must provide an application to the office of great start not later than September 15 of the immediately preceding fiscal year indicating the strategies planned to be provided.

(2) Each intermediate district or consortium of intermediate districts that receives funding under this section shall convene a local great start collaborative and a parent coalition that includes an active partnership with at least 1 community-based organization. The goal of each great start collaborative and parent coalition is to ensure the coordination and expansion of local early childhood infrastructure systems and programs, increase the number eligible children that are enrolled from birth to age 8 in publicly funded programs and services through joint recruitment and enrollment systems, and to that allow every child in the community to achieve the following outcomes:

(a) Children born healthy.
(b) Children healthy, thriving, and developmentally on track from birth to grade 3.

(c) Children developmentally ready to succeed in school at the time of school entry.

(d) Children prepared to succeed in fourth grade and beyond by reading proficiently by the end of third grade.

(3) Each local great start collaborative and parent coalition shall convene workgroups to make recommendations about community services designed to achieve the outcomes described in subsection (2) and to ensure that its local great start system includes the following supports for children from birth through age 8:

(a) Physical health.

(b) Social-emotional health.

(c) Family supports, including and basic needs, and economic self-sufficiency.

(d) Parent education. Parent leadership and family engagement.

(e) Early education, including the child's development of skills linked to success in foundational literacy, and care.

(4) From the funds allocated in subsection (1), at least $2,500,000.00 must be used for the purpose of providing home visits to at-risk children and their families. The home visits must be conducted as part of a locally coordinated, family-centered, evidence-based, data-driven home visit strategic plan that is approved by the department. The goals of the home visits funded under this subsection are to improve school readiness using evidence-based methods, including a focus on developmentally appropriate outcomes for early literacy, to improve positive parenting practices, and to improve family economic self-sufficiency while reducing the impact of high-risk factors through community resources and referrals. The department shall coordinate the goals of the home visit strategic plans approved under
this subsection with other state agency home visit programs in a way that strengthens Michigan's home visiting infrastructure and maximizes federal funds available for the purposes of at-risk family home visits. The coordination among departments and agencies is intended to avoid duplication of state services and spending, and should emphasize efficient service delivery of home visiting programs.

(5) Not later than December 1 of each year, each intermediate district shall provide a report to the department detailing the strategies actually implemented during the immediately preceding school year and the families and children actually served. At a minimum, the report must include an evaluation of the services provided with additional funding under subsection (4) for home visits, using the goals identified in subsection (4) as the basis for the evaluation, including the degree to which school readiness was improved, the degree to which positive parenting practices were improved, the degree to which there was improved family economic self-sufficiency, and the degree to which community resources and referrals were utilized. The department shall compile and summarize these reports and submit its summary to the house and senate appropriations subcommittees on school aid and to the house and senate fiscal agencies not later than February 15 of each year.

(6) An intermediate district or consortium of intermediate districts that receives funding under this section may carry over any unexpended funds received under this section into the next fiscal year and may expend those unused funds through June 30 of the next fiscal year. However, an intermediate district or consortium of intermediate districts that receives funding for the purposes described in subsection (2) in fiscal year 2021-2022 shall not carry over into the next fiscal year any amount exceeding 15% of the amount awarded to the intermediate district or consortium in the 2021-2022 fiscal year. It is intended that the amount carried over from funding awarded for the purposes described in subsection (2) in
fiscal year 2022-2023 not exceed 15% of the amount awarded in that fiscal year. A recipient of a grant shall return any unexpended grant funds to the department in the manner prescribed by the department not later than September 30 of the next fiscal year after the fiscal year in which the funds are received.

Sec. 32s. (1) From the school aid fund money appropriated in section 11, there is allocated an amount not to exceed $5,000,000.00 for 2022-2023 only to an intermediate district or consortia of intermediate districts to lead a statewide development for a 3-year pilot program that provides high-quality preschool programming in a licensed home-based child care setting as provided for under this section. The grantee must work in partnership with the department, licensed home-based providers, and other relevant stakeholders through a collaborative development process.

(2) Funds allocated under this section may be used for planning, start-up costs, program development, programming costs that exceed the per slot allotment, and evaluation. The pilot funded under this section shall include licensed home-based child care providers from each of the four early childhood support network regions. The participating home-based providers are considered community-based providers and may receive funds from their local intermediate school district under section 32d.

(3) Evaluation of this program shall be conducted by a third party that collects individual provider outcomes at each stage of the pilot, but at a minimum annually and assesses the viability of scaling the model and achieving improved outcomes for children. The report shall demonstrate how licensed home-based childcare programs were involved at each stage of the pilot.

(4) The department may waive certain requirements specified in section 32d for providers participating in the pilot program only if it can be demonstrated the requirements do not reasonably apply to a licensed home-based child care setting and
if research suggests that waiving such requirements does not negatively impact child outcomes.

(5) The funds allocated under this section for 2022-2023 are a work project appropriation, and any unexpended funds for 2022-2023 are carried forward into 2023-2024. The purpose of the work project is to continue to provide support for the preschool home-based pilot programs described in subsection (2). The estimated completion date of the work project is September 30, 2025.

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

Sec. 35a. (1) From the appropriations in section 11, there is allocated for 2021-2022-2022-2023 for the purposes of this section an amount not to exceed $61,400,000.00 from the state school aid fund and there is allocated for 2022-2023 for the purposes of subsection (8) an amount not to exceed $3,500,000.00 from the general fund. Excluding staff or contracted employees funded under subsection (8), the superintendent shall designate staff or contracted employees funded under this section as critical shortage. Programs funded under this section are intended to ensure that this state will be a top 10 state in grade 4 reading proficiency by 2025 according to the National Assessment of Educational Progress (NAEP). By December 31, 2021-2022, the superintendent of public instruction shall do both of the following:

(a) Report in person to the house and senate appropriations subcommittees on school aid regarding progress on the goal described in this subsection and be available for questioning as prescribed through a process developed by the chairs of the house and senate appropriations subcommittees on school aid.

(b) Submit a written report to the house and senate appropriations subcommittees on school aid regarding progress on the goal described in this subsection.

(2) A district that receives funds under subsection (5) may spend up to 5% of
those funds for professional development for educators in a department-approved research-based training program related to current state literacy standards for pupils in grades pre-K to 3. The professional development must also include training in the use of screening and diagnostic tools, progress monitoring, and intervention methods used to address barriers to learning and delays in learning that are diagnosed through the use of these tools.

(3) A district that receives funds under subsection (5) may use up to 5% of those funds to administer department-approved screening and diagnostic tools to monitor the development of early literacy and early reading skills, and risk factors for word-level reading difficulties of pupils in grades pre-K to 3 and to support evidence-based professional learning described in subsection (11) for educators in administering and using screening, progress monitoring, and diagnostic assessment data to inform instruction through prevention and intervention in a multi-tiered system of supports framework. A department-approved screening and diagnostic tool administered by a district using funding under this section must include all of the following components: phonemic awareness, phonics, fluency, rapid automatized naming (RAN), and comprehension. Further, all of the following sub-skills must be assessed within each of these components:

(a) Phonemic awareness - segmentation, blending, and sound manipulation (deletion and substitution).

(b) Phonics - decoding (reading) and encoding (spelling).

(c) Fluency.

(d) Comprehension - making meaning of text.

(4) From the allocation under subsection (1), there is allocated an amount not to exceed $31,500,000.00 for 2021-2022-2022-2023 for the purpose of providing early literacy coaches at intermediate districts to assist teachers in developing and
implementing instructional strategies for pupils in grades pre-K to 3 so that pupils
are reading at grade level by the end of grade 3. All of the following apply to
funding under this subsection:

(a) The department shall develop an application process consistent with the
provisions of this subsection. An application must provide assurances that literacy
coaches funded under this subsection are knowledgeable about at least the following:

(i) Current state literacy standards for pupils in grades pre-K to 3.

(ii) Implementing an instructional delivery model based on frequent use of
formative, screening, and diagnostic tools, known as a multi-tiered system of
supports, to determine individual progress for pupils in grades pre-K to 3 so that
pupils are reading at grade level by the end of grade 3.

(iii) The use of data from diagnostic tools to determine the necessary additional
supports and interventions needed by individual pupils in grades pre-K to 3 in order
to be reading at grade level.

(b) From the allocation under this subsection, the department shall award grants
to intermediate districts for the support of early literacy coaches. The department
shall provide this funding in the following manner:

(i) The department shall award each intermediate district grant funding to
support the cost of 1 early literacy coach in an equal amount per early literacy
coach, not to exceed $112,500.00.

(ii) After distribution of the grant funding under subparagraph (i), the
department shall distribute the remainder of grant funding for additional early
literacy coaches in an amount not to exceed $112,500.00 per early literacy coach. The
number of funded early literacy coaches for each intermediate district is based on the
percentage of the total statewide number of pupils in grades K to 3 who meet the
income eligibility standards for the federal free and reduced-price lunch programs who
are enrolled in districts in the intermediate district.

(c) If an intermediate district that receives funding under this subsection uses
an assessment tool that screens for characteristics of dyslexia, the intermediate
district shall use the assessment results from that assessment tool to identify pupils
who demonstrate characteristics of dyslexia.

(5) From the allocation under subsection (1), there is allocated an amount not
to exceed $19,900,000.00 for 2021-2022-2022-2023 to districts that provide additional
instructional time to those pupils in grades pre-K to 3 who have been identified by
using department-approved screening and diagnostic tools as needing additional
supports and interventions in order to be reading at grade level by the end of grade
3. Additional instructional time may be provided before, during, and after regular
school hours or as part of a year-round balanced school calendar. All of the following
apply to funding under this subsection:

(a) In order to be eligible to receive funding, a district must demonstrate to
the satisfaction of the department that the district has done all of the following:

(i) Implemented a multi-tiered system of supports instructional delivery model
that is an evidence-based model that uses data-driven problem solving to integrate
academic and behavioral instruction and that uses intervention delivered to all pupils
in varying intensities based on pupil needs. The multi-tiered system of supports must
provide at least all of the following essential components:

(A) Team-based leadership.

(B) A tiered delivery system.

(C) Selection and implementation of instruction, interventions, and supports.

(D) A comprehensive screening and assessment system.

(E) Continuous data-based decision making.

(ii) Used department-approved research-based diagnostic tools to identify
individual pupils in need of additional instructional time.

(iii) Used a reading instruction method that focuses on the 5 fundamental building blocks of reading: phonics, phonemic awareness, fluency, vocabulary, and comprehension and content knowledge.

(iv) Provided teachers of pupils in grades pre-K to 3 with research-based professional development in diagnostic data interpretation.

(v) Complied with the requirements under section 1280f of the revised school code, MCL 380.1280f.

(b) The department shall distribute funding allocated under this subsection to eligible districts on an equal per-first-grade-pupil basis.

(c) If the funds allocated under this subsection are insufficient to fully fund the payments under this subsection, payments under this subsection are prorated on an equal per-pupil basis based on grade 1 pupils.

(6) Not later than September 1 of each year, a district that receives funding under subsection (5) in conjunction with the Michigan student data system, if possible, shall provide to the department a report that includes at least both of the following, in a form and manner prescribed by the department:

(a) For pupils in grades pre-K to 3, the teachers, pupils, schools, and grades served with funds under this section and the categories of services provided.

(b) For pupils in grades pre-K to 3, pupil proficiency and growth data that allows analysis both in the aggregate and by each of the following subgroups, as applicable:

(i) School.

(ii) Grade level.

(iii) Gender.

(iv) Race.
(v) Ethnicity.

(vi) Economically disadvantaged status.

(vii) Disability.

(viii) Pupils identified as having reading deficiencies.

(7) From the allocation under subsection (1), there is allocated an amount not to exceed $6,000,000.00 for 2021-2022-2023 to an intermediate district in which the combined total number of pupils in membership of all of its constituent districts is the fewest among all intermediate districts. All of the following apply to the funding under this subsection:

(a) Funding under this subsection must be used by the intermediate district, in partnership with an association that represents intermediate district administrators in this state, to implement all of the following:

(i) Literacy essentials teacher and principal training modules.

(ii) Face-to-face and online professional learning of literacy essentials teacher and principal training modules for literacy coaches, principals, and teachers.

(iii) The placement of regional lead literacy coaches to facilitate professional learning for early literacy coaches. These regional lead literacy coaches shall provide support for new literacy coaches, building teachers, and administrators and shall facilitate regional data collection to evaluate the effectiveness of statewide literacy coaches funded under this section.

(iv) Provide $500,000.00 from this subsection for literacy training, modeling, coaching, and feedback for district principals or chief administrators, as applicable. The training described in this subparagraph must use the pre-K and K to 3 essential instructional practices in literacy created by the general education leadership network as the framework for all training provided under this subparagraph.

(v) Job-embedded professional learning opportunities for mathematics teachers
through mathematics instructional coaching. Funding must be used for professional
learning for coaches, professional developers, administrators, and teachers; coaching
for early mathematics educators; the development of statewide and regional
professional learning networks in mathematics instructions; and the development and
support of digital professional learning modules.

(b) Not later than September 1 of each year, the intermediate district described
in this subsection, in consultation with grant recipients, shall submit a report to
the chairs of the senate and house appropriations subcommittees on school aid, the
chairs of the senate and house standing committees responsible for education
legislation, the house and senate fiscal agencies, and the state budget director. The
report described under this subdivision must include student achievement results in
English language arts and mathematics and survey results with feedback from parents
and teachers regarding the initiatives implemented under this subsection.

(c) Up to 2% of funds allocated under this subsection may be used by the
association representing intermediate district administrators that is in partnership
with the intermediate district specified in this subsection to administer this
subsection.

(8) From the general fund money allocated in subsection (1), the department
shall allocate the amount of $3,500,000.00 for 2021-2022-2022-2023 to the Michigan
Education Corps for the PreK Reading Corps, the K3 Reading Corps, and the Math Corps.
All of the following apply to funding under this subsection:

(a) By September 1 of the current fiscal year, the Michigan Education Corps
shall provide a report concerning its use of the funding to the senate and house
appropriations subcommittees on state school aid, the senate and house fiscal
agencies, and the senate and house caucus policy offices on outcomes and performance
measures of the Michigan Education Corps, including, but not limited to, the degree to
which the Michigan Education Corps' replication of the PreK Reading Corps, the K3
Reading Corps, and the Math Corps programs is demonstrating sufficient efficacy and
impact. The report must include data pertaining to at least all of the following:

(i) The current impact of the programs on this state in terms of numbers of
children and schools receiving support. This portion of the report must specify the
number of children tutored, including dosage and completion, and the demographics of
those children.

(ii) Whether the assessments and interventions are implemented with fidelity.
This portion of the report must include details on the total number of assessments and
interventions completed and the range, mean, and standard deviation.

(iii) Whether the literacy or math improvement of children participating in the
programs is consistent with expectations. This portion of the report must detail at
least all of the following:

(A) Growth rate by grade or age level, in comparison to targeted growth rate.
(B) Average linear growth rates.
(C) Exit rates.
(D) Percentage of children who exit who also meet or exceed spring benchmarks.

(iv) The impact of the programs on organizations and stakeholders, including,
but not limited to, school administrators, internal coaches, and AmeriCorps members.

(b) If the department determines that the Michigan Education Corps has misused
the funds allocated under this subsection, the Michigan Education Corps shall
reimburse this state for the amount of state funding misused.

(c) The department may not reserve any portion of the allocation provided under
this subsection for an evaluation of the Michigan Education Corps, the Michigan
Education Corps' funding, or the Michigan Education Corps' programming unless agreed
to in writing by the Michigan Education Corps. The department shall award the entire
$3,500,000.00 allocated under this subsection to the Michigan Education Corps and shall not condition the awarding of this funding on the implementation of an independent evaluation.

(9) If a district or intermediate district expends any funding received under subsection (4) or (5) for professional development in research-based effective reading instruction, the district or intermediate district shall select a professional development program from the list described under subdivision (a). All of the following apply to the requirement under this subsection:

(a) The department shall issue a request for proposals for professional development programs in research-based effective reading instruction to develop an initial approved list of professional development programs in research-based effective reading instruction. The department shall make the initial approved list public and shall determine if it will, on a rolling basis, approve any new proposals submitted for addition to its initial approved list.

(b) To be included as an approved professional development program in research-based effective reading instruction under subdivision (a), an applicant must demonstrate to the department in writing the program's competency in all of the following topics:

(i) Understanding of phonemic awareness, phonics, fluency, vocabulary, and comprehension.

(ii) Appropriate use of assessments and differentiated instruction.

(iii) Selection of appropriate instructional materials.

(iv) Application of research-based instructional practices.

(c) As used in this subsection, "effective reading instruction" means reading instruction scientifically proven to result in improvement in pupil reading skills.

(10) From the allocation under subsection (1), there is allocated an amount not
to exceed $4,000,000.00 for 2021-2022-2023 for professional learning described in subsection (11), first to educators in pre-K, kindergarten, and grade 1 and then to educators in grade 2 and grade 3. All of the following apply to funding under this subsection:

(a) The department must establish and manage professional learning opportunities that are open to all pre-K through grade 3 teachers as follows:

(i) The department must open voluntary enrollment for any pre-K through grade 3 teacher on a first-come, first-served basis, with voluntary enrollment prioritized for pre-K, kindergarten, and grade 1 teachers.

(ii) The department must maintain open enrollment until all funds are expended.

(b) The department shall distribute funding allocated under this subsection to eligible districts on an equal per-first-grade-pupil basis.

(c) If the funds allocated under this subsection are insufficient to fully fund the payments under this subsection, payments under this subsection are prorated on an equal per-pupil basis based on grade 1 pupils.

(11) The department shall provide a list of 1 or more approved providers of professional learning outlined in this subsection for pre-K to grade 3 teachers, administrators, and early literacy coaches. In order to be approved, a provider of professional learning must meet all of the following:

(a) Be offered through a system of training that provides educators with the knowledge base to effectively implement any class-wide, supplemental, or intervention reading approach and to determine why some students struggle with reading, writing, spelling, and language.

(b) Provide training activities that direct educators to implement effective reading and spelling instruction supported by scientifically based research and foster a direct explicit instructional sequence that uses techniques to support teachers'
independence in using their newly-learned skills with students in the classroom.

c) Include integrated components for educators and administrators in pre-K to grade 3 with embedded evaluation or assessment of knowledge. Evaluation or assessment of knowledge under this subdivision must incorporate evaluations of learning throughout each unit and include a summative assessment that must be completed to demonstrate successful course completion.

d) Build teacher content knowledge and pedagogical knowledge of the critical components of literacy including how the brain learns to read, phonological and phonemic awareness; letter knowledge; phonics; advanced phonics; vocabulary and oral language; fluency; comprehension; spelling and writing; and the organization of language.

e) Support educators in understanding how to effectively use screening, progress monitoring, and diagnostic assessment data to improve literacy outcomes through prevention and intervention for reading difficulties in a multi-tiered system of supports. The multi-tiered system of supports must include at least all of the following essential components:

(i) Team-based leadership.

(ii) A tiered delivery system.

(iii) Selection and implementation of instruction, interventions, and supports.

(iv) A comprehensive screening and assessment system.

(v) Continuous data-based decision making.

(12) Notwithstanding section 17b, the department shall make payments made under subsections (7) and (8) on a schedule determined by the department.

(13) As used in this section:

(a) "Dyslexia" means both of the following:

(i) A specific learning disorder that is neurobiological in origin and
characterized by difficulties with accurate or fluent word recognition and by poor
spelling and decoding abilities that typically result from a deficit in the
phonological component of language that is often unexpected in relation to other
cognitive abilities and the provision of effective classroom instruction.

(ii) A specific learning disorder that may include secondary consequences, such
as problems in reading comprehension and a reduced reading experience that can impede
the growth of vocabulary and background knowledge and lead to social, emotional, and
behavioral difficulties.

(b) "Evidence-based" means an activity, program, process, service, strategy, or
intervention that demonstrates statistically significant effects on improving pupil
outcomes or other relevant outcomes and that meets at least both of the following:

(i) At least 1 of the following:

(A) Is based on strong evidence from at least 1 well-designed and well-
implemented experimental study.

(B) Is based on moderate evidence from at least 1 well-designed and well-
implemented quasi-experimental study.

(C) Is based on promising evidence from at least 1 well-designed and well-
implemented correlational study with statistical controls for selection bias.

(D) Demonstrates a rationale based on high-quality research findings or positive
evaluation that the activity, program, process, service, strategy, or intervention is
likely to improve pupil outcomes or other relevant outcomes.

(ii) Includes ongoing efforts to examine the effects of the activity, program,
process, service, strategy, or intervention.

(c) "Explicit" means direct and deliberate instruction through continuous pupil-
teacher interaction that includes teacher modeling, guided practice, and independent
practice.
(d) "Fluency" means the ability to read with speed, accuracy, and proper expression.

(e) "Multi-tiered system of supports" means a comprehensive framework that includes 3 distinct tiers of instructional support and is composed of a collection of evidence-based strategies designed to meet the individual needs and assets of a whole pupil at all achievement levels.

(f) "Phonemic awareness" means the conscious awareness of all of the following:
   (i) Individual speech sounds, including, but not limited to, consonants and vowels, in spoken syllables.
   (ii) The ability to consciously manipulate through, including, but not limited to, matching, blending, segmenting, deleting, or substituting, individual speech sounds described in subparagraph (i).
   (iii) All levels of the speech sound system, including, but not limited to, word boundaries, rhyme recognition, stress patterns, syllables, onset-rime units, and phonemes.

(g) "Phonological" means relating to the system of contrastive relationships among the speech sounds that constitute the fundamental components of a language.

(h) "Progress monitoring" means the assessing of students' academic performance, quantifying students' rates of improvement or progress toward goals, and determining how students are responding to instruction.

(i) "Rapid automatized naming (RAN)" means a task that measures how quickly individuals can name objects; pictures; colors; or symbols, including letters and digits, aloud, which can predict later reading abilities for preliterate children.

Sec. 39. (1) An eligible applicant receiving funds under section 32d shall submit an application, in a form and manner prescribed by the department, by a date specified by the department in the immediately preceding fiscal year. An eligible
applicant is not required to amend the applicant's current accounting cycle or adopt
this state's fiscal year accounting cycle in accounting for financial transactions
under this section. The application must include all of the following:

(a) The estimated total number of children in the community who meet the
criteria of section 32d, as provided to the applicant by the department utilizing the
most recent population data available from the American Community Survey conducted by
the United States Census Bureau. The department shall ensure that it provides updated
American Community Survey population data at least once every 3 years.

(b) The estimated number of children in the community who meet the criteria of
section 32d and are being served exclusively by Head Start programs operating in the
community.

(c) The number of children whom the applicant has the capacity to serve who meet
the criteria of section 32d including a verification of physical facility and staff
resources capacity.

(2) After notification of funding allocations, an applicant receiving funds
under section 32d shall also submit an implementation plan for approval, in a form and
manner prescribed by the department, by a date specified by the department, that
details how the applicant complies with the program components established by the
department pursuant to section 32d.

(3) The initial allocation to each eligible applicant under section 32d is the
lesser of the following:

(a) The sum of the number of children served in a school-day program in the
preceding school year multiplied by $8,700.00–$9,135.00 and the number of children
served in a GSRP/Head Start blended program or a part-day program in the preceding
school year multiplied by $4,350.00–$4,567.50.

(b) The sum of the number of children the applicant has the capacity to serve in
the current school year in a school-day program multiplied by $8,700.00—$9,135.00 and
the number of children served in a GSRP/Head Start blended program or a part-day
program the applicant has the capacity to serve in the current school year multiplied
by $4,350.00—$4,567.50.

(4) If funds remain after the allocations under subsection (3), the department
shall distribute the remaining funds to each intermediate district or consortium of
intermediate districts that serves less than the state percentage benchmark determined
under subsection (5). The department shall distribute these remaining funds to each
eligible applicant based upon each applicant’s proportionate share of the remaining
unserved children necessary to meet the statewide percentage benchmark in intermediate
districts or consortia of intermediate districts serving less than the statewide
percentage benchmark. When all applicants have been given the opportunity to reach the
statewide percentage benchmark, the statewide percentage benchmark may be reset, as
determined by the department, until greater equity of opportunity to serve eligible
children across all intermediate school districts has been achieved.

(5) For the purposes of subsection (4), the department shall calculate a
percentage of children served by each intermediate district or consortium of
intermediate districts by adding the number of children served in the immediately
preceding year by that intermediate district or consortium with the number of eligible
children under section 32d served exclusively by head start, as reported in a form and
manner prescribed by the department, within the intermediate district or consortia
service area and dividing that total by the total number of children within the
intermediate district or consortium of intermediate districts who meet the criteria of
section 32d as determined by the department utilizing the most recent population data
available from the American Community Survey conducted by the United States Census
Bureau. The department shall compare the resulting percentage of eligible children
served to a statewide percentage benchmark to determine if the intermediate district
or consortium is eligible for additional funds under subsection (4). The statewide
percentage benchmark is 100%.

(6) If, taking into account the total amount to be allocated to the applicant as
calculated under this section, an applicant determines that it is able to include
additional eligible children in the great start readiness program without additional
funds under section 32d, the applicant may include additional eligible children but
does not receive additional funding under section 32d for those children.

(7) The department shall review the program components under section 32d and
under this section at least biennially. The department also shall convene a committee
of internal and external stakeholders at least once every 5 years to ensure that the
funding structure under this section reflects current system needs under section 32d.

(8) As used in this section, "GSRP/Head Start blended program", "part-day
program", and "school-day program" mean those terms as defined in section 32d.

(9) For the 2020-2021 program year only, the number of children reported on the
application described in subsection (1)(a), (b), and (c) must not be used by the
department for the purpose of calculating hold harmless funding levels for 2021-2022.
Hold harmless funding for 2021-2022 must be determined based on the 2019-2020 final
allocations calculated and paid under section 32d in 2019-2020.

Sec. 39a. (1) From the federal funds appropriated in section 11, there is
allocated for 2020-2021 to districts, intermediate districts, and other eligible
entities all available federal funding, estimated at $752,300,000.00 and there is
allocated for 2021-2022-2023 to districts, intermediate districts, and other
eligible entities all available federal funding, estimated at $752,300,000.00, for the
federal programs under the no child left behind act of 2001, Public Law 107-110, or
the every student succeeds act, Public Law 114-95. These funds are allocated as
follows:

(a) An amount estimated at $1,200,000.00 for 2020-2021 and estimated at $1,200,000.00 for 2021-2022-2023 to provide students with drug- and violence-prevention programs and to implement strategies to improve school safety, funded from DED-OESE, drug-free schools and communities funds.

(b) An amount estimated at $100,000,000.00 for 2020-2021 and estimated at $100,000,000.00 for 2021-2022-2023 for the purpose of preparing, training, and recruiting high-quality teachers and class size reduction, funded from DED-OESE, improving teacher quality funds.

(c) An amount estimated at $13,000,000.00 for 2020-2021 and estimated at $13,000,000.00 for 2021-2022-2023 for programs to teach English to limited English proficient (LEP) children, funded from DED-OESE, language acquisition state grant funds.

(d) An amount estimated at $2,800,000.00 for 2020-2021 and estimated at $2,800,000.00 for 2021-2022-2023 for rural and low-income schools, funded from DED-OESE, rural and low income school funds.

(e) An amount estimated at $535,000,000.00 for 2020-2021 and estimated at $535,000,000.00 for 2021-2022-2023 to provide supplemental programs to enable educationally disadvantaged children to meet challenging academic standards, funded from DED-OESE, title I, disadvantaged children funds.

(f) An amount estimated at $9,200,000.00 for 2020-2021 and estimated at $9,200,000.00 for 2021-2022-2023 for the purpose of identifying and serving migrant children, funded from DED-OESE, title I, migrant education funds.

(g) An amount estimated at $39,000,000.00 for 2020-2021 and estimated at $39,000,000.00 for 2021-2022-2023 for the purpose of providing high-quality extended learning opportunities, after school and during the summer, for children in
low-performing schools, funded from DED-OESE, twenty-first century community learning
center funds.

(h) An amount estimated at $14,000,000.00 for 2020-2021 and estimated at
$14,000,000.00 for 2021-2022-2022-2023 to help support local school improvement
efforts, funded from DED-OESE, title I, local school improvement grants.

(i) An amount estimated at $35,000,000.00 for 2020-2021 and estimated at
$35,000,000.00 for 2021-2022-2022-2023 to improve the academic achievement of
students, funded from DED-OESE, title IV, student support and academic enrichment
grants.

(j) An amount estimated at $3,100,000.00 for 2020-2021 and estimated at
$3,100,000.00 for 2021-2022-2022-2023 for literacy programs that advance literacy
skills for students from birth through grade 12, including, but not limited to,
English-proficient students and students with disabilities, funded from DED-OESE,
striving readers comprehensive literacy program.

(2) From the federal funds appropriated in section 11, there is allocated to
districts, intermediate districts, and other eligible entities all available federal
funding, estimated at $77,867,000.00 for 2020-2021 and estimated at $56,500,000.00 for
2021-2022-2022-2023 for the following programs that are funded by federal grants:

(a) An amount estimated at $24,367,000.00 for 2020-2021 and estimated at
$3,000,000.00 for 2021-2022-2022-2023 to provide services to homeless children and
youth, funded from DED-OVAE, homeless children and youth funds.

(b) An amount estimated at $24,000,000.00 for 2020-2021 and estimated at
$24,000,000.00 for 2021-2022-2022-2023 for providing career and technical education
services to pupils, funded from DED-OVAE, basic grants to states.

(c) An amount estimated at $14,000,000.00 for 2020-2021 and estimated at
$14,000,000.00 for 2021-2022-2022-2023 for the Michigan charter school subgrant
program, funded from DED-OII, public charter schools program funds.

(d) An amount estimated at $14,000,000.00 for 2020-2021 and estimated at $14,000,000.00 for 2021-2022-2022-2023 for the purpose of promoting and expanding high-quality preschool services, funded from HHS-OCC, preschool development funds.

(e) An amount estimated at $1,500,000.00 for 2020-2021 and estimated at $1,500,000.00 for 2021-2022-2022-2023 for the purpose of addressing priority substance abuse treatment, prevention, and mental health needs, funded from HHS-SAMHSA.

(3) The department shall distribute all federal funds allocated under this section in accordance with federal law and with flexibility provisions outlined in Public Law 107-116, and in the education flexibility partnership act of 1999, Public Law 106-25. Notwithstanding section 17b, the department shall make payments of federal funds to districts, intermediate districts, and other eligible entities under this section on a schedule determined by the department.

(4) For the purposes of applying for federal grants appropriated under this article, the department shall allow an intermediate district to submit a consortium application on behalf of 2 or more districts with the agreement of those districts as appropriate according to federal rules and guidelines.

(5) For the purposes of funding federal title I grants under this article, in addition to any other federal grants for which the strict discipline academy is eligible, the department shall allocate to a strict discipline academy out of title I, part A an amount equal to what the strict discipline academy would have received if included and calculated under title I, part D, or what it would receive under the formula allocation under title I, part A, whichever is greater.

(6) As used in this section:

(a) "DED" means the United States Department of Education.

(b) "DED-OESE" means the DED Office of Elementary and Secondary Education.
(c) "DED-OII" means the DED Office of Innovation and Improvement.
(d) "DED-OVAE" means the DED Office of Vocational and Adult Education.
(e) "HHS" means the United States Department of Health and Human Services.
(f) "HHS-OCC" means the HHS Office of Child Care.
(g) "HHS-SAMHSA" means the HHS Substance Abuse and Mental Health Services Project.

Sec. 41. (1) For a district to be eligible to receive funding under this section, the district must administer to English language learners the English language proficiency assessment known as the "WIDA ACCESS for English language learners" or the "WIDA Alternate ACCESS". From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $25,200,000.00 $26,475,000.00 for 2021-2022-2022-2023 for payments to eligible districts for services for English language learners who have been administered the WIDA ACCESS for English language learners.

(2) The department shall distribute funding allocated under subsection (1) to eligible districts based on the number of full-time equivalent English language learners as follows:

(a) $935.00 $982.00 per full-time equivalent English language learner who has been assessed under the WIDA ACCESS for English language learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA Alternate ACCESS composite score between 1.0 and 1.9, or less, as applicable to each assessment.

(b) $645.00 $678.00 per full-time equivalent English language learner who has been assessed under the WIDA ACCESS for English language learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA Alternate ACCESS composite score between 2.0 and 2.9, or less, as applicable to each assessment.

(c) $105.00 $111.00 per full-time equivalent English language learner who has
been assessed under the WIDA ACCESS for English language learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA Alternate ACCESS composite score between 3.0 and 3.9, or less, as applicable to each assessment.

(3) If funds allocated under subsection (1) are insufficient to fully fund the payments as prescribed under subsection (2), the department shall prorate payments on an equal percentage basis, with the same percentage proration applied to all funding categories.

(4) Each district receiving funds under subsection (1) shall submit to the department by July 15 of each fiscal year a report, not to exceed 10 pages, on the usage by the district of funds under subsection (1) in a form and manner determined by the department, including a brief description of each program conducted or services performed by the district using funds under subsection (1) and the amount of funds under subsection (1) allocated to each of those programs or services. If a district does not comply with this subsection, the department shall withhold an amount equal to the August payment due under this section until the district complies with this subsection. If the district does not comply with this subsection by the end of the fiscal year, the withheld funds are forfeited to the school aid fund.

(5) In order to receive funds under subsection (1), a district must allow access for the department or the department's designee to audit all records related to the program for which it receives those funds. The district shall reimburse this state for all disallowances found in the audit.

(6) Beginning July 1, 2020, and every 3 years thereafter, the department shall review the per-pupil distribution under subsection (2), to ensure that funding levels are appropriate and make recommendations for adjustments to the members of the senate and house subcommittees on K-12 school aid appropriations.

Sec. 51a. (1) From the state school aid fund money in section 11, there is
allocated an amount not to exceed $1,079,296,100.00 for 2020-2021 and there is
allocated an amount not to exceed $1,123,696,100.00 for 2021-2022

from state sources and all available federal funding under sections 1411 to
1419 of part B of the individuals with disabilities education act, 20 USC 1411 to
1419, estimated at $456,752,000.00 for 2020-2021 and $380,000,000.00 for 2021-
2022, 2022-2023, plus any carryover federal funds from previous year appropriations. The allocations under this subsection are for the purpose of
reimbursing districts and intermediate districts for special education programs,
services, and special education personnel as prescribed in article 3 of the revised
school code, MCL 380.1701 to 380.1761; net tuition payments made by intermediate
districts to the Michigan Schools for the Deaf and Blind; and special education
programs and services for pupils who are eligible for special education programs and
services according to statute or rule. For meeting the costs of special education
programs and services not reimbursed under this article, a district or intermediate
district may use money in general funds or special education funds, not otherwise
restricted, or contributions from districts to intermediate districts, tuition
payments, gifts and contributions from individuals or other entities, or federal funds
that may be available for this purpose, as determined by the intermediate district
plan prepared under article 3 of the revised school code, MCL 380.1701 to 380.1761.
Notwithstanding section 17b, the department shall make payments of federal funds to
districts, intermediate districts, and other eligible entities under this section on a
schedule determined by the department.

(2) From the funds allocated under subsection (1), there is allocated the amount
necessary, estimated at $319,000,000.00 for 2020-2021 and estimated at $323,000,000.00
$323,300,000.00 for 2021-2022, 2022-2023, for payments toward reimbursing districts
and intermediate districts for 28.6138% of total approved costs of special education,
excluding costs reimbursed under section 53a, and 70.4165% of total approved costs of special education transportation. Allocations under this subsection are made as follows:

(a) The department shall calculate the initial amount allocated to a district under this subsection toward fulfilling the specified percentages by multiplying the district's special education pupil membership, excluding pupils described in subsection (11), times the foundation allowance under section 20 of the pupil's district of residence, plus the amount of the district's per-pupil allocation under section 20m, not to exceed the target foundation allowance for the current fiscal year, or, for a special education pupil in membership in a district that is a public school academy, times an amount equal to the amount per membership pupil calculated under section 20(6). For an intermediate district, the amount allocated under this subdivision toward fulfilling the specified percentages is an amount per special education membership pupil, excluding pupils described in subsection (11), and is calculated in the same manner as for a district, using the foundation allowance under section 20 of the pupil's district of residence, not to exceed the target foundation allowance for the current fiscal year, and that district's per-pupil allocation under section 20m.

(b) After the allocations under subdivision (a), the department shall pay a district or intermediate district for which the payments calculated under subdivision (a) do not fulfill the specified percentages the amount necessary to achieve the specified percentages for the district or intermediate district.

(3) From the funds allocated under subsection (1), there is allocated for 2020-2021 an amount not to exceed $1,000,000.00 and there is allocated for 2021-2022-2022-2023 an amount not to exceed $1,000,000.00 to make payments to districts and intermediate districts under this subsection. If the amount allocated to a district or
intermediate district for a fiscal year under subsection (2)(b) is less than the sum of the amounts allocated to the district or intermediate district for 1996-97 under sections 52 and 58, there is allocated to the district or intermediate district for the fiscal year an amount equal to that difference, adjusted by applying the same proration factor that was used in the distribution of funds under section 52 in 1996-97 as adjusted to the district's or intermediate district's necessary costs of special education used in calculations for the fiscal year. This adjustment is to reflect reductions in special education program operations or services between 1996-97 and subsequent fiscal years. The department shall make adjustments for reductions in special education program operations or services in a manner determined by the department and shall include adjustments for program or service shifts.

(4) If the department determines that the sum of the amounts allocated for a fiscal year to a district or intermediate district under subsection (2)(a) and (b) is not sufficient to fulfill the specified percentages in subsection (2), then the department shall pay the shortfall to the district or intermediate district during the fiscal year beginning on the October 1 following the determination and shall adjust payments under subsection (3) as necessary. If the department determines that the sum of the amounts allocated for a fiscal year to a district or intermediate district under subsection (2)(a) and (b) exceeds the sum of the amount necessary to fulfill the specified percentages in subsection (2), then the department shall deduct the amount of the excess from the district's or intermediate district's payments under this article for the fiscal year beginning on the October 1 following the determination and shall adjust payments under subsection (3) as necessary. However, if the amount allocated under subsection (2)(a) in itself exceeds the amount necessary to fulfill the specified percentages in subsection (2), there is no deduction under this subsection.
(5) State funds are allocated on a total approved cost basis. Federal funds are allocated under applicable federal requirements.

(6) From the amount allocated in subsection (1), there is allocated an amount not to exceed $2,200,000.00 for 2020-2021 and there is allocated an amount not to exceed $2,200,000.00 for 2021-2022 2022-2023 to reimburse 100% of the net increase in necessary costs incurred by a district or intermediate district in implementing the revisions in the administrative rules for special education that became effective on July 1, 1987. As used in this subsection, "net increase in necessary costs" means the necessary additional costs incurred solely because of new or revised requirements in the administrative rules minus cost savings permitted in implementing the revised rules. The department shall determine net increase in necessary costs in a manner specified by the department.

(7) For purposes of this section and sections 51b to 58, all of the following apply:

(a) "Total approved costs of special education" are determined in a manner specified by the department and may include indirect costs, but must not exceed 115% of approved direct costs for section 52 and section 53a programs. The total approved costs include salary and other compensation for all approved special education personnel for the program, including payments for Social Security and Medicare and public school employee retirement system contributions. The total approved costs do not include salaries or other compensation paid to administrative personnel who are not special education personnel as that term is defined in section 6 of the revised school code, MCL 380.6. Costs reimbursed by federal funds, other than those federal funds included in the allocation made under this article, are not included. Special education approved personnel not utilized full time in the evaluation of students or in the delivery of special education programs, ancillary, and other related services
are reimbursed under this section only for that portion of time actually spent providing these programs and services, with the exception of special education programs and services provided to youth placed in child caring institutions or juvenile detention programs approved by the department to provide an on-ground education program.

(b) Beginning with the 2004-2005 fiscal year, a district or intermediate district that employed special education support services staff to provide special education support services in 2003-2004 or in a subsequent fiscal year and that in a fiscal year after 2003-2004 receives the same type of support services from another district or intermediate district shall report the cost of those support services for special education reimbursement purposes under this article. This subdivision does not prohibit the transfer of special education classroom teachers and special education classroom aides if the pupils counted in membership associated with those special education classroom teachers and special education classroom aides are transferred and counted in membership in the other district or intermediate district in conjunction with the transfer of those teachers and aides.

(c) If the department determines before bookclosing for a fiscal year that the amounts allocated for that fiscal year under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56 will exceed expenditures for that fiscal year under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56, then for a district or intermediate district whose reimbursement for that fiscal year would otherwise be affected by subdivision (b), subdivision (b) does not apply to the calculation of the reimbursement for that district or intermediate district and the department shall calculate reimbursement for that district or intermediate district in the same manner as it was for 2003-2004. If the amount of the excess allocations under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56 is not sufficient to fully fund
the calculation of reimbursement to those districts and intermediate districts under this subdivision, then the department shall prorate calculations and resulting reimbursement under this subdivision on an equal percentage basis. Beginning in 2015-2016, the amount of reimbursement under this subdivision for a fiscal year must not exceed $2,000,000.00 for any district or intermediate district.

(d) Reimbursement for ancillary and other related services, as that term is defined by R 340.1701c of the Michigan Administrative Code, is not provided when those services are covered by and available through private group health insurance carriers or federal reimbursed program sources unless the department and district or intermediate district agree otherwise and that agreement is approved by the state budget director. Expenses, other than the incidental expense of filing, must not be borne by the parent. In addition, the filing of claims must not delay the education of a pupil. A district or intermediate district is responsible for payment of a deductible amount and for an advance payment required until the time a claim is paid.

(e) Beginning with calculations for 2004-2005, if an intermediate district purchases a special education pupil transportation service from a constituent district that was previously purchased from a private entity; if the purchase from the constituent district is at a lower cost, adjusted for changes in fuel costs; and if the cost shift from the intermediate district to the constituent does not result in any net change in the revenue the constituent district receives from payments under sections 22b and 51c, then upon application by the intermediate district, the department shall direct the intermediate district to continue to report the cost associated with the specific identified special education pupil transportation service and shall adjust the costs reported by the constituent district to remove the cost associated with that specific service.

(8) A pupil who is enrolled in a full-time special education program conducted
or administered by an intermediate district or a pupil who is enrolled in the Michigan Schools for the Deaf and Blind is not included in the membership count of a district, but is counted in membership in the intermediate district of residence.

(9) Special education personnel transferred from 1 district to another to implement the revised school code are entitled to the rights, benefits, and tenure to which the person would otherwise be entitled had that person been employed by the receiving district originally.

(10) If a district or intermediate district uses money received under this section for a purpose other than the purpose or purposes for which the money is allocated, the department may require the district or intermediate district to refund the amount of money received. The department shall deposit money that is refunded in the state treasury to the credit of the state school aid fund.

(11) From the funds allocated in subsection (1), there is allocated the amount necessary, estimated at $2,400,000.00 for 2020-2021 and estimated at $2,900,000.00 $1,500,000.00 for 2021-2022, 2022-2023, to pay the foundation allowances for pupils described in this subsection. The department shall calculate the allocation to a district under this subsection by multiplying the number of pupils described in this subsection who are counted in membership in the district times the sum of the foundation allowance under section 20 of the pupil's district of residence, plus the amount of the district's per-pupil allocation under section 20m, not to exceed the target foundation allowance for the current fiscal year, or, for a pupil described in this subsection who is counted in membership in a district that is a public school academy, times an amount equal to the amount per membership pupil under section 20(6). The department shall calculate the allocation to an intermediate district under this subsection in the same manner as for a district, using the foundation allowance under section 20 of the pupil's district of residence not to exceed the target foundation
allowance for the current fiscal year and that district's per-pupil allocation under section 20m. This subsection applies to all of the following pupils:

(a) Pupils described in section 53a.

(b) Pupils counted in membership in an intermediate district who are not special education pupils and are served by the intermediate district in a juvenile detention or child caring facility.

(c) Pupils with an emotional impairment counted in membership by an intermediate district and provided educational services by the department of health and human services.

(12) If it is determined that funds allocated under subsection (2) or (11) or under section 51c will not be expended, funds up to the amount necessary and available may be used to supplement the allocations under subsection (2) or (11) or under section 51c in order to fully fund those allocations. After payments under subsections (2) and (11) and section 51c, the department shall expend the remaining funds from the allocation in subsection (1) in the following order:

(a) 100% of the reimbursement required under section 53a.

(b) 100% of the reimbursement required under subsection (6).

(c) 100% of the payment required under section 54.

(d) 100% of the payment required under subsection (3).

(e) 100% of the payments under section 56.

(13) The allocations under subsections (2), (3), and (11) are allocations to intermediate districts only and are not allocations to districts, but instead are calculations used only to determine the state payments under section 22b.

(14) If a public school academy that is not a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, enrolls under this section a pupil who resides outside of the intermediate district in which the public
school academy is located and who is eligible for special education programs and services according to statute or rule, or who is a child with a disability, as that term is defined under the individuals with disabilities education act, Public Law 108-446, the intermediate district in which the public school academy is located and the public school academy shall enter into a written agreement with the intermediate district in which the pupil resides for the purpose of providing the pupil with a free appropriate public education, and the written agreement must include at least an agreement on the responsibility for the payment of the added costs of special education programs and services for the pupil. If the public school academy that enrolls the pupil does not enter into an agreement under this subsection, the public school academy shall not charge the pupil’s resident intermediate district or the intermediate district in which the public school academy is located the added costs of special education programs and services for the pupil, and the public school academy is not eligible for any payouts based on the funding formula outlined in the resident or nonresident intermediate district’s plan. If a pupil is not enrolled in a public school academy under this subsection, the provision of special education programs and services and the payment of the added costs of special education programs and services for a pupil described in this subsection are the responsibility of the district and intermediate district in which the pupil resides.

(15) For the purpose of receiving its federal allocation under part B of the individuals with disabilities education act, Public Law 108-446, a public school academy that is a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, and is in compliance with section 553a of the revised school code, MCL 380.553a, directly receives the federal allocation under part B of the individuals with disabilities education act, Public Law 108-446, from the intermediate district in which the cyber school is located, as the subrecipient. If the
intermediate district does not distribute the funds described in this subsection to
the cyber school by the part B application due date of July 1, the department may
distribute the funds described in this subsection directly to the cyber school
according to the formula prescribed in 34 CFR 300.705 and 34 CFR 300.816.

(16) For a public school academy that is a cyber school, as that term is defined
in section 551 of the revised school code, MCL 380.551, and is in compliance with
section 553a of the revised school code, MCL 380.553a, that enrolls a pupil under this
section, the intermediate district in which the cyber school is located shall ensure
that the cyber school complies with sections 1701a, 1703, 1704, 1751, 1752, 1756, and
1757 of the revised school code, MCL 380.1701a, 380.1703, 380.1704, 380.1751,
380.1752, 380.1756, and 380.1757; applicable rules; and the individuals with
disabilities education act, Public Law 108-446.

(17) For the purposes of this section, the department or the center shall only
require a district or intermediate district to report information that is not already
available from the financial information database maintained by the center.

Sec. 51c. As required by the court in the consolidated cases known as Durant v
State of Michigan, 456 Mich 175 (1997), from the allocation under section 51a(1),
there is allocated for 2020-2021 and for 2021-2022, 2022-2023, the amount necessary,
estimated at $702,500,000.00 for 2020-2021 and $733,400,000.00 $710,000,000.00 for
2021-2022, 2022-2023, for payments to reimburse districts for 28.6138% of total
approved costs of special education excluding costs reimbursed under section 53a, and
70.4165% of total approved costs of special education transportation. Funds allocated
under this section that are not expended in the fiscal year for which they were
allocated, as determined by the department, may be used to supplement the allocations
under sections 22a and 22b to fully fund those allocations for the same fiscal year.
For each fund transfer as described in the immediately preceding sentence that occurs,
the state budget director shall send notification of the transfer to the house and
senate appropriations subcommittees on state school aid and the house and senate
fiscal agencies by not later than 14 calendar days after the transfer occurs.

Sec. 51d. (1) From the federal funds appropriated in section 11, there is
allocated for 2020-2021 all available federal funding, estimated at $83,195,000.00,
and there is allocated for 2021-2022-2022-2023 all available federal funding,
estimated at $71,000,000.00, for special education programs and services that are
funded by federal grants. The department shall distribute all federal funds allocated
under this section in accordance with federal law. Notwithstanding section 17b, the
department shall make payments of federal funds to districts, intermediate districts,
and other eligible entities under this section on a schedule determined by the
department.

(2) From the federal funds allocated under subsection (1), the following amounts
are allocated:

(a) For 2020-2021, an amount estimated at $19,822,000.00 for handicapped infants
and toddlers, funded from DED-OSERS, handicapped infants and toddlers funds. For 2021-
2022-2022-2023, an amount estimated at $14,000,000.00 for handicapped infants and
toddlers, funded from DED-OSERS, handicapped infants and toddlers funds.

(b) For 2020-2021, an amount estimated at $20,373,000.00 for preschool grants
under Public Law 94-142, funded from DED-OSERS, handicapped preschool incentive funds.
For 2021-2022-2022-2023, an amount estimated at $14,000,000.00 for preschool grants
under Public Law 94-142, funded from DED-OSERS, handicapped preschool incentive funds.

(c) For 2020-2021 and for 2021-2022-2022-2023, an amount estimated at
$43,000,000.00 for special education programs funded by DED-OSERS, handicapped
program, individuals with disabilities act funds.

(3) As used in this section, "DED-OSERS" means the United States Department of
Sec. 51f. (1) From the funds appropriated under section 11, there is allocated for 2021-2022-2022-2023 an amount not to exceed $90,207,000.00 for payments to districts and intermediate districts to increase the level of reimbursement of costs associated with providing special education services required under state and federal law.

(2) A district's or intermediate district's allocation under this section is equal to the level percentage multiplied by each district's or intermediate district's costs reported to the center on the special education actual cost report, known as "SE-4096" as referred to under section 18(6), as approved by the department.

(3) The total reimbursement under this section and under section 51c must not exceed the total reported costs for a district or intermediate district.

(4) For 2021-2022-2022-2023, the level percentage is estimated at $8.0%.

(5) For the purposes of this section, "level percentage" means the percentage calculated by dividing the allocation in subsection (1) by the total of costs reported to the center on the special education actual cost report, known as "SE-4096" as referred to under section 18(6), as approved by the department.

Sec. 51g. From the general fund money appropriated in section 11, $3,000,000.00 is allocated for 2021-2022-2022-2023 to an association for administrators of special education services to develop content for use by special education students, teachers, and others. Any content that is developed as described in this section must be accessible throughout this state. Funds received by an association under this section may be used to support the development of assessment tools to measure the needs of students with special education needs in remote learning environments and the effectiveness of various educational methods and tools, in collaboration with the department. Funds under this section may also be utilized to identify any available
federal funds for research related to special education in remote learning.

Sec. 53a. (1) For districts, reimbursement for pupils described in subsection (2) is 100% of the total approved costs of operating special education programs and services approved by the department and included in the intermediate district plan adopted under article 3 of the revised school code, MCL 380.1701 to 380.1761, minus the district's foundation allowance calculated under section 20 and minus the district's per-pupil allocation under section 20m. For intermediate districts, the department shall calculate reimbursement for pupils described in subsection (2) in the same manner as for a district, using the foundation allowance under section 20 of the pupil's district of residence, not to exceed the target foundation allowance under section 20 for the current fiscal year plus the amount of the district's per-pupil allocation under section 20m.

(2) Reimbursement under subsection (1) is for the following special education pupils:

(a) Pupils assigned to a district or intermediate district through the community placement program of the courts or a state agency, if the pupil was a resident of another intermediate district at the time the pupil came under the jurisdiction of the court or a state agency.

(b) Pupils who are residents of institutions operated by the department of health and human services.

(c) Pupils who are former residents of department of community health institutions for the developmentally disabled who are placed in community settings other than the pupil's home.

(d) Pupils enrolled in a department-approved on-grounds educational program longer than 180 days, but not longer than 233 days, at a residential child care institution, if the child care institution offered in 1991-92 an on-grounds
(e) Pupils placed in a district by a parent for the purpose of seeking a suitable home, if the parent does not reside in the same intermediate district as the district in which the pupil is placed.

(3) Only those costs that are clearly and directly attributable to educational programs for pupils described in subsection (2), and that would not have been incurred if the pupils were not being educated in a district or intermediate district, are reimbursable under this section.

(4) The costs of transportation are funded under this section and are not reimbursed under section 58.

(5) The department shall not allocate more than $10,500,000.00 of the allocation for 2021-2022-2023 in section 51a(1) under this section.

Sec. 54. Each intermediate district receives an amount per pupil for each pupil in attendance at the Michigan Schools for the Deaf and Blind. The amount is proportionate to the total instructional cost at each school. The department shall not allocate more than $1,688,000.00 of the allocation for 2021-2022-2023 in section 51a(1) under this section.

Sec. 54b. (1) From the general fund money appropriated in section 11, there is allocated an amount not to exceed $1,600,000.00 for 2021-2022-2023 to continue the implementation of the recommendations of the special education reform task force published in January 2016.

(2) The department shall use funds allocated under this section for the purpose of piloting statewide implementation of the Michigan Integrated Behavior and Learning Support Initiative (MiBLSI), Michigan’s Multi-Tiered System of Supports (MIMTSS) Center, a nationally recognized program that includes positive behavioral intervention and supports and provides a statewide structure to support local initiatives for an
integrated behavior and reading program. With the assistance of the intermediate districts involved in MiBLSI, MIMTSS the department shall identify a number of intermediate districts to participate in the pilot that is sufficient to ensure that MiBLSI MIMTSS can be implemented statewide with fidelity and sustainability. In addition, the department shall identify an intermediate district to act as a fiscal agent for these funds.

Sec. 54d. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $11,150,000.00 $21,250,000.00 for 2021-2022 2022-2023 to intermediate districts for the purpose of providing state early on services programs for children from birth to 3 years of age with a developmental delay or a disability, or both, and their families, as described in the early on Michigan state plan, as approved by the department.

(2) To be eligible to receive grant funding under this section, each intermediate district must apply in a form and manner determined by the department.

(3) The grant funding allocated under this section must be used to increase early on services and resources available to children that demonstrate developmental delays to help prepare them for success as they enter school. State early on services include evaluating and providing early intervention services for eligible infants and toddlers and their families to address developmental delays, including those affecting physical, cognitive, communication, adaptive, social, or emotional development. Grant funds must not be used to supplant existing services that are currently being provided.

(4) The department shall distribute the funds allocated under subsection (1) to intermediate districts according to the department's early on funding formula utilized to distribute the federal award to Michigan under part C of the individuals with disabilities education act, Public Law 108-446. Funds received under this section must
not supplant existing funds or resources allocated for early on early intervention services. An intermediate district receiving funds under this section shall maximize the capture of Medicaid funds to support early on early intervention services to the extent possible.

(5) Each intermediate district that receives funds under this section shall report data and other information to the department in a form, manner, and frequency prescribed by the department to allow for monitoring and evaluation of the program and to ensure that the children described in subsection (1) received appropriate levels and types of services delivered by qualified personnel, based on the individual needs of the children and their families.

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

(7) Grant funds awarded and allocated to an intermediate district under this section must be expended by the grant recipient before June 30 of the fiscal year immediately following the fiscal year in which the funds were received.

Sec. 56. (1) For the purposes of this section:

(a) "Membership" means for a particular fiscal year the total membership of the intermediate district and the districts constituent to the intermediate district, except that if a district has elected not to come under part 30 of the revised school code, MCL 380.1711 to 380.1741, membership of the district is not included in the membership of the intermediate district.

(b) "Millage levied" means the millage levied for special education under part 30 of the revised school code, MCL 380.1711 to 380.1741, including a levy for debt service obligations.

(c) "Taxable value" means the total taxable value of the districts constituent to an intermediate district, except that if a district has elected not to come under
part 30 of the revised school code, MCL 380.1711 to 380.1741, taxable value of the
district is not included in the taxable value of the intermediate district.

(2) From the allocation under section 51a(1), there is allocated an amount not
to exceed $40,008,100.00 for 2020-2021 and an amount not to exceed $40,008,100.00 for
2021-2022-2022-2023 to reimburse intermediate districts levying millages for special
education under part 30 of the revised school code, MCL 380.1711 to 380.1741. The
purpose, use, and expenditure of the reimbursement are limited as if the funds were
generated by these millages and governed by the intermediate district plan adopted
under article 3 of the revised school code, MCL 380.1701 to 380.1761. As a condition
of receiving funds under this section, an intermediate district distributing any
portion of special education millage funds to its constituent districts must submit
for departmental approval and implement a distribution plan.

(3) Except as otherwise provided in this subsection, reimbursement for those
millages levied in 2019-2020 is made in 2020-2021 at an amount per 2019-2020
membership pupil computed by subtracting from $208,800.00 the 2019-2020 taxable value
behind each membership pupil and multiplying the resulting difference by the 2019-2020
millage levied, and then subtracting from that amount the 2019-2020 local community
stabilization share revenue for special education purposes behind each membership
pupil for reimbursement of personal property exemption loss under the local community
stabilization authority act, 2014 PA 86, MCL 123.1341 to 123.1362. Reimbursement in
2020-2021 for an intermediate district whose 2017-2018 allocation was affected by the
operation of subsection (5) is an amount equal to 102.5% of the 2017-2018 allocation
to that intermediate district.

(3) Except as otherwise provided in this subsection, reimbursement for those
millages levied in 2020-2021-2022-2023 is made in 2021-2022-2022-2023 at an amount per
2020-2021-2022-2023 membership pupil computed by subtracting from $215,900.00
$227,700.00 the 2020-2021-2022 taxable value behind each membership pupil and multiplying the resulting difference by the 2020-2021-2022 millage levied, and then subtracting from that amount the 2020-2021-2022 local community stabilization share revenue for special education purposes and 2021-2022 tax increment revenues captured by a brownfield redevelopment authority behind each membership pupil for reimbursement of personal property exemption loss under the local community stabilization authority act, 2014 PA 86, MCL 123.1341 to 123.1362 and reimbursements paid under section 26d for tax increment revenues captured by a brownfield redevelopment authority. Reimbursement in 2021-2022-2022-2023 for an intermediate district whose 2017-2018 allocation was affected by the operation of subsection (4) is an amount equal to 102.5% of the 2017-2018 allocation to that intermediate district.

(4) The department shall ensure that the amount paid to a single intermediate district under this section subsection (2) does not exceed 62.9% of the total amount allocated under subsection (2).

(5) The department shall ensure that the amount paid to a single intermediate district under this section subsection (2) is not less than 75% of the amount allocated to the intermediate district under this section subsection (2) for the immediately preceding fiscal year.

(6) From the allocation under section 51a(1), state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $34,200,000.00 for 2021-2022-2022-2023 to provide payments to intermediate districts levying millages for special education under part 30 of the revised school code, MCL 380.1711 to 380.1741. The purpose, use, and expenditure of the payments under this subsection are limited as if the funds were generated by these millages and governed by the intermediate district plan adopted under article 3 of the revised school code, MCL...
380.1701 to 380.1761. The department shall provide a payment under this subsection to each intermediate district described in this subsection as follows:

(a) Except as otherwise provided in this subsection, for an intermediate district with a 2020-2021-2022 3-year average special education millage revenue per pupil that is less than $251.00 and that is levying at least 46.2% but less than 60.0% of its maximum millage rate allowed under section 1724a of the revised school code, MCL 380.1724a, an amount computed by subtracting from $251.00 the 2021-2022 3-year average special education millage revenue per pupil and, only if the millage levied by the intermediate district is less than 1, multiplying that amount by the number of mills levied divided by 1, and then multiplying that amount by the 2020-2021-2022 3-year average membership, and then subtracting from that amount the amount allocated under subsection (2) for 2021-2022-2023. If the calculation under this subdivision results in an amount below zero, there is no payment under this subdivision.

(b) Except as otherwise provided in this subsection, for an intermediate district with a 2020-2021-2022 3-year average special education millage revenue per pupil that is less than $281.00 $296.00 and that is levying at least 60.0% of its maximum millage rate allowed under section 1724a of the revised school code, MCL 380.1724a, an amount computed by subtracting from $281.00 $296.00 the 2020-2021-2022 3-year average special education millage revenue per pupil, and, only if the millage levied by the intermediate district is less than 1, multiplying that amount by the number of mills levied divided by 1, and then multiplying that amount by the 2020-2021-2022 3-year average membership, and then subtracting from that amount the amount allocated under subsection (2) for 2021-2022-2023. If the calculation under this subdivision results in an amount below zero, there is no payment under this subdivision.
(8) As used in subsection (7):


(b) "2020-2021-2022-2023 3-year average special education millage revenue per pupil" means the 3-year average taxable value per mill levied behind each membership pupil for 2018-2019, 2019-2020, and 2020-2021, and 2021-2022 multiplied by the 2020-2021-2022 millage levied.

Sec. 61a. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $37,611,300.00-$47,611,300.00 for 2021-2022-2023 to reimburse on an added cost basis districts, except for a district that served as the fiscal agent for a vocational education consortium in the 1993-94 school year and that has a foundation allowance as calculated under section 20 greater than the minimum foundation target foundation allowance under that section, and secondary area vocational-technical education centers for secondary-level career and technical education programs according to rules approved by the superintendent. Applications for participation in the programs must be submitted in the form prescribed by the department. The department shall determine the added cost for each career and technical education program area. The department shall prioritize the allocation of added cost funds based on the capital and program expenditures needed to operate the career and technical education programs provided; the number of pupils enrolled; the advancement of pupils through the instructional program; the existence of an articulation agreement with at least 1 postsecondary institution that provides pupils with opportunities to earn postsecondary credit during the pupil's participation in the career and technical education program and transfers those credits to the postsecondary institution upon completion of the career and technical education program; and the program rank in student placement, job openings, and wages, and shall
ensure that the allocation does not exceed 75% of the added cost of any program.

Notwithstanding any rule or department determination to the contrary, when determining a district's allocation or the formula for making allocations under this section, the department shall include the participation of pupils in grade 9 in all of those determinations and in all portions of the formula. With the approval of the department, the board of a district maintaining a secondary career and technical education program may offer the program for the period from the close of the school year until September 1. The program shall use existing facilities and must be operated as prescribed by rules promulgated by the superintendent.

(2) Except for a district that served as the fiscal agent for a vocational education consortium in the 1993-94 school year, the department shall reimburse districts and intermediate districts for local career and technical education administration, shared time career and technical education administration, and career education planning district career and technical education administration. The superintendent shall adopt guidelines for the definition of what constitutes administration and shall make reimbursement pursuant to those guidelines. The department shall not distribute more than $800,000.00 of the allocation in subsection (1) under this subsection.

(3) A career and technical education program funded under this section may provide an opportunity for participants who are eligible to be funded under section 107 to enroll in the career and technical education program funded under this section if the participation does not occur during regular school hours.

Sec. 61b. (1) From the funds appropriated under section 11, there is allocated for 2021-2022-2022-2023 an amount not to exceed $8,000,000.00 from the state school aid fund appropriation for CTE early middle college and CTE dual enrollment programs authorized under this section and for planning grants for the development or expansion
of CTE early middle college programs. The purpose of these programs is to increase the number of Michigan residents with high-quality degrees or credentials, and to increase the number of students who are college and career ready upon high school graduation.

(2) From the funds allocated under subsection (1), the department shall allocate an amount as determined under this subsection to each intermediate district serving as a fiscal agent for state-approved CTE early middle college and CTE dual enrollment programs in each of the career education planning districts identified by the department. An intermediate district shall not use more than 5% of the funds allocated under this subsection for administrative costs for serving as the fiscal agent.

(3) To be an eligible fiscal agent, an intermediate district must agree to do all of the following in a form and manner determined by the department:

(a) Distribute funds to eligible CTE early middle college and CTE dual enrollment programs in a career education planning district as described in this section.

(b) Collaborate with the career and educational advisory council in the workforce development board service delivery area to develop a regional strategic plan under subsection (4) that aligns CTE programs and services into an efficient and effective delivery system for high school students. The department will align career education planning districts, workforce development board service delivery areas, and intermediate districts for the purpose of creating a regional strategic plan for each workforce development board service delivery area.

(c) Implement a regional process to rank career clusters in the workforce development board service delivery area as described under subsection (4). Regional processes must be approved by the department before the ranking of career clusters.

(d) Report CTE early middle college and CTE dual enrollment program and student data and information as prescribed by the department and the center.
(e) The local education agency responsible for student reporting in the Michigan student data system (MSDS) will report the total number of college credits the student earned, at the time of high school graduation, as determined by the department and the center.

(f) The local education agency will report each award outcome in the Michigan student data system (MSDS) that the CTE early middle college student attained. For purposes of this subsection, an on-track CTE early middle college graduate is a graduate who obtained their high school diploma and at least 1 of the following:

(i) An associate's degree.

(ii) 60 transferrable college credits.

(iii) Professional certification.

(iv) A Michigan Early Middle College Association certificate.

(v) Participation in a registered apprenticeship.

(4) A regional strategic plan must be approved by the career and educational advisory council before submission to the department. A regional strategic plan must include, but is not limited to, the following:

(a) An identification of regional employer need based on a ranking of all career clusters in the workforce development board service delivery area ranked by 10-year projections of annual job openings and median wage for each standard occupational code in each career cluster as obtained from the United States Bureau of Labor Statistics. Standard occupational codes within high-ranking clusters also may be further ranked by median wage and annual job openings. The career and educational advisory council located in the workforce development board service delivery area shall review the rankings and modify them if necessary to accurately reflect employer demand for talent in the workforce development board service delivery area. A career and educational advisory council shall document that it has conducted this review and certify that it
is accurate. These career cluster rankings must be determined and updated once every 4 years.

(b) An identification of educational entities in the workforce development board service delivery area that will provide eligible CTE early middle college and CTE dual enrollment programs including districts, intermediate districts, postsecondary institutions, and noncredit occupational training programs leading to an industry-recognized credential.

(c) A strategy to inform parents and students of CTE early middle college and CTE dual enrollment programs in the workforce development board service delivery area.

(d) Any other requirements as defined by the department.

(5) An eligible CTE program is a program that meets all of the following:

(a) Has been identified in the highest 5 career cluster rankings in any of the 16 workforce development board service delivery area strategic plans jointly approved by the department of labor and economic opportunity and the department.

(b) Has a coherent sequence of courses in a specific career cluster that will allow a student to earn a high school diploma and achieve at least 1 of the following:

(i) For CTE early middle college, outcomes as defined in subsection (3)(f).

(ii) For CTE dual enrollment, 1 of the following:

(A) An associate degree.

(B) An industry-recognized technical certification approved by the department of labor and economic opportunity.

(C) Up to 60 transferable college credits.

(D) Participation in a registered apprenticeship, pre-apprenticeship, or apprentice readiness program.

(c) Is aligned with the Michigan merit curriculum.

(d) Has an articulation or a college credit agreement with at least 1
postsecondary institution that provides students with opportunities to receive
postsecondary credits during the student's participation in the CTE early middle
college or CTE dual enrollment program and transfers those credits to the
postsecondary institution upon completion of the CTE early middle college or CTE dual
enrollment program.

(e) Provides instruction that is supervised, directed, or coordinated by an
appropriately certificated CTE teacher or, for concurrent enrollment courses, a
postsecondary faculty member.

(f) Provides for highly integrated student support services that include at
least the following:

(i) Teachers as academic advisors.

(ii) Supervised course selection.

(iii) Monitoring of student progress and completion.

(iv) Career planning services provided by a local one-stop service center as
described in the Michigan works one-stop service center system act, 2006 PA 491, MCL
408.111 to 408.135, or by a high school counselor or advisor.

(g) Has courses that are taught on a college campus, are college courses offered
at the high school and taught by college faculty, or are courses taught in combination
with online instruction.

(6) The department shall distribute funds to eligible CTE early middle college
and CTE dual enrollment programs as follows:

(a) The department shall determine statewide average CTE costs per pupil for
each CIP code program by calculating statewide average costs for each CIP code program
for the 3 most recent fiscal years.

(b) The distribution to each eligible CTE early middle college or CTE dual
enrollment program is the product of 50% of CTE costs per pupil times the pupil
enrollment of each eligible CTE early middle college or CTE dual enrollment program in the immediately preceding school year.

(7) In order to receive funds under this section, a CTE early middle college or CTE dual enrollment program shall furnish to the intermediate district that is the fiscal agent identified in subsection (2), in a form and manner determined by the department, all information needed to administer this program and meet federal reporting requirements; shall allow the department or the department's designee to review all records related to the program for which it receives funds; and shall reimburse the state for all disallowances found in the review, as determined by the department.

(8) There is allocated for 2021-2022-2022-2023 from the funds under subsection (1) an amount not to exceed $500,000.00 from the state school aid fund allocation for grants to intermediate districts or consortia of intermediate districts for the purpose of planning for new or expanded early middle college programs. Applications for grants must be submitted in a form and manner determined by the department. The amount of a grant under this subsection must not exceed $50,000.00. To be eligible for a grant under this subsection, an intermediate district or consortia of intermediate districts must provide matching funds equal to the grant received under this subsection. Notwithstanding section 17b, the department shall make payments under this subsection in the manner determined by the department.

(9) Funds distributed under this section may be used to fund program expenditures that would otherwise be paid from foundation allowances. A program receiving funding under section 61a may receive funding under this section for allowable costs that exceed the reimbursement the program received under section 61a. The combined payments received by a program under section 61a and this section must not exceed the total allowable costs of the program. A program provider shall not use
more than 5% of the funds allocated under this section to the program for administrative costs.

(10) If the allocation under subsection (1) is insufficient to fully fund payments as otherwise calculated under this section, the department shall prorate payments under this section on an equal percentage basis.

(11) If pupils enrolled in a career cluster in an eligible CTE early middle college or CTE dual enrollment program qualify to be reimbursed under this section, those pupils continue to qualify for reimbursement until graduation, even if the career cluster is no longer identified as being in the highest 5 career cluster rankings.

(12) As used in this section:

(a) "Allowable costs" means those costs directly attributable to the program as jointly determined by the department of labor and economic opportunity and the department.

(b) "Career and educational advisory council" means an advisory council to the local workforce development boards located in a workforce development board service delivery area consisting of educational, employer, labor, and parent representatives.

(c) "CIP" means classification of instructional programs.

(d) "CTE" means career and technical education programs.

(e) "CTE dual enrollment program" means a 4-year high school program of postsecondary courses offered by eligible postsecondary educational institutions that leads to an industry-recognized certification or degree.

(f) "Early middle college program" means a 5-year high school program.

(g) "Eligible postsecondary educational institution" means that term as defined in section 3 of the career and technical preparation act, 2000 PA 258, MCL 388.1903.

Sec. 61c. (1) From the general fund money appropriated in section 11, there is
allocated for 2021-2022 only an amount not to exceed $7,500,000.00

$10,000,000.00 to eligible career education planning districts for the CTE skilled trades initiative described in subsections (2) to (5)—purposes described in this section. To be eligible to receive funding under this section, at least 50% of the area served by a CEPD must be located in an intermediate district that did not levy a vocational education millage in 2021-2022.

(2) To receive funding under subsection (1), each eligible CEPD must apply in a form and manner prescribed by the department. Funding to each eligible CEPD must be equal to the quotient of the allocation under subsection (1) and the sum of the number of career education planning districts applying for funding under subsection (1) that are located in an intermediate district that did not levy a vocational education millage in 2021-2022.

(3) At least 50% of the funding allocated to each eligible CEPD must be used to update equipment in current CTE programs that have been identified in the highest 5 career cluster rankings in the most recent CEPD regional strategic plans jointly approved by the Michigan talent investment agency in the department of labor and economic opportunity and the department, for training on new equipment, for professional development relating to computer science or coding, or for new and emerging certified CTE programs to allow CEPD administrators to provide programming in communities that will enhance economic development. The funding for equipment should be used to support and enhance community areas that have sustained job growth, and act as a commitment to build a more qualified and skilled workforce. In addition, each CEPD is encouraged to explore the option of leasing equipment from local private industry to encourage the use of the most advanced equipment.

(4) The allocation of funds at the local level must be determined by CEPD administrators using data from the state, region, and local sources to make well-
informed decisions on program equipment improvements. Grants awarded by CEPD administrators for capital infrastructure must be used to ensure that CTE programs can deliver educational programs in high-wage, high-skill, and high-demand occupations. Each CEPD shall continue to ensure that program advisory boards make recommendations on needed improvements for equipment that support job growth and job skill development and retention for both the present and the future.

(5) Not later than September 15 of each fiscal year, each CEPD receiving funding shall annually report to the department, the senate and house appropriations subcommittees on school aid, the senate and house fiscal agencies, and legislature on equipment purchased under subsection (1). In addition, the report must identify growth data on program involvement, retention, and development of student skills.

(6) As used in this section:

(a) "CEPD" means a career education planning district described in this section.

(b) "CTE" means career and technical education.

Sec. 61d. (1) From the appropriation in section 11, there is allocated for 2021-2022-2023 an amount not to exceed $5,000,000.00 from the state school aid fund for additional payments to districts for career and technical education programs for the purpose of increasing the number of Michigan residents with high-quality degrees or credentials, and to increase the number of pupils who are college- and career-ready upon high school graduation.

(2) The department shall calculate payments to districts under this section in the following manner:

(a) A payment of $35.00 multiplied by the number of pupils in grades 9 to 12 who are counted in membership in the district and are enrolled in at least 1 career and technical education program.

(b) An additional payment of $35.00 multiplied by the number of pupils in grades
9 to 12 who are counted in membership in the district and are enrolled in at least 1
career and technical education program that provides instruction in critical skills
and high-demand career fields.

(3) If the allocation under subsection (1) is insufficient to fully fund
payments under subsection (2), the department shall prorate payments under this
section on an equal per-pupil basis.

(4) As used in this section:

(a) "Career and technical education program" means a state-approved career and
technical education program, as determined by the department.

(b) "Career and technical education program that provides instruction in
critical skills and high-demand career field" means a career and technical education
program classified under any of the following 2-digit classification of instructional
programs (CIP) codes:

(i) 01, which refers to "agriculture, agriculture operations, and related
sciences".

(ii) 03, which refers to "natural resources and conservation".

(iii) 10 through 11, which refers to "communications technologies/technicians and
support services" and "computer and information sciences and support services".

(iv) 14 through 15, which refers to "engineering" and "engineering technologies
and engineering-related fields".

(v) 26, which refers to "biological and biomedical sciences".

(vi) 46 through 48, which refers to "construction trades", "mechanic and repair
technologies/technicians", and "precision production".

(vii) 51, which refers to "health professions and related programs".

Sec. 62. (1) For the purposes of this section:

(a) "Membership" means for a particular fiscal year the total membership of the
intermediate district and the districts constituent to the intermediate district or
the total membership of the area vocational-technical program, except that if a
district has elected not to come under sections 681 to 690 of the revised school code,
MCL 380.681 to 380.690, the membership of that district are not included in the
membership of the intermediate district. However, the membership of a district that
has elected not to come under sections 681 to 690 of the revised school code, MCL
380.681 to 380.690, is included in the membership of the intermediate district if the
district meets both of the following:

(i) The district operates the area vocational-technical education program
pursuant to a contract with the intermediate district.

(ii) The district contributes an annual amount to the operation of the program
that is commensurate with the revenue that would have been raised for operation of the
program if millage were levied in the district for the program under sections 681 to
690 of the revised school code, MCL 380.681 to 380.690.

(b) "Millage levied" means the millage levied for area vocational-technical
education under sections 681 to 690 of the revised school code, MCL 380.681 to
380.690, including a levy for debt service obligations incurred as the result of
borrowing for capital outlay projects and in meeting capital projects fund
requirements of area vocational-technical education.

(c) "Taxable value" means the total taxable value of the districts constituent
to an intermediate district or area vocational-technical education program, except
that if a district has elected not to come under sections 681 to 690 of the revised
school code, MCL 380.681 to 380.690, the taxable value of that district is not
included in the taxable value of the intermediate district. However, the taxable value
of a district that has elected not to come under sections 681 to 690 of the revised
school code, MCL 380.681 to 380.690, is included in the taxable value of the
intermediate district if the district meets both of the following:

(i) The district operates the area vocational-technical education program pursuant to a contract with the intermediate district.

(ii) The district contributes an annual amount to the operation of the program that is commensurate with the revenue that would have been raised for operation of the program if millage were levied in the district for the program under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690.

(2) From the appropriation in section 11, there is allocated an amount not to exceed $9,190,000.00 each fiscal year for 2020-2021 and $20,000,000.00 for 2021-2022 to reimburse intermediate districts and area vocational-technical education programs established under section 690(3) of the revised school code, MCL 380.690, levying millages for area vocational-technical education under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690. The purpose, use, and expenditure of the reimbursement are limited as if the funds were generated by those millages.

(3) Reimbursement for those millages levied in 2019-2020 is made in 2020-2021 at an amount per 2019-2020 membership pupil computed by subtracting from $218,700.00 the 2019-2020 taxable value behind each membership pupil and multiplying the resulting difference by the 2019-2020 millage levied, and then subtracting from that amount the 2019-2020 local community stabilization share revenue for area vocational technical education behind each membership pupil for reimbursement of personal property exemption loss under the local community stabilization authority act, 2014 PA 86, MCL 123.1341 to 123.1362.

(3) Reimbursement for those millages levied in 2020-2021-2021-2022 is made in 2021-2022-2022-2023 at an amount per 2020-2021-2021-2022 membership pupil computed by subtracting from $224,800.00 $263,400.00 the 2020-2021-2021-2022 taxable value behind each membership pupil and multiplying the resulting difference by the
2021-2022 millage levied, and then subtracting from that amount the 2020-2021-2022 local community stabilization share revenue for area vocational technical education and 2021-2022 tax increment revenues captured by a brownfield redevelopment authority behind each membership pupil for reimbursement of personal property exemption loss under the local community stabilization authority act, 2014 PA 86, MCL 123.1341 to 123.1362 and reimbursements paid under section 26d for tax increment revenues captured by a brownfield redevelopment authority.

(4) The department shall ensure that the amount paid to a single intermediate district under this section does not exceed 38.4% of the total amount allocated under subsection (2).

(5) The department shall ensure that the amount paid to a single intermediate district under this section is not less than 75% of the amount allocated to the intermediate district under this section for the immediately preceding fiscal year.

Sec. 65. (1) From the appropriation under section 11, there is allocated an amount not to exceed $400,000.00 for 2021-2022-2023 for a pre-college engineering K-12 educational program that is focused on the development of a diverse future Michigan workforce, that serves multiple communities within southeast Michigan, that enrolls pupils from multiple districts, and that received funds appropriated for this purpose in the appropriations act that provided the Michigan strategic fund budget for 2014-2015.

(2) To be eligible for funding under this section, a program must have the ability to expose pupils to, and motivate and prepare pupils for, science, technology, engineering, and mathematics careers and postsecondary education with special attention given to groups of pupils who are at-risk and underrepresented in technical professions and careers.
Sec. 67. (1) From the general fund money appropriated in section 11, there is allocated an amount not to exceed $3,000,000.00 for college access programs. The programs funded under this section are intended to inform students of college and career options and to provide resources intended to increase the number of pupils who are adequately prepared with the information needed to make informed decisions on college and career. The funds appropriated under this section are intended to be used to increase the number of Michigan residents with high-quality degrees or credentials. Funds appropriated under this section must not be used to supplant funding for counselors already funded by districts.

(2) The department of labor and economic opportunity shall administer funds allocated under this section in collaboration with the Michigan college access network. These funds may be used for any of the following purposes:

(a) Michigan college access network operations, programming, and services to local college access networks.

(b) Local college access networks, which are community-based college access/success partnerships committed to increasing the college participation and completion rates within geographically defined communities through a coordinated strategy.

(c) The Michigan college advising program, a program intended to place trained, recently graduated college advisors in high schools that serve significant numbers of low-income and first-generation college-going pupils. State funds used for this purpose may not exceed 33% of the total funds available under this subsection.

(d) Subgrants of up to $5,000.00 to districts with comprehensive high schools that establish a college access team and implement specific strategies to create a college-going culture in a high school in a form and manner approved by the Michigan college access network and the department of labor and economic opportunity.
(e) The Michigan college access portal, an online one-stop portal to help pupils and families plan and apply for college.

(f) Public awareness and outreach campaigns to encourage low-income and first-generation college-going pupils to take necessary steps toward college and to assist pupils and families in completing a timely and accurate free application for federal student aid.

(g) Subgrants to postsecondary institutions to recruit, hire, and train college student mentors and college advisors to assist high school pupils in navigating the postsecondary planning and enrollment process.

(3) For the purposes of this section, "college" means any postsecondary educational opportunity that leads to a career, including, but not limited to, a postsecondary degree, industry-recognized technical certification, or registered apprenticeship.

Sec. 74. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $3,805,800.00 for 2021-2022 and $3,844,200.00 for 2022-2023 for the purposes of this section.

(2) From the allocation in subsection (1), there is allocated for 2021-2022 the amount necessary for payments to state supported colleges or universities and intermediate districts providing school bus driver safety instruction under section 51 of the pupil transportation act, 1990 PA 187, MCL 257.1851. The department shall make payments in an amount determined by the department not to exceed the actual cost of instruction and driver compensation for each public or nonpublic school bus driver attending a course of instruction. For the purpose of computing compensation, the hourly rate allowed each school bus driver must not exceed the hourly rate received for driving a school bus. The department shall make reimbursement compensating the driver during the course of instruction to the college or university
or intermediate district providing the course of instruction.

(3) From the allocation in subsection (1), there is allocated for 2021-2022 the amount necessary to pay the reasonable costs of nonspecial education auxiliary services transportation provided under section 1323 of the revised school code, MCL 380.1323. Districts funded under this subsection do not receive funding under any other section of this article for nonspecial education auxiliary services transportation.

(4) From the funds allocated in subsection (1), there is allocated an amount not to exceed $1,780,800.00 for 2021-2022-2022-2023 for reimbursement to districts and intermediate districts for costs associated with the inspection of school buses and pupil transportation vehicles by the department of state police as required under section 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and section 39 of the pupil transportation act, 1990 PA 187, MCL 257.1839. The department of state police shall prepare a statement of costs attributable to each district for which bus inspections are provided and submit it to the department and to an intermediate district serving as fiduciary in a time and manner determined jointly by the department and the department of state police. Upon review and approval of the statement of cost, the department shall forward to the designated intermediate district serving as fiduciary the amount of the reimbursement on behalf of each district and intermediate district for costs detailed on the statement within 45 days after receipt of the statement. The designated intermediate district shall make payment in the amount specified on the statement to the department of state police within 45 days after receipt of the statement. The total reimbursement of costs under this subsection must not exceed the amount allocated under this subsection. Notwithstanding section 17b, the department shall make payments to eligible entities under this subsection on a schedule prescribed by the department.
Sec. 81. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2020-2021 to the intermediate districts the sum necessary, but not to exceed $60,138,000.00, and there is allocated for 2021-2022-2022-2023 to the intermediate districts the sum necessary, but not to exceed $71,903,600.00, $75,498,800.00 to provide state aid to intermediate districts under this section.

(2) The amount allocated under this section for 2020-2021 to each intermediate district is an amount equal to 100% of the amount allocated to the intermediate district under this section for 2019-2020. The amount allocated under this section for 2021-2022-2022-2023 to each intermediate district is an amount equal to 104%-105.0% of the amount allocated to the intermediate district under this section for 2020-2021. An intermediate district shall use funding provided under this section to comply with requirements of this article and the revised school code that are applicable to intermediate districts, and for which funding is not provided elsewhere in this article, and to provide technical assistance to districts as authorized by the intermediate school board.

(3) Intermediate districts receiving funds under this section shall collaborate with the department to develop expanded professional development opportunities for teachers to update and expand their knowledge and skills needed to support the Michigan merit curriculum.

(4) From the allocation in subsection (1), there is allocated to an intermediate district, formed by the consolidation or annexation of 2 or more intermediate districts or the attachment of a total intermediate district to another intermediate district or the annexation of all of the constituent K-12 districts of a previously existing intermediate district which has disorganized, an additional allotment of $3,500.00 each fiscal year for each intermediate district included in the new intermediate district for 3 years following consolidation, annexation, or attachment.
(5) In order to receive funding under this section, an intermediate district shall do all of the following:

(a) Demonstrate to the satisfaction of the department that the intermediate district employs at least 1 person who is trained in pupil accounting and auditing procedures, rules, and regulations.

(b) Demonstrate to the satisfaction of the department that the intermediate district employs at least 1 person who is trained in rules, regulations, and district reporting procedures for the individual-level student data that serves as the basis for the calculation of the district and high school graduation and dropout rates.

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

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

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

(f) Provide advice, guidance, and leadership to assist all districts located within its geographic boundaries to assist in the preparedness and response efforts toward addressing COVID-19. At a minimum, this must include the coordination and collaboration with any local public health agency that has jurisdiction within the intermediate district's geographic boundaries and may include the coordination of bulk purchasing of personal protective equipment, technology, or other products or services necessary for students to return to school. An intermediate district shall ensure that all districts located within its geographic boundaries have equitable access to the intermediate district's coordination activities and services, intermediate district-wide or regional meetings, regularly scheduled superintendent meetings, programming, events, or other coordination or collaboration activities. In ensuring that all
districts located within the geographic boundaries of the intermediate district have equitable access to services, meetings, programming, events, or activities as described in the immediately preceding sentence, the intermediate district shall ensure that districts that are public school academies that are located within its geographic boundaries are not excluded from said services, meetings, programming, events, or activities if districts that are not public school academies that are located within the geographic boundaries of the intermediate district are not excluded.

Sec. 94. (1) From the general fund money appropriated in section 11, there is allocated to the department for 2021-2022 an amount not to exceed $1,200,000.00 for efforts to increase the number of pupils who participate and succeed in advanced placement and international baccalaureate programs, and to support the college-level examination program (CLEP).

(2) From the funds allocated under this section, the department shall award funds to cover all or part of the costs of advanced placement test fees or international baccalaureate test fees and international baccalaureate registration fees for low-income pupils who take an advanced placement or an international baccalaureate test and CLEP fees for low-income pupils who take a CLEP test.

(3) The department shall only award funds under this section if the department determines that all of the following criteria are met:

(a) Each pupil for whom payment is made meets eligibility requirements of the federal advanced placement test fee program under section 1701 of the no child left behind act of 2001, Public Law 107-110, or under a corresponding provision of the every student succeeds act, Public Law 114-95.

(b) The tests are administered by the college board, the international baccalaureate organization, or another test provider approved by the department.
(c) The pupil for whom payment is made pays at least $5.00 toward the cost of each test for which payment is made.

(4) The department shall establish procedures for awarding funds under this section.

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

Sec. 94a. (1) There is created within the state budget office in the department of technology, management, and budget the center for educational performance and information. The center shall do all of the following:

(a) Coordinate the collection of all data required by state and federal law from districts, intermediate districts, and postsecondary institutions.

(b) Create, maintain, and enhance this state's P-20 longitudinal data system and ensure that it meets the requirements of subsection (4).

(c) Collect data in the most efficient manner possible in order to reduce the administrative burden on reporting entities, including, but not limited to, electronic transcript services.

(d) Create, maintain, and enhance this state's web-based educational portal to provide information to school leaders, teachers, researchers, and the public in compliance with all federal and state privacy laws. Data must include, but are not limited to, all of the following:

(i) Data sets that link teachers to student information, allowing districts to assess individual teacher impact on student performance and consider student growth factors in teacher and principal evaluation systems.

(ii) Data access or, if practical, data sets, provided for regional data hubs that, in combination with local data, can improve teaching and learning in the classroom.
(iii) Research-ready data sets for researchers to perform research that advances this state's educational performance.

(e) Provide data in a useful manner to allow state and local policymakers to make informed policy decisions.

(f) Provide public reports to the residents of this state to allow them to assess allocation of resources and the return on their investment in the education system of this state.

(g) Other functions as assigned by the state budget director.

(2) Each state department, officer, or agency that collects information from districts, intermediate districts, or postsecondary institutions as required under state or federal law shall make arrangements with the center to ensure that the state department, officer, or agency is in compliance with subsection (1). This subsection does not apply to information collected by the department of treasury under the uniform budgeting and accounting act, 1968 PA 2, MCL 141.421 to 141.440a; the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821; the school bond qualification, approval, and loan act, 2005 PA 92, MCL 388.1921 to 388.1939; or section 1351a of the revised school code, MCL 380.1351a.

(3) The center may enter into any interlocal agreements necessary to fulfill its functions.

(4) The center shall ensure that the P-20 longitudinal data system required under subsection (1)(b) meets all of the following:

(a) Includes data at the individual student level from preschool through postsecondary education and into the workforce.

(b) Supports interoperability by using standard data structures, data formats, and data definitions to ensure linkage and connectivity in a manner that facilitates the exchange of data among agencies and institutions within the state and between
(c) Enables the matching of individual teacher and student records so that an individual student may be matched with those teachers providing instruction to that student.

(d) Enables the matching of individual teachers with information about their certification and the institutions that prepared and recommended those teachers for state certification.

(e) Enables data to be easily generated for continuous improvement and decision-making, including timely reporting to parents, teachers, and school leaders on student achievement.

(f) Ensures the reasonable quality, validity, and reliability of data contained in the system.

(g) Provides this state with the ability to meet federal and state reporting requirements.

(h) For data elements related to preschool through grade 12 and postsecondary, meets all of the following:

(i) Contains a unique statewide student identifier that does not permit a student to be individually identified by users of the system, except as allowed by federal and state law.

(ii) Contains student-level enrollment, demographic, and program participation information.

(iii) Contains student-level information about the points at which students exit, transfer in, transfer out, drop out, or complete education programs.

(iv) Has the capacity to communicate with higher education data systems.

(i) For data elements related to preschool through grade 12 only, meets all of the following:
(i) Contains yearly test records of individual students for assessments approved by DED-OESE for accountability purposes under section 1111(b) of the elementary and secondary education act of 1965, 20 USC 6311, including information on individual students not tested, by grade and subject.

(ii) Contains student-level transcript information, including information on courses completed and grades earned.

(iii) Contains student-level college readiness test scores.

(j) For data elements related to postsecondary education only:

(i) Contains data that provide information regarding the extent to which individual students transition successfully from secondary school to postsecondary education, including, but not limited to, all of the following:

(A) Enrollment in remedial coursework.

(B) Completion of 1 year's worth of college credit applicable to a degree within 2 years of enrollment.

(ii) Contains data that provide other information determined necessary to address alignment and adequate preparation for success in postsecondary education.

(5) From the general fund money appropriated in section 11, there is allocated an amount not to exceed $18,802,500.00 $19,032,300.00 for 2021-2022 2022-2023 to the department of technology, management, and budget to support the operations of the center. In addition, from the federal funds appropriated in section 11, there is allocated for 2021-2022 2022-2023 the amount necessary, estimated at $193,500.00, to support the operations of the center and to establish a P-20 longitudinal data system necessary for state and federal reporting purposes. The center shall cooperate with the department to ensure that this state is in compliance with federal law and is maximizing opportunities for increased federal funding to improve education in this state.
(6) From the funds allocated in subsection (5), the center may use an amount determined by the center for competitive grants for 2021-2022-2022-2023 to support collaborative efforts on the P-20 longitudinal data system. All of the following apply to grants awarded under this subsection:

(a) The center shall award competitive grants to eligible intermediate districts or a consortium of intermediate districts based on criteria established by the center.

(b) Activities funded under the grant must support the P-20 longitudinal data system portal and may include portal hosting, hardware and software acquisition, maintenance, enhancements, user support and related materials, and professional learning tools and activities aimed at improving the utility of the P-20 longitudinal data system.

(c) An applicant that received a grant under this subsection for the immediately preceding fiscal year has priority for funding under this section. However, after 3 fiscal years of continuous funding, an applicant is required to compete openly with new applicants.

(7) Funds allocated under this section that are not expended in the fiscal year in which they were allocated may be carried forward to a subsequent fiscal year and are appropriated for the purposes for which the funds were originally allocated.

(8) The center may bill departments as necessary in order to fulfill reporting requirements of state and federal law. The center may also enter into agreements to supply custom data, analysis, and reporting to other principal executive departments, state agencies, local units of government, and other individuals and organizations. The center may receive and expend funds in addition to those authorized in subsection (5) to cover the costs associated with salaries, benefits, supplies, materials, and equipment necessary to provide such data, analysis, and reporting services.

(9) As used in this section, "DED-OESE" means the United States Department of
Sec. 97. (1) For 2021-2022, 2022-2023, from the state school aid fund money appropriated under section 11, there is allocated an amount not to exceed $7,500,000.00 and from the general fund money appropriated under section 11, there is allocated an amount not to exceed $2,500,000.00 $51,000,000.00 for competitive grants to public schools, nonpublic schools, districts, and intermediate districts to purchase technology equipment, upgrade hardening measures, or hire school resource officers or conduct school building safety assessments to improve the safety and security of school buildings, pupils or students, and school staff with the goal of creating a safer school environment through equipment and technology enhancements. The department of state police, grants and community services division, shall administer the grant program described in this subsection. All grants under this subsection must be funded on a reimbursement-only basis. Grants under this subsection must not exceed $50,000.00 $250,000.00 for each public school or nonpublic school and $250,000.00 $1,250,000.00 for each district or intermediate district.

(2) All of the following apply to the application process for funding under subsection (1):

(a) To receive funding under subsection (1), a public school, nonpublic school, district, or intermediate district shall submit an application for funding under subsection (1) directly to the department of state police, grants and community services division.

(b) An application from a district or intermediate district under this subsection must be for 1 or more buildings that have some or all of pre-K to grade 12 classrooms and pupils.

(c) An applicant may submit only 1 application.

(d) Applicants must document how they used community input to guide their grant
applications. Once approved, grantees must host at least one community conversation about school safety and student mental health.

(e) An individual public school may submit its own application but must not also be included in its district's application if the district submits an application under this subsection.

(f) The department of state police shall award grants to applicants based on eligibility, the project description, and whether the project reflects the highest security need of the applicant within grant funding constraints, the budget narrative, the budget, project goals, objectives, and performance measures.

(g) The department of state police shall give priority to all of the following applicants:

(i) Applicants seeking funding for projects that involve multiple agencies working in partnership.

(ii) Applicants seeking funding for proposals that seek to secure exterior access points of school buildings.

(iii) Applicants that did not receive a school safety grant in the past under this section in prior fiscal years.

(iv) Applicants that did not receive a grant under section 1001 of article XX of 2018 PA 207 or under section 115 of 2018 PA 618.

(h) To be awarded a grant, an applicant must demonstrate proof that the public school, nonpublic school, district, or intermediate district has an emergency operation plan that was updated after August 1, 2017, a date specified by the department of state police to align with the state emergency operations plan guidance and statewide school safety information policy developed under section 1308 of the revised school code, MCL 380.1308.

(i) The department of state police shall issue grant guidance and
application materials, including required performance measures, not later than February 1, 2022–2023.

(3) The department of state police shall not award funding under subsection (1) to a public school, nonpublic school, district, or intermediate district in relation to the same school building more than once in a single grant application period. If a district submits an application under subsection (2) relating to a school building and a public school within that district also submits an application for funding in relation to that same school building, the department of state police shall not allocate funding under subsection (1) twice for that school building. If a public school, nonpublic school, district, or intermediate district submits more than one application, the department of state police shall first consider the most recent application submitted in considering funding under subsection (1).

(4) Eligible expenses for reimbursement under subsection (1) must be consistent with the recommendations of the school safety commission. Grant applicants may request funding to create new school resource officer positions in a school, including establishing a position for the first time or adding additional staff. Any school resource officer hired with funds from this section must complete training through the Michigan commission on law enforcements standards (MCOLES). Schools must demonstrate a sustainable funding source for these positions beyond the availability of these state funds to be awarded a grant. The department of state police shall list the eligible expenses in the grant guidance and application materials described under subsection (2). The following items are not eligible expenses for which grant funds under subsection (1) may be applied:

(a) Weapons, including tasers.
(b) Personal body armor for routine use.
(c) Construction of new facilities.
(d) Costs in applying for the grant, such as consultants and grant writers.

(e) Expenses incurred before the date of the award or after the end of the performance period of the grant award.

(f) Personnel costs or operation costs related to a capital improvement.

(g) Indirect costs or indirect administrative expenses.

(h) Travel.

(i) Contributions or donations.

(j) Management or administrative training and conferences, except as otherwise preapproved by the department of state police.

(k) Management studies or research and development.

(l) Memberships and dues, except for a specific requirement of the project that has been preapproved by the department of state police.

(m) Vehicles, watercraft, or aircraft, including unmanned or remotely piloted aircraft and vehicles.

(n) Service contracts and training beyond the performance period of the grant award.

(o) Food, refreshments, and snacks.

(5) A grantee under section 1001 of article XX of 2018 PA 207 that is a public school, nonpublic school, district, or intermediate district or a grantee under section 115 of 2018 PA 618 that is a public school, nonpublic school, district, or intermediate district is not prohibited from applying for, and receiving, a grant award under this section.

(6) The department of state police shall begin issuing awards for grants under subsection (1) not later than May 1, 2022—2023. A project that is awarded a grant under this section must be completed by July 1, 2023—2024.

(7) The department of state police shall report on grant activities under this
section, including available performance outcomes as identified in individual grant
agreements, to the senate and house appropriations subcommittees on state police, the
senate and house fiscal agencies, and the state budget office by August 1, 2023–2024.

(8) From the allocation under subsection (1), the department, in consultation
with the department of state police, districts, intermediate districts, and other
public safety and educational stakeholder organizations, may use an amount not to
exceed $1,000,000.00 for the purposes of evaluating the effectiveness of school safety
grants funded under this section in the current fiscal year and in previous fiscal
years.

(9) The funds allocated for school safety grants under this section for
2021–2022-2022-2023 are a work project appropriation, and any unexpended funds for
2021–2022-2022-2023 do not lapse to the state school aid fund and are carried forward
into 2022-2023-2023-2024. The purpose of the work project is to continue promoting
safer school environments. The estimated completion date of the work project is July
1, 2023–2024.

(9) The department of state police shall ensure that a grant to a nonpublic
school under this section is funded from the general fund money allocated under this
section.

Sec. 97b. (1) From the state school aid fund money appropriated in section 11,
there is allocated for 2022-2023 only an amount not to exceed $15,000,000.00 to pilot
a cross-system intervention approach to identifying and supporting middle and high
school students that are determined to be at risk for violence through a psychiatric
or psychological assessment.

(2) Funding allocated in this section must be awarded to a public research
institution and must be used for the pilot program described in this section.

(3) The pilot program must be a collaboration between a public research
institution and a national law enforcement foundation and must include all the following:

(a) The use of case management, intensive mentoring, and technical assistance to reduce the threat of violence in school communities in the state and to provide early interventions for participating youth.

(b) Implementation in at least five communities from regions across the state.

(c) A third party evaluation to assess outcomes and inform potential statewide implementation.

(d) The provision of research-informed training and technical assistance to law enforcement, schools, and community organizations to avert school violence and support young people in the state.

(4) The funds allocated under this section for 2022-2023 are a work project appropriation, and any unexpended funds for 2022-2023 are carried forward into 2023-2024. The purpose of the work project is to increase school safety by identifying and supporting middle and high school students that are determined to be at risk for violence. The estimated completion date of the work project is September 30, 2027.

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

Sec. 98. (1) From the general fund money appropriated in section 11, there is allocated an amount not to exceed $7,500,000.00 for 2021-2022-2022-2023 for the purposes described in this section. The Michigan Virtual University shall provide a report to the legislature not later than November 1 of each year that includes its mission, its plans, and proposed benchmarks it must meet, including a plan to achieve the organizational priorities identified in this section, in order to receive full funding for 2022-2023-2023-2024. Not later than March 1 of each year, the Michigan Virtual University shall provide an update to the house and senate appropriations
subcommittees on school aid to show the progress being made to meet the benchmarks identified.

(2) The Michigan Virtual University shall operate the Michigan Virtual Learning Research Institute. The Michigan Virtual Learning Research Institute shall do all of the following:

(a) Support and accelerate innovation in education through the following activities:

(i) Test, evaluate, and recommend as appropriate new technology-based instructional tools and resources.

(ii) Research, design, and recommend virtual education delivery models for use by pupils and teachers that include age-appropriate multimedia instructional content.

(iii) Research, develop, and recommend annually to the department criteria by which cyber schools and virtual course providers should be monitored and evaluated to ensure a quality education for their pupils.

(iv) Based on pupil completion and performance data reported to the department or the center from cyber schools and other virtual course providers operating in this state, analyze the effectiveness of virtual learning delivery models in preparing pupils to be college- and career-ready and publish a report that highlights enrollment totals, completion rates, and the overall impact on pupils. The Michigan Virtual Learning Research Institute shall submit the report to the house and senate appropriations subcommittees on school aid, the state budget director, the house and senate fiscal agencies, the department, districts, and intermediate districts not later than March 31 of each year.

(v) Provide an extensive professional development program to at least 30,000 educational personnel, including teachers, school administrators, and school board members, that focuses on the effective integration of virtual learning into curricula
and instruction. The Michigan Virtual Learning Research Institute is encouraged to
work with the MiSTEM council described in section 99s to coordinate professional
development of teachers in applicable fields. In addition, the Michigan Virtual
Learning Research Institute and external stakeholders are encouraged to coordinate
with the department for professional development in this state. Not later than
December 1 of each year, the Michigan Virtual Learning Research Institute shall submit
a report to the house and senate appropriations subcommittees on school aid, the state
budget director, the house and senate fiscal agencies, and the department on the
number of teachers, school administrators, and school board members who have received
professional development services from the Michigan Virtual University. The report
must also identify barriers and other opportunities to encourage the adoption of
virtual learning in the public education system.

(1) Identify and share best practices for planning, implementing, and
evaluating virtual and blended education delivery models with intermediate districts,
districts, and public school academies to accelerate the adoption of innovative
education delivery models statewide.

(b) Provide leadership for this state's system of virtual learning education by
doing the following activities:

(i) Develop and report policy recommendations to the governor and the
legislature that accelerate the expansion of effective virtual learning in this
state's schools.

(ii) Provide a clearinghouse for research reports, academic studies, evaluations,
and other information related to virtual learning.

(iii) Promote and distribute the most current instructional design standards and
guidelines for virtual teaching.

(iv) In collaboration with the department and interested colleges and
universities in this state, support implementation and improvements related to
effective virtual learning instruction.

(v) Pursue public/private partnerships that include districts to study and
implement competency-based technology-rich virtual learning models.

(vi) Create a statewide network of school-based mentors serving as liaisons
between pupils, virtual instructors, parents, and school staff, as provided by the
department or the center, and provide mentors with research-based training and
technical assistance designed to help more pupils be successful virtual learners.

(vii) Convene focus groups and conduct annual surveys of teachers,
administrators, pupils, parents, and others to identify barriers and opportunities
related to virtual learning.

(viii) Produce an annual consumer awareness report for schools and parents about
effective virtual education providers and education delivery models, performance data,
cost structures, and research trends.

(ix) Provide an internet-based platform that educators can use to create
student-centric learning tools and resources for sharing in the state's open
educational resource repository and facilitate a user network that assists educators
in using the content creation platform and state repository for open educational
resources. As part of this initiative, the Michigan Virtual University shall work
collaboratively with districts and intermediate districts to establish a plan to make
available virtual resources that align to Michigan's K-12 curriculum standards for use
by students, educators, and parents.

(x) Create and maintain a public statewide catalog of virtual learning courses
being offered by all public schools and community colleges in this state. The Michigan
Virtual Learning Research Institute shall identify and develop a list of nationally
recognized best practices for virtual learning and use this list to support reviews of
virtual course vendors, courses, and instructional practices. The Michigan Virtual Learning Research Institute shall also provide a mechanism for intermediate districts to use the identified best practices to review content offered by constituent districts. The Michigan Virtual Learning Research Institute shall review the virtual course offerings of the Michigan Virtual University, and make the results from these reviews available to the public as part of the statewide catalog. The Michigan Virtual Learning Research Institute shall ensure that the statewide catalog is made available to the public on the Michigan Virtual University website and shall allow the ability to link it to each district’s website as provided for in section 21f. The statewide catalog must also contain all of the following:

(A) The number of enrollments in each virtual course in the immediately preceding school year.

(B) The number of enrollments that earned 60% or more of the total course points for each virtual course in the immediately preceding school year.

(C) The pass rate for each virtual course.

(xii) Support registration, payment services, and transcript functionality for the statewide catalog and train key stakeholders on how to use new features.

(xiii) Collaborate with key stakeholders to examine district level accountability and teacher effectiveness issues related to virtual learning under section 21f and make findings and recommendations publicly available.

(xiv) Provide a report on the activities of the Michigan Virtual Learning Research Institute.

(3) To further enhance its expertise and leadership in virtual learning, the Michigan Virtual University shall continue to operate the Michigan Virtual School as a statewide laboratory and quality model of instruction by implementing virtual and blended learning solutions for Michigan schools in accordance with the following
parameters:

(a) The Michigan Virtual School must maintain its accreditation status from recognized national and international accrediting entities.

(b) The Michigan Virtual University shall use no more than $1,000,000.00 of the amount allocated under this section to subsidize the cost paid by districts for virtual courses.

(c) In providing educators responsible for the teaching of virtual courses as provided for in this section, the Michigan Virtual School shall follow the requirements to request and assess, and the department of state police shall provide, a criminal history check and criminal records check under sections 1230 and 1230a of the revised school code, MCL 380.1230 and 380.1230a, in the same manner as if the Michigan Virtual School were a school district under those sections.

(4) From the funds allocated under subsection (1), the Michigan Virtual University shall allocate up to $500,000.00 to support the expansion of new online and blended educator professional development programs.

(5) If the course offerings are included in the statewide catalog of virtual courses under subsection (2)(b)(x), the Michigan Virtual School operated by the Michigan Virtual University may offer virtual course offerings, including, but not limited to, all of the following:

(a) Information technology courses.

(b) College level equivalent courses, as that term is defined in section 1471 of the revised school code, MCL 380.1471.

(c) Courses and dual enrollment opportunities.

(d) Programs and services for at-risk pupils.

(e) High school equivalency test preparation courses for adjudicated youth.

(f) Special interest courses.
(g) Professional development programs for teachers, school administrators, other school employees, and school board members.

(6) If a home-schooled or nonpublic school student is a resident of a district that subscribes to services provided by the Michigan Virtual School, the student may use the services provided by the Michigan Virtual School to the district without charge to the student beyond what is charged to a district pupil using the same services.

(7) Not later than December 1 of each fiscal year, the Michigan Virtual University shall provide a report to the house and senate appropriations subcommittees on school aid, the state budget director, the house and senate fiscal agencies, and the department that includes at least all of the following information related to the Michigan Virtual School for the preceding state fiscal year:

(a) A list of the districts served by the Michigan Virtual School.

(b) A list of virtual course titles available to districts.

(c) The total number of virtual course enrollments and information on registrations and completions by course.

(d) The overall course completion rate percentage.

(8) In addition to the information listed in subsection (7), the report under subsection (7) must also include a plan to serve at least 600 schools with courses from the Michigan Virtual School or with content available through the internet-based platform identified in subsection (2)(b)(ix).

(9) The governor may appoint an advisory group for the Michigan Virtual Learning Research Institute established under subsection (2). The members of the advisory group serve at the pleasure of the governor and without compensation. The purpose of the advisory group is to make recommendations to the governor, the legislature, and the president and board of the Michigan Virtual University that will accelerate innovation
in this state's education system in a manner that will prepare elementary and
secondary students to be career and college ready and that will promote the goal of
increasing the percentage of residents of this state with high-quality degrees and
credentials to at least 60% by 2025.

(10) Not later than November 1 of each year, the Michigan Virtual University
shall submit to the house and senate appropriations subcommittees on school aid, the
state budget director, and the house and senate fiscal agencies a detailed budget for
that fiscal year that includes a breakdown on its projected costs to deliver virtual
educational services to districts and a summary of the anticipated fees to be paid by
districts for those services. Not later than March 1 each year, the Michigan Virtual
University shall submit to the house and senate appropriations subcommittees on school
aid, the state budget director, and the house and senate fiscal agencies a breakdown
on its actual costs to deliver virtual educational services to districts and a summary
of the actual fees paid by districts for those services based on audited financial
statements for the immediately preceding fiscal year.

(11) As used in this section:

(a) "Blended learning" means a hybrid instructional delivery model where pupils
are provided content, instruction, and assessment, in part at a supervised educational
facility away from home where the pupil and a teacher with a valid Michigan teaching
certificate are in the same physical location and in part through internet-connected
learning environments with some degree of pupil control over time, location, and pace
of instruction.

(b) "Cyber school" means a full-time instructional program of virtual courses
for pupils that may or may not require attendance at a physical school location.

(c) "Virtual course" means a course of study that is capable of generating a
credit or a grade and that is provided in an interactive learning environment in which
the majority of the curriculum is delivered using the internet and in which pupils are
separated from their instructor or teacher of record by time or location, or both.

Sec. 99h. (1) From the state school aid fund money appropriated in section 11,
there is allocated an amount not to exceed $4,723,200.00–$5,323,200.00 for 2021–2022
2022–2023 for competitive grants to districts and intermediate districts, and from the
general fund money appropriated in section 11, there is allocated $600,000.00 for
2021–2022 for competitive grants to nonpublic schools, that provide pupils in grades
pre-K to 12 with expanded opportunities to improve mathematics, science, and
technology skills by participating in events hosted by a science and technology
development program known as FIRST (for inspiration and recognition of science and
technology) Robotics, including JR FIRST Lego League, FIRST Lego League, FIRST Tech
challenge, and FIRST Robotics competition, or other competitive robotics programs,
including VEX, Square One, and those hosted by the Robotics Education and Competition
(REC) Foundation. Programs funded under this section are intended to increase the
number of pupils demonstrating proficiency in science and mathematics on the state
assessments and to increase the number of pupils who are college- and career-ready
upon high school graduation. Notwithstanding section 17b, the department shall make
grant payments to districts, nonpublic schools, and intermediate districts under this
section on a schedule determined by the department. The department shall set maximum
grant awards for each different level of programming and competition in a manner that
both maximizes the number of teams that will be able to receive funds and expands the
geographical distribution of teams. To be considered an eligible science and
technology development program listed in this subsection, the department may require
the science and technology development program to provide performance metrics
including, but not limited to, a plan describing how the program will continue to
expand offerings for students, proposed measurements of student outcomes, and the
number of students who participated in the program.

(2) A district, nonpublic school, or intermediate district applying for a grant under this section shall submit an application in a form and manner prescribed by the department. To be eligible for a grant, a district, nonpublic school, or intermediate district must demonstrate in its application that the district, nonpublic school, or intermediate district has established a partnership for the purposes of the robotics program with at least 1 sponsor, business entity, higher education institution, or technical school, shall submit a spending plan, and shall provide a local in-kind or cash match from other private or local funds of at least 25% of the cost of the robotics program award.

(3) The department shall distribute the grant funding under this section for the following purposes:

(a) Grants to districts, nonpublic schools, or intermediate districts to pay for stipends not to exceed $1,500.00 per building for coaching.

(b) Grants to districts, nonpublic schools, or intermediate districts for event registrations, materials, travel costs, and other expenses associated with the preparation for and attendance at robotics events and competitions.

(c) Grants to districts, nonpublic schools, or intermediate districts for awards to teams that advance to the next levels of competition as determined by the department. The department shall determine an equal amount per team for those teams that advance.

(4) The funds allocated under this section for 2021-2022 are a work project appropriation, and any unexpended funds for 2021-2022 are carried forward into 2022-2023. The purpose of the work project is to continue support of FIRST Robotics and must not be used to support other robotics competitions. The estimated completion date of the work project is September 30, 2023.
(5) A nonpublic school that receives a grant under this section may use the funds for either robotics or Science Olympiad programs.

(6) To be eligible to receive funds under this section, a nonpublic school must be a nonpublic school registered with the department and must meet all applicable state reporting requirements for nonpublic schools.

Sec. 99s. (1) From the funds appropriated under section 11, there is allocated for 2021-2022-2022-2023 an amount not to exceed $7,634,300.00 from the state school aid fund appropriation and an amount not to exceed $300,000.00 from the general fund appropriation for Michigan science, technology, engineering, and mathematics (MiSTEM) programs. In addition, from the federal funds appropriated in section 11, there is allocated to the department for 2021-2022 an amount estimated at $235,000.00 from DED-OESE, title II, mathematics and science partnership grants. The MiSTEM network may receive funds from private sources. If the MiSTEM network receives funds from private sources, the MiSTEM network shall expend those funds in alignment with the statewide STEM strategy. Programs funded under this section are intended to increase the number of pupils demonstrating proficiency in science and mathematics on the state assessments, to increase the number of pupils who are college- and career-ready upon high school graduation, and to promote certificate and degree attainment in STEM fields. Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

(2) The MiSTEM council annually shall review and make recommendations to the governor, the legislature, and the department concerning changes to the statewide strategy adopted by the council for delivering STEM education-related opportunities to pupils. The MiSTEM council shall use funds received under this subsection to ensure that its members or their designees are trained in the Change the Equation STEMworks rating system program for the purpose of rating STEM programs.
(3) The MiSTEM council shall make specific funding recommendations for the funds allocated under subsection (4) by December 15 of each fiscal year. Each specific funding recommendation must be for a program approved by the MiSTEM council. All of the following apply:

(a) To be eligible for MiSTEM council approval as described in this subsection, a program must satisfy all of the following:

(i) Align with this state's academic standards.

(ii) Have STEMworks certification.

(iii) Provide project-based experiential learning, student programming, or educator professional learning experiences.

(iv) Focus predominantly on classroom-based STEM experiences or professional learning experiences.

(b) The MiSTEM council shall approve programs that represent all network regions and include a diverse array of options for students and educators and at least 1 program in each of the following areas:

(i) Robotics.

(ii) Computer science or coding.

(iii) Engineering or bioscience.

(c) The MiSTEM council is encouraged to work with the MiSTEM network to develop locally and regionally developed programs and professional learning experiences for the programs on the list of approved programs.

(d) If the MiSTEM council is unable to make specific funding recommendations by December 15 of a fiscal year, the department shall award and distribute the funds allocated under subsection (4) on a competitive grant basis that at least follows the statewide STEM strategy plan and rating system recommended by the MiSTEM council. Each grant must provide STEM education-related opportunities for pupils.
(e) The MiSTEM council shall work with the department of labor and economic 
opportunity to implement the statewide STEM strategy adopted by the MiSTEM council.

(4) Except as otherwise provided in this subsection, from the state school aid fund money allocated under subsection (1), there is allocated for 2021-2022-2023 an amount not to exceed $3,050,000.00 for the purpose of funding programs under this section for 2021-2022-2022-2023 as recommended by the MiSTEM council. However, from the allocation under this subsection, the MiSTEM council shall recommend and the department shall award $350,000.00 in grants to intermediate districts to implement fabrication laboratories (Fab Labs). The MiSTEM council shall recommend and the department shall only award 10 grants described in the immediately preceding sentence in an amount not to exceed $35,000.00 each.

(5) From the state school aid fund money allocated under subsection (1), there is allocated an amount not to exceed $3,834,300.00 for 2021-2022-2022-2023 to support the activities and programs of the MiSTEM network regions. In addition, from the federal funds allocated under subsection (1), there is allocated for 2021-2022 an amount estimated at $235,000.00 from DED-OESE, title II, mathematics and science partnership grants, for the purposes of this subsection. From the money allocated under this subsection, the department shall award the fiscal agent for each MiSTEM network region $200,000.00 for the base operations of each region. The department shall distribute the remaining funds to each fiscal agent in an equal amount per pupil, based on the number of K to 12 pupils enrolled in districts within each region in the immediately preceding fiscal year.

(6) A MiSTEM network region shall do all of the following:

(a) Collaborate with the career and educational advisory council that is located in the MiSTEM region to develop a regional strategic plan for STEM education that creates a robust regional STEM culture, that empowers STEM teachers, that integrates
business and education into the STEM network, and that ensures high-quality STEM
experiences for pupils. At a minimum, a regional STEM strategic plan should do all of
the following:

(i) Identify regional employer need for STEM.

(ii) Identify processes for regional employers and educators to create guided
pathways for STEM careers that include internships or externships, apprenticeships,
and other experiential engagements for pupils.

(iii) Identify educator professional learning opportunities, including
internships or externships and apprenticeships, that integrate this state's science
standards into high-quality STEM experiences that engage pupils.

(b) Facilitate regional STEM events such as educator and employer networking and
STEM career fairs to raise STEM awareness.

(c) Contribute to the MiSTEM website and engage in other MiSTEM network
functions to further the mission of STEM in this state in coordination with the MiSTEM
council and the department of labor and economic opportunity.

(d) Facilitate application and implementation of state and federal funds under
this subsection and any other grants or funds for the MiSTEM network region.

(e) Work with districts to provide STEM programming and professional learning.

(f) Coordinate recurring discussions and work with the career and educational
advisory council to ensure that feedback and best practices are being shared,
including funding, program, professional learning opportunities, and regional
strategic plans.

(7) From the state school aid fund money allocated under subsection (1), the
department shall distribute for 2021-2022-2022-2023 an amount not to exceed
$750,000.00, in a form and manner determined by the department, to those network
regions able to further the statewide STEM strategy recommended by the MiSTEM council.
(8) In order to receive state or federal funds under subsection (5) or (7), or to receive funds from private sources as authorized under subsection (1), a grant recipient must allow access for the department or the department's designee to audit all records related to the program for which it receives those funds. The grant recipient shall reimburse the state for all disallowances found in the audit.

(9) In order to receive state funds under subsection (5) or (7), a grant recipient must provide at least a 10% local match from local public or private resources for the funds received under this subsection.

(10) Not later than July 1 of each year, a MiSTEM network region that receives funds under subsection (5) shall report to the executive director of the MiSTEM network in a form and manner prescribed by the executive director on performance measures developed by the MiSTEM network regions and approved by the executive director. The performance measures must be designed to ensure that the activities of the MiSTEM network are improving student academic outcomes.

(11) Not more than 5% of a MiSTEM network region grant under subsection (5) or (7) may be retained by a fiscal agent for serving as the fiscal agent of a MiSTEM network region.

(12) From the general fund money allocated under subsection (1), there is allocated an amount not to exceed $300,000.00 to the department of labor and economic opportunity to support the staff for the MiSTEM network, and for administrative, training, and travel costs related to the MiSTEM council. The staff for the MiSTEM network shall do all of the following:

(a) Serve as a liaison among and between the department, the department of labor and economic opportunity, the MiSTEM council, the governor's workforce development board, the MiSTEM regions, and any other relevant organization or entity in a manner that creates a robust statewide STEM culture, that empowers STEM teachers, that
integrates business and education into the STEM network, and that ensures high-quality STEM experiences for pupils.

(b) Coordinate the implementation of a marketing campaign, including, but not limited to, a website that includes dashboards of outcomes, to build STEM awareness and communicate STEM needs and opportunities to pupils, parents, educators, and the business community.

(c) Work with the department and the MiSTEM council to coordinate, award, and monitor MiSTEM state and federal grants to the MiSTEM network regions and conduct reviews of grant recipients, including, but not limited to, pupil experience and feedback.

(d) Report to the governor, the legislature, the department, and the MiSTEM council annually on the activities and performance of the MiSTEM network regions.

(e) Coordinate recurring discussions and work with regional staff to ensure that a network or loop of feedback and best practices are shared, including funding, programming, professional learning opportunities, discussion of MiSTEM strategic vision, and regional objectives.

(f) Coordinate major grant application efforts with the MiSTEM council to assist regional staff with grant applications on a local level. The MiSTEM council shall leverage private and nonprofit relationships to coordinate and align private funds in addition to funds appropriated under this section.

(g) Train state and regional staff in the STEMworks rating system, in collaboration with the MiSTEM council and the department.

(h) Hire MiSTEM network region staff in collaboration with the network region fiscal agent.

(12) As used in this section:

(a) "Career and educational advisory council" means an advisory council to the
local workforce development boards located in a prosperity region consisting of educational, employer, labor, and parent representatives.

(b) "DED" means the United States Department of Education.

c) "DED-OESE" means the DED Office of Elementary and Secondary Education.

d) "MiSTEM Council" means the Michigan Science, Technology, Engineering, and Mathematics Education Advisory Council created as an advisory body within the department of labor and economic opportunity by Executive Reorganization Order No. 2019-3, MCL 125.1998.

e) "STEM" means science, technology, engineering, and mathematics delivered in an integrated fashion using cross-disciplinary learning experiences that can include language arts, performing and fine arts, and career and technical education.

Sec. 104. (1) In order to receive state aid under this article, a district shall comply with sections 1249, 1278a, 1278b, 1279g, and 1280b of the revised school code, MCL 380.1249, 380.1278a, 380.1278b, 380.1279g, and 380.1280b, and 1970 PA 38, MCL 388.1081 to 388.1086. Subject to subsection (2), from the state school aid fund money appropriated in section 11, there is allocated for 2021-2022-2022-2023 an amount not to exceed $29,509,400.00 $37,509,400.00 for payments on behalf of districts for costs associated with complying with those provisions of law. In addition, from the federal funds appropriated in section 11, there is allocated for 2021-2022-2022-2023 an amount estimated at $6,250,000.00 funded from DED-OESE, title VI, state assessment funds, and from DED-OSERS, part B of the individuals with disabilities education act, 20 USC 1411 to 1419, plus any carryover federal funds from previous year appropriations, for the purposes of complying with the every student succeeds act, Public Law 114-95.

(2) The results of each test administered as part of the Michigan student test of educational progress (M-STEP), including tests administered to high school students, must include an item analysis that lists all items that are counted for
individual pupil scores and the percentage of pupils choosing each possible response. The department shall work with the center to identify the number of students enrolled at the time assessments are given by each district. In calculating the percentage of pupils assessed for a district's scorecard, the department shall use only the number of pupils enrolled in the district at the time the district administers the assessments and shall exclude pupils who enroll in the district after the district administers the assessments.

(3) The department shall distribute federal funds allocated under this section in accordance with federal law and with flexibility provisions outlined in Public Law 107-116, and in the education flexibility partnership act of 1999, Public Law 106-25.

(4) The department may recommend, but may not require, districts to allow pupils to use an external keyboard with tablet devices for online M-STEP testing, including, but not limited to, open-ended test items such as constructed response or equation builder items.

(5) Notwithstanding section 17b, the department shall make payments on behalf of districts, intermediate districts, and other eligible entities under this section on a schedule determined by the department.

(6) From the allocation in subsection (1), there is allocated an amount not to exceed $500,000.00 for 2021-2022 for the operation of an online reporting tool to provide student-level assessment data in a secure environment to educators, parents, and pupils immediately after assessments are scored. The department and the center shall ensure that any data collected by the online reporting tool do not provide individually identifiable student data to the federal government.

(7) As used in this section:

(a) "DED" means the United States Department of Education.

(b) "DED-OESE" means the DED Office of Elementary and Secondary Education.
(c) "DED-OSERS" means the DED Office of Special Education and Rehabilitative Services.

Sec. 104h. (1) From the state school aid fund money appropriated under section 11, there is allocated for 2021-2022-2022-2023 an amount not to exceed $11,500,000.00 to districts and intermediate school districts with enrolled K-8 pupils for to begin implementation of a benchmark assessment system for the 2022-2023-2023-2024 school year. All of the following apply to the benchmark assessment system described in this subsection:

(a) The system must provide for all of the following:

(i) That, within the first 9 weeks of the 2022-2023-2023-2024 school year, the district shall administer 1 or more benchmark assessments provided by a provider approved under subsection (6), benchmark assessments described in subdivision (b), or local benchmark assessments, or any combination thereof, to all pupils in grades K to 8 to measure proficiency in reading and mathematics.

(ii) That, in addition to the benchmark assessment or benchmark assessments administered under subparagraph (i), by not later than the last day of the 2022-2023-2023-2024 school year, the district shall administer 1 or more benchmark assessments provided by a provider approved under subsection (6), benchmark assessments described in subdivision (b), or local benchmark assessments, or any combination thereof, to all pupils in grades K to 8 to measure proficiency in reading and mathematics.

(b) A district may administer 1 or more of the following benchmark assessments toward meeting the requirements under subdivision (a):

(i) A benchmark assessment in reading for students in grades K to 9 that contains progress monitoring tools and enhanced diagnostic assessments.

(ii) A benchmark assessment in math for students in grades K to 8 that contains progress monitoring tools.
(c) The system must provide that, to the extent practicable, if a district administers a benchmark assessment or benchmark assessments under this section, the district shall administer the same benchmark assessment or benchmark assessments provided by a provider approved under subsection (6), benchmark assessment or benchmark assessments described in subdivision (b), or local benchmark assessment or local benchmark assessments that it administered to pupils in previous school years, as applicable.

(d) The system must provide that, if a district administers a benchmark assessment or benchmark assessments under this section, the district shall provide each pupil's data from the benchmark assessment or benchmark assessments, as available, to the pupil's parent or legal guardian within 30 days of administering the benchmark assessment or benchmark assessments.

(e) The system must provide that, if a local benchmark assessment or local benchmark assessments are administered under subdivision (a), the district shall report to the department and the center, in a form and manner prescribed by the center, the local benchmark assessment or local benchmark assessments that were administered and how that assessment or those assessments measure changes, including any losses, as applicable, in learning, and the district's plan for addressing any losses in learning.

(f) The system must provide that, by not later than 30 days after a benchmark assessment or benchmark assessments are administered under subparagraph (1)(a)(ii), or within the timeframe specified by the department, the district shall send benchmark assessment data from all benchmark assessments administered in the 2022-2023-2024 school year, excluding data from a local benchmark assessment, as applicable, aggregated by grade level, student demographic subgroups, and mode of instruction including grade level, student demographics, and mode of instruction in a form and
manner prescribed by the department to the department. If available, the data described in this subdivision must include information concerning pupil growth from fall 2022–2023 to spring 2023–2024.

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

(3) The department shall pay an amount equal to $12.50 per membership pupil in grades K to 8 in the district to each district that applies for funding under this section.

(4) The department shall make 1 of the benchmark assessments provided by a provider approved under subsection (6) available to districts at no cost to the districts for purposes of meeting the requirements under this section. The benchmark assessment described in this subsection must meet all of the following:

(a) Be aligned to the content standards of this state.
(b) Complement the state's summative assessment system.
(c) Be internet-delivered and include a standards-based assessment.
(d) Provide information on pupil achievement with regard to learning content required in a given year or grade span.
(e) Provide timely feedback to pupils and teachers.
(f) Be nationally normed.
(g) Provide information to educators about student growth and allow for multiple testing opportunities.

(5) By not later than June 15, 2023, the department shall submit a report to the house and senate appropriations committees, the house and senate appropriations subcommittees on school aid, and the house and senate fiscal agencies regarding the benchmark assessment data received under this section, disaggregated by grade level and demographic subgroup for each district. If
information concerning pupil growth is included in the data described in this subsection, it must be incorporated in the report described in this subsection.

(6) The department shall approve at least 4 but not more than 6 providers of benchmark assessments for the purposes of this section. The department shall inform districts of all of the providers approved under this subsection in an equitable manner. The benchmark assessments, with the exclusion of the benchmark assessment described in subsection (4), provided by approved providers under this subsection must meet all of the following:

(a) Be aligned to the content standards of this state.
(b) Complement the state's summative assessment system.
(c) Be internet-delivered and include a standards-based remote, in-person, or both remote and in-person assessment using a computer-adaptive model to target the instructional level of each pupil.
(d) Provide information on pupil achievement with regard to learning content required in a given year or grade span.
(e) Provide immediate feedback to pupils and teachers.
(f) Be nationally normed.
(g) Provide multiple measures of growth and provide for multiple testing opportunities.

Sec. 107. (1) From the appropriation in section 11, there is allocated an amount not to exceed $30,000,000.00 for 2021-2022-2023 for adult education programs authorized under this section. Except as otherwise provided under subsections (14) and (15), funds allocated under this section are restricted for adult education programs as authorized under this section only. A recipient of funds under this section shall not use those funds for any other purpose.

(2) To be eligible for funding under this section, an eligible adult education
provider shall employ certificated teachers and qualified administrative staff and
shall offer continuing education opportunities for teachers to allow them to maintain
certification.

(3) To be eligible to be a participant funded under this section, an individual
must be enrolled in an adult basic education program, an adult secondary education
program, an adult English as a second language program, a high school equivalency test
preparation program, or a high school completion program, that meets the requirements
of this section, and for which instruction is provided, and the individual must be at
least 18 years of age by July 1 of the program year and the individual's graduating
class must have graduated.

(4) By April 1 of each fiscal year, the intermediate districts within a
prosperity region or subregion shall determine which intermediate district will serve
as the prosperity region's or subregion's fiscal agent for the next fiscal year and
shall notify the department in a form and manner determined by the department. The
department shall approve or disapprove of the prosperity region's or subregion's
selected fiscal agent. From the funds allocated under subsection (1), an amount as
determined under this subsection is allocated to each intermediate district serving as
a fiscal agent for adult education programs in each of the prosperity regions or
subregions identified by the department. An intermediate district shall not use more
than 5% of the funds allocated under this subsection for administration costs for
serving as the fiscal agent. The allocation provided to each intermediate district
serving as a fiscal agent must be calculated as follows:

(a) Sixty percent of this portion of the funding must be distributed based upon
the proportion of the state population of individuals between the ages of 18 and 24
that are not high school graduates that resides in each of the prosperity regions or
subregions located within the intermediate district, as reported by the most recent 5-
year estimates from the American Community Survey (ACS) from the United States Census Bureau.

(b) Thirty-five percent of this portion of the funding must be distributed based upon the proportion of the state population of individuals age 25 or older who are not high school graduates that resides in each of the prosperity regions or subregions located within the intermediate district, as reported by the most recent 5-year estimates from the ACS from the United States Census Bureau.

(c) Five percent of this portion of the funding must be distributed based upon the proportion of the state population of individuals age 18 or older who lack basic English language proficiency that resides in each of the prosperity regions or subregions located within the intermediate district, as reported by the most recent 5-year estimates from the ACS from the United States Census Bureau.

(5) To be an eligible fiscal agent, an intermediate district must agree to do the following in a form and manner determined by the department:

(a) Distribute funds to adult education programs in a prosperity region or subregion as described in this section.

(b) Collaborate with the career and educational advisory council, which is an advisory council of the workforce development boards located in the prosperity region or subregion, or its successor, to develop a regional strategy that aligns adult education programs and services into an efficient and effective delivery system for adult education learners, with special consideration for providing contextualized learning and career pathways and addressing barriers to education and employment.

(c) Collaborate with the career and educational advisory council, which is an advisory council of the workforce development boards located in the prosperity region or subregion, or its successor, to create a local process and criteria that will identify eligible adult education providers to receive funds allocated under this
section based on location, demand for services, past performance, quality indicators as identified by the department, and cost to provide instructional services. The fiscal agent shall determine all local processes, criteria, and provider determinations. However, the local processes, criteria, and provider services must be approved by the department before funds may be distributed to the fiscal agent.

(d) Provide oversight to its adult education providers throughout the program year to ensure compliance with the requirements of this section.

(e) Report adult education program and participant data and information as prescribed by the department.

(6) An adult basic education program, an adult secondary education program, or an adult English as a second language program operated on a year-round or school year basis may be funded under this section, subject to all of the following:

(a) The program enrolls adults who are determined by a department-approved assessment, in a form and manner prescribed by the department, to be below twelfth grade level in reading or mathematics, or both, or to lack basic English proficiency.

(b) The program tests individuals for eligibility under subdivision (a) before enrollment and upon completion of the program in compliance with the state-approved assessment policy.

(c) A participant in an adult basic education program is eligible for reimbursement until 1 of the following occurs:

(i) The participant's reading and mathematics proficiency are assessed at or above the ninth grade level.

(ii) The participant fails to show progress on 2 successive assessments after having completed at least 450 hours of instruction.

(d) A participant in an adult secondary education program is eligible for reimbursement until 1 of the following occurs:
(i) The participant's reading and mathematics proficiency are assessed above the twelfth grade level.

(ii) The participant fails to show progress on 2 successive assessments after having at least 450 hours of instruction.

(e) A funding recipient enrolling a participant in an English as a second language program is eligible for funding according to subsection (9) until the participant meets 1 of the following:

(i) The participant is assessed as having attained basic English proficiency as determined by a department-approved assessment.

(ii) The participant fails to show progress on 2 successive department-approved assessments after having completed at least 450 hours of instruction. The department shall provide information to a funding recipient regarding appropriate assessment instruments for this program.

(7) A high school equivalency test preparation program operated on a year-round or school year basis may be funded under this section, subject to all of the following:

(a) The program enrolls adults who do not have a high school diploma or a high school equivalency certificate.

(b) The program administers a pre-test approved by the department before enrolling an individual to determine the individual's literacy levels, administers a high school equivalency practice test to determine the individual's potential for success on the high school equivalency test, and administers a post-test upon completion of the program in compliance with the state-approved assessment policy.

(c) A funding recipient receives funding according to subsection (9) for a participant, and a participant may be enrolled in the program until 1 of the following occurs:
(i) The participant achieves a high school equivalency certificate.

(ii) The participant fails to show progress on 2 successive department-approved assessments used to determine readiness to take a high school equivalency test after having completed at least 450 hours of instruction.

(8) A high school completion program operated on a year-round or school year basis may be funded under this section, subject to all of the following:

(a) The program enrolls adults who do not have a high school diploma.

(b) The program tests participants described in subdivision (a) before enrollment and upon completion of the program in compliance with the state-approved assessment policy.

(c) A funding recipient receives funding according to subsection (9) for a participant in a course offered under this subsection until 1 of the following occurs:

(i) The participant passes the course and earns a high school diploma.

(ii) The participant fails to earn credit in 2 successive semesters or terms in which the participant is enrolled after having completed at least 900 hours of instruction.

(9) The department shall make payments to a funding recipient under this section in accordance with all of the following:

(a) Statewide allocation criteria, including 3-year average enrollments, census data, and local needs.

(b) Participant completion of the adult basic education objectives by achieving an educational gain as determined by the national reporting system levels; for achieving basic English proficiency, as determined by the department; for achieving a high school equivalency certificate or passage of 1 or more individual high school equivalency tests; for attainment of a high school diploma or passage of a course required for a participant to attain a high school diploma; for enrollment in a
postsecondary institution, or for entry into or retention of employment, as applicable.

(c) Participant completion of core indicators as identified in the innovation and opportunity act.

(d) Allowable expenditures.

(10) A person who is not eligible to be a participant funded under this section may receive adult education services upon the payment of tuition. In addition, a person who is not eligible to be served in a program under this section due to the program limitations specified in subsection (6), (7), or (8) may continue to receive adult education services in that program upon the payment of tuition. The local or intermediate district conducting the program shall determine the tuition amount.

(11) An individual who is an inmate in a state correctional facility is not counted as a participant under this section.

(12) A funding recipient shall not commingle money received under this section or from another source for adult education purposes with any other funds and shall establish a separate ledger account for funds received under this section. This subsection does not prohibit a district from using general funds of the district to support an adult education or community education program.

(13) A funding recipient receiving funds under this section may establish a sliding scale of tuition rates based upon a participant's family income. A funding recipient may charge a participant tuition to receive adult education services under this section from that sliding scale of tuition rates on a uniform basis. The amount of tuition charged per participant must not exceed the actual operating cost per participant minus any funds received under this section per participant. A funding recipient may not charge a participant tuition under this section if the participant's income is at or below 200% of the federal poverty guidelines published by the United
(14) In order to receive funds under this section, a funding recipient shall furnish to the department, in a form and manner determined by the department, all information needed to administer this program and meet federal reporting requirements; shall allow the department or the department’s designee to review all records related to the program for which it receives funds; and shall reimburse the state for all disallowances found in the review, as determined by the department. In addition, a funding recipient shall agree to pay to a career and technical education program under section 61a the amount of funding received under this section in the proportion of career and technical education coursework used to satisfy adult basic education programming, as billed to the funding recipient by programs operating under section 61a. In addition to the funding allocated under subsection (1), there is allocated for 2021-2022-2022-2023 an amount not to exceed $500,000.00 to reimburse funding recipients for administrative and instructional expenses associated with commingling programming under this section and section 61a. The department shall make payments under this subsection to each funding recipient in the same proportion as funding calculated and allocated under subsection (4).

(15) From the amount appropriated in subsection (1), an amount not to exceed $4,000,000.00 is allocated for 2021-2022-2022-2023 for grants to adult education or state-approved career technical center programs that connect adult education participants with employers as provided under this subsection. The department shall determine the amount of the grant to each program under this subsection, not to exceed $350,000.00. To be eligible for funding under this subsection, a program must provide a collaboration linking adult education programs within the county, the area career technical center, and local employers. To receive funding under this subsection, an eligible program must satisfy all of the following:
(a) Connect adult education participants directly with employers by linking adult education, career and technical skills, and workforce development.

(b) Require adult education staff to work with Michigan Works! agency to identify a cohort of participants who are most prepared to successfully enter the workforce. Except as otherwise provided under this subdivision, participants identified under this subsection must be dually enrolled in adult education programming and in at least 1 state-approved technical course at the area career and technical center. A program that links participants identified under this subsection with adult education programming and commercial driver license courses does not need to enroll the participants in at least 1 state-approved technical course at the area career and technical center to be considered an eligible program under this subsection.

(c) Employ an individual staffed as an adult education navigator who will serve as a caseworker for each participant identified under subdivision (b). The navigator shall work with adult education staff and potential employers to design an educational program best suited to the personal and employment needs of the participant and shall work with human service agencies or other entities to address any barrier in the way of participant access.

(16) Each program funded under subsection (15) will receive funding for 3 years. After 3 years of operations and funding, a program must reapply for funding.

(17) Not later than December 1 of each year, a program funded under subsection (15) shall provide a report to the senate and house appropriations subcommittees on school aid, to the senate and house fiscal agencies, and to the state budget director identifying the number of participants, graduation rates, and a measure of transition to employment.

(18) Except as otherwise provided in this subsection, participants under
subsection (15) must be concurrently enrolled and actively working toward obtaining a high school diploma or a high school equivalency certificate. Concurrent enrollment is not required under this subsection for a participant that was enrolled in adult education during the same program year and obtained a high school diploma or a high school equivalency certificate prior to enrollment in an eligible career and technical skills program under subsection (15). Up to 15% of adult education participants served under subsection (15) may already have a high school diploma or a high school equivalency certificate at the time of enrollment in an eligible career and technical skills program under subsection (15) and receive remediation services. It is intended that the cap described in the immediately preceding sentence is continually lowered on an annual basis until it eventually is 0%.

(19) The department shall approve at least 3 high school equivalency tests and determine whether a high school equivalency certificate meets the requisite standards for high school equivalency in this state.

(20) As used in this section:

(a) "Career and educational advisory council" means an advisory council to the local workforce development boards located in a prosperity region consisting of educational, employer, labor, and parent representatives.

(b) "Career pathway" means a combination of rigorous and high-quality education, training, and other services that comply with all of the following:

(i) Aligns with the skill needs of industries in the economy of this state or in the regional economy involved.

(ii) Prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the act of August 16, 1937, commonly referred to as the national apprenticeship act, 29 USC 50 et seq.
(iii) Includes counseling to support an individual in achieving the individual's education and career goals.

(iv) Includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.

(v) Organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable.

(vi) Enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential.

(vii) Helps an individual enter or advance within a specific occupation or occupational cluster.

(c) "Department" means the department of labor and economic opportunity.

(d) "Eligible adult education provider" means a district, intermediate district, a consortium of districts, a consortium of intermediate districts, or a consortium of districts and intermediate districts that is identified as part of the local process described in subsection (5)(c) and approved by the department.

Sec. 147. (1) The allocation for 2021-2022-2022-2023 for the public school employees' retirement system pursuant to the public school employees' retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, is made using the individual projected benefit entry age normal cost method of valuation and risk assumptions adopted by the public school employees' retirement board and the department of technology, management, and budget.

(2) The annual level percentage of payroll contribution rates for the 2021-2022-2022-2023 fiscal year, as determined by the retirement system, are estimated as follows:
(a) Except as otherwise provided in this subdivision, for public school employees who first worked for a public school reporting unit before July 1, 2010 and who are enrolled in the health premium subsidy, the annual level percentage of payroll contribution rate is estimated at 43.28% with 28.23% paid directly by the employer. For 2021-2022, if the retirement system determines that the annual level percentage of payroll contribution rate estimated in the immediately preceding sentence needs to be adjusted, the annual level percentage of payroll contribution rate estimations under this subdivision are the estimations determined by the retirement system. If the retirement system makes a determination as described in the immediately preceding sentence, it shall issue its estimations publicly and describe the need for the adjustment described in the immediately preceding sentence.

(b) Except as otherwise provided in this subdivision, for public school employees who first worked for a public school reporting unit on or after July 1, 2010 and who are enrolled in the health premium subsidy, the annual level percentage of payroll contribution rate is estimated at 40.36% with 25.31% paid directly by the employer. For 2021-2022, if the retirement system determines that the annual level percentage of payroll contribution rate estimated in the immediately preceding sentence needs to be adjusted, the annual level percentage of payroll contribution rate estimations under this subdivision are the estimations determined by the retirement system. If the retirement system makes a determination as described in the immediately preceding sentence, it shall issue its estimations publicly and describe the need for the adjustment described in the immediately preceding sentence.

(c) Except as otherwise provided in this subdivision, for public school employees who first worked for a public school reporting unit on or after July 1, 2010 and who participate in the personal healthcare fund, the annual level percentage of payroll contribution rate is estimated at 39.50% with 24.45% paid directly by
the employer. For 2021-2022, if the retirement system determines that the annual level percentage of payroll contribution rate estimated in the immediately preceding sentence needs to be adjusted, the annual level percentage of payroll contribution rate estimations under this subdivision are the estimations determined by the retirement system. If the retirement system makes a determination as described in the immediately preceding sentence, it shall issue its estimations publicly and describe the need for the adjustment described in the immediately preceding sentence.

(d) Except as otherwise provided in this subdivision, for public school employees who first worked for a public school reporting unit on or after September 4, 2012, who elect defined contribution, and who participate in the personal healthcare fund, the annual level percentage of payroll contribution rate is estimated at 36.01% with 20.96% paid directly by the employer. For 2021-2022, if the retirement system determines that the annual level percentage of payroll contribution rate estimated in the immediately preceding sentence needs to be adjusted, the annual level percentage of payroll contribution rate estimations under this subdivision are the estimations determined by the retirement system. If the retirement system makes a determination as described in the immediately preceding sentence, it shall issue its estimations publicly and describe the need for the adjustment described in the immediately preceding sentence.

(e) Except as otherwise provided in this subdivision, for public school employees who first worked for a public school reporting unit before July 1, 2010, who elect defined contribution, and who are enrolled in the health premium subsidy, the annual level percentage of payroll contribution rate is estimated at 36.87% with 21.82% paid directly by the employer. For 2021-2022, if the retirement system determines that the annual level percentage of payroll contribution rate estimated in the immediately preceding sentence needs to be adjusted, the annual level percentage
of payroll contribution rate estimations under this subdivision are the estimations
determined by the retirement system. If the retirement system makes a determination as
described in the immediately preceding sentence, it shall issue its estimations
publicly and describe the need for the adjustment described in the immediately
preceding sentence.

(f) Except as otherwise provided in this subdivision, for public school
employees who first worked for a public school reporting unit before July 1, 2010, who
elect defined contribution, and who participate in the personal healthcare fund, the
annual level percentage of payroll contribution rate is estimated at 36.01%–37.61%
with 20.96% paid directly by the employer. For 2021-2022, if the retirement system
determines that the annual level percentage of payroll contribution rate estimated in
the immediately preceding sentence needs to be adjusted, the annual level percentage
of payroll contribution rate estimations under this subdivision are the estimations
determined by the retirement system. If the retirement system makes a determination as
described in the immediately preceding sentence, it shall issue its estimations
publicly and describe the need for the adjustment described in the immediately
preceding sentence.

(g) Except as otherwise provided in this subdivision, for public school
employees who first worked for a public school reporting unit before July 1, 2010 and
who participate in the personal healthcare fund, the annual level percentage of
payroll contribution rate is estimated at 42.42%–44.02% with 27.37% paid directly by
the employer. For 2021-2022, if the retirement system determines that the annual level
percentage of payroll contribution rate estimated in the immediately preceding
sentence needs to be adjusted, the annual level percentage of payroll contribution
rate estimations under this subdivision are the estimations determined by the
retirement system. If the retirement system makes a determination as described in the
immediately preceding sentence, it shall issue its estimations publicly and describe
the need for the adjustment described in the immediately preceding sentence.

(h) Except as otherwise provided in this subdivision, for public school
employees who first worked for a public school reporting unit after January 31, 2018
and who elect to become members of the MPSERS plan, the annual level percentage of
payroll contribution rate is estimated at 42.21% with 27.16% paid directly by
the employer. For 2021-2022, if the retirement system determines that the annual level
percentage of payroll contribution rate estimated in the immediately preceding
sentence needs to be adjusted, the annual level percentage of payroll contribution
rate estimations under this subdivision are the estimations determined by the
retirement system. If the retirement system makes a determination as described in the
immediately preceding sentence, it shall issue its estimations publicly and describe
the need for the adjustment described in the immediately preceding sentence.

(3) In addition to the employer payments described in subsection (2), the
employer shall pay the applicable contributions to the Tier 2 plan, as determined by
the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to
38.1437.

(4) The contribution rates in subsection (2) reflect an amortization period of
17-16 years for 2021-2022-2022-2023. The public school employees' retirement system
board shall notify each district and intermediate district by February 28 of each
fiscal year of the estimated contribution rate for the next fiscal year.

Sec. 147a. (1) From the state school aid fund appropriation in section 11, there
is allocated for 2020-2021 an amount not to exceed $100,000,000.00 and for 2021-2022
2022-2023 an amount not to exceed $100,000,000.00-$112,040,000.00 for payments to
participating districts and intermediate districts, and from the general fund
appropriation in section 11, there is allocated for 2022-2023 an amount not to exceed
$31,000.00 for payments to participating district libraries. A participating district entity that receives money under this subsection shall use that money solely for the purpose of offsetting a portion of the retirement contributions owed by the district participating entity for the fiscal year in which it is received. The amount allocated to each participating district entities under this subsection is calculated as follows:

(a) For each participating district, $100,000,000.00 multiplied by each participating district’s percentage of the total statewide payroll for all participating districts.

(b) For each participating intermediate district, $12,040,000.00 multiplied by each participating intermediate district’s percentage of the total statewide payroll for all participating intermediate districts.

(c) For each participating district library, $31,000.00 multiplied by each participating district library’s percentage of the total statewide payroll for all participating district libraries. Based on each participating district’s percentage of the total statewide payroll for all participating districts for the immediately preceding fiscal year. As used in this subsection, "participating district" means a district, that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

(2) In addition to the allocation under subsection (1), from the state school aid fund money appropriated under section 11, there is allocated an amount not to exceed $190,430,000.00 for 2020-2021 and an amount not to exceed $177,400,000.00 $172,100,000.00 for 2021-2022-2022-2023 for payments to participating districts and intermediate districts and from the general fund money appropriated under section 11,
there is allocated an amount not to exceed $70,000.00 for 2020-2021 and an amount not
to exceed $60,000.00-$50,000.00 for 2021-2022-2022-2023 for payments to participating
district libraries. The amount allocated to each participating entity under this
subsection is based on each participating entity's reported quarterly payroll for
members that became tier 1 prior to February 1, 2018 for the current fiscal year. A
participating entity that receives money under this subsection shall use that money
solely for the purpose of offsetting a portion of the normal cost contribution rate.

As used in this subsection:

(3) As used in this section:

(a) "District library" means a district library established under the district
library establishment act, 1989 PA 24, MCL 397.171 to 397.196.

(b) "Participating entity" means a district, intermediate district, or district
library that is a reporting unit of the Michigan public school employees' retirement
system under the public school employees retirement act of 1979, 1980 PA 300, MCL
38.1301 to 38.1437, and that reports employees to the Michigan public school
employees' retirement system for the applicable fiscal year.

Sec. 147c. From the state school aid fund money appropriated in section 11,
there is allocated for 2021-2022-2022-2023 an amount not to exceed $1,478,000,000.00
$1,468,500,000.00 for payments to districts and intermediate districts that are
participating entities of the Michigan public school employees' retirement system. In
addition, from the general fund money appropriated in section 11, there is allocated
for 2021-2022-2022-2023 an amount not to exceed $500,000.00 for payments to district
libraries that are participating entities of the Michigan public school employees'
retirement system. All of the following apply to funding under this section:

(a) Except as otherwise provided in this subdivision, for 2021-2022-2022-2023
the amounts allocated under this section are estimated to provide an average MPSERS
rate cap per pupil amount of $911.00-$1,042.00 and are estimated to provide a rate cap
per pupil for districts ranging between $5.00 and $4,200.00-$3,700.00. For 2021-2022,
if the retirement system determines the average MPSERS rate cap per pupil amount and
rate cap per pupil for districts estimated in the immediately preceding sentence need
to be adjusted, the estimated average MPSERS rate cap per pupil amount and estimated
rate cap per pupil for districts under this subdivision are the estimations determined
by the retirement system. If the retirement system makes a determination as described
in the immediately preceding sentence, it shall issue its estimations publicly and
describe the need for the adjustment described in the immediately preceding sentence.

(b) Payments made under this section are equal to the difference between the
unfunded actuarial accrued liability contribution rate as calculated pursuant to
section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL
38.1341, as calculated without taking into account the maximum employer rate of 20.96%
included in section 41 of the public school employees retirement act of 1979, 1980 PA
300, MCL 38.1341, and the maximum employer rate of 20.96% included in section 41 of
the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341.

(c) The amount allocated to each participating entity under this section is
based on each participating entity's proportion of the total covered payroll for the
immediately preceding fiscal year for the same type of participating entities. A
participating entity that receives funds under this section shall use the funds solely
for the purpose of retirement contributions as specified in subdivision (d).

(d) Each participating entity receiving funds under this section shall forward
an amount equal to the amount allocated under subdivision (c) to the retirement system
in a form, manner, and time frame determined by the retirement system.

(e) Funds allocated under this section should be considered when comparing a
district's growth in total state aid funding from 1 fiscal year to the next.
(f) Not later than December 20, 2021-2022, the department shall publish and post on its website an estimated MPSERS rate cap per pupil for each district.

(g) The office of retirement services shall first apply funds allocated under this section to pension contributions and, if any funds remain after that payment, shall apply those remaining funds to other postemployment benefit contributions.

(h) As used in this section:

(i) "District library" means a district library established under the district library establishment act, 1989 PA 24, MCL 397.171 to 397.196.

(ii) "MPSERS rate cap per pupil" means an amount equal to the quotient of the district's payment under this section divided by the district's pupils in membership.

(iii) "Participating entity" means a district, intermediate district, or district library that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

(iv) "Retirement board" means the board that administers the retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

(v) "Retirement system" means the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

Sec. 147e. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2020-2021 an amount not to exceed $33,800,000.00 and there is allocated for 2021-2022-2022-2023 an amount not to exceed $69,300,000.00 for payments to participating entities.

(2) The payment to each participating entity under this section is the sum of
the amounts under this subsection as follows:

(a) An amount equal to the contributions made by a participating entity for the additional contribution made to a qualified participant's Tier 2 account in an amount equal to the contribution made by the qualified participant not to exceed 3% of the qualified participant's compensation as provided for under section 131(6) of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1431.

(b) Beginning October 1, 2017, an amount equal to the contributions made by a participating entity for a qualified participant who is only a Tier 2 qualified participant under section 81d of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1381d, not to exceed 4%, and, beginning February 1, 2018, not to exceed 1%, of the qualified participant's compensation.

(c) An amount equal to the increase in employer normal cost contributions under section 41b(2) of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341b, for a member that was hired after February 1, 2018 and chose to participate in Tier 1, compared to the employer normal cost contribution for a member under section 41b(1) of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341b.

(3) As used in this section:

(a) "Member" means that term as defined under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

(b) "Participating entity" means a district, intermediate district, or community college that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

(c) "Qualified participant" means that term as defined under section 124 of the
public school employees retirement act of 1979, 1980 PA 300, MCL 38.1424.

Sec. 152a. (1) As required by the court in the consolidated cases known as Adair v State of Michigan, 486 Mich 468 (2010), from the state school aid fund money appropriated in section 11, there is allocated for 2021-2022-2022-2023 an amount not to exceed $38,000,500.00 to be used solely for the purpose of paying necessary costs related to the state-mandated collection, maintenance, and reporting of data to this state.

(2) From the allocation in subsection (1), the department shall make payments to districts and intermediate districts in an equal amount per pupil based on the total number of pupils in membership in each district and intermediate district. The department shall not make any adjustment to these payments after the final installment payment under section 17b is made.

ARTICLE II

STATE AID TO COMMUNITY COLLEGES

Sec. 201. (1) Subject to the conditions set forth in this article, the amounts listed in this section are appropriated for community colleges for the fiscal year ending September 30, 2022, 2023, from the funds indicated in this section. The following is a summary of the appropriations in this section:

(a) The gross appropriation is $431,917,000.00-$470,028,400.00. After deducting total interdepartmental grants and intradepartmental transfers in the amount of $0.00, the adjusted gross appropriation is $431,917,000.00-$470,028,400.00.

(b) The sources of the adjusted gross appropriation described in subdivision (a) are as follows:

(i) Total federal revenues, $0.00.

(ii) Total local revenues, $0.00.

(iii) Total private revenues, $0.00.
(iv) Total other state restricted revenues, $431,917,000.00, $470,028,400.00.

(v) State general fund/general purpose money, $0.00.

(2) Subject to subsection (3), the amount appropriated for community college operations is $328,883,400.00, $341,224,400.00, allocated as follows:

(a) The appropriation for Alpena Community College is $5,830,600.00, $5,753,300.00 for operations, $53,400.00 for 1-time performance funding, and $23,900.00 for costs incurred under the North American Indian tuition waiver. $6,040,500.00, $5,753,300.00 for operations, $273,500.00 for performance funding, and $13,700.00 for costs incurred under the North American Indian tuition waiver.

(b) The appropriation for Bay de Noc Community College is $5,772,400.00, $5,602,800.00 for operations, $58,000.00 for 1-time performance funding, and $111,400.00 for costs incurred under the North American Indian tuition waiver. $6,086,700.00, $5,602,800.00 for operations, $274,200.00 for performance funding, and $109,700.00 for costs incurred under the North American Indian tuition waiver.

(c) The appropriation for Delta College is $15,364,000.00, $15,160,500.00 for operations, $143,400.00 for 1-time performance funding, and $60,100.00 for costs incurred under the North American Indian tuition waiver. $15,928,400.00, $15,160,500.00 for operations, $727,700.00 for performance funding, and $40,200.00 for costs incurred under the North American Indian tuition waiver.

(d) The appropriation for Glen Oaks Community College is $2,684,500.00, $2,651,200.00 for operations, $33,300.00 for 1-time performance funding, and $0.00 for costs incurred under the North American Indian tuition waiver. $2,802,100.00, $2,651,200.00 for operations, $150,900.00 for performance funding, and $0.00 for costs incurred under the North American Indian tuition waiver.

(e) The appropriation for Gogebic Community College is $4,968,100.00, $4,873,700.00 for operations, $42,400.00 for 1-time performance funding, and
$52,000.00 for costs incurred under the North American Indian tuition waiver. 

$5,145,800.00, $4,873,700.00 for operations, $229,600.00 for performance funding, and $42,500.00 for costs incurred under the North American Indian tuition waiver.

(f) The appropriation for Grand Rapids Community College is $19,193,200.00, $18,773,100.00 for operations, $221,500.00 for l-time performance funding, and $198,600.00 for costs incurred under the North American Indian tuition waiver. $19,950,600.00, $18,773,100.00 for operations, $993,100.00 for performance funding, and $184,400.00 for costs incurred under the North American Indian tuition waiver.

(g) The appropriation for Henry Ford College is $22,753,900.00, $22,533,100.00 for operations, $205,800.00 for l-time performance funding, and $198,600.00 for costs incurred under the North American Indian tuition waiver. $23,731,400.00, $22,533,100.00 for operations, $1,167,000.00 for performance funding, and $31,300.00 for costs incurred under the North American Indian tuition waiver.

(h) The appropriation for Jackson College is $12,912,300.00, $12,756,200.00 for operations, $109,900.00 for l-time performance funding, and $46,200.00 for costs incurred under the North American Indian tuition waiver. $13,337,700.00, $12,756,200.00 for operations, $538,900.00 for performance funding, and $42,600.00 for costs incurred under the North American Indian tuition waiver.

(i) The appropriation for Kalamazoo Valley Community College is $13,320,400.00, $13,099,900.00 for operations, $134,400.00 for l-time performance funding, and $86,100.00 for costs incurred under the North American Indian tuition waiver. $13,832,700.00, $13,099,900.00 for operations, $676,200.00 for performance funding, and $56,600.00 for costs incurred under the North American Indian tuition waiver.

(j) The appropriation for Kellogg Community College is $10,419,200.00, $10,267,100.00 for operations, $100,800.00 for l-time performance funding, and $51,300.00 for costs incurred under the North American Indian tuition waiver.
$10,781,400.00, $10,267,100.00 for operations, $487,300.00 for performance funding, and $27,000.00 for costs incurred under the North American Indian tuition waiver.

(k) The appropriation for Kirtland Community College is $3,404,000.00, $3,358,400.00 for operations, $39,100.00 for 1-time performance funding, and $6,500.00 for costs incurred under the North American Indian tuition waiver. $3,601,000.00, $3,358,400.00 for operations, $219,500.00 for performance funding, and $23,100.00 for costs incurred under the North American Indian tuition waiver.

(l) The appropriation for Lake Michigan College is $5,768,200.00, $5,702,700.00 for operations, $52,400.00 for 1-time performance funding, and $13,100.00 for costs incurred under the North American Indian tuition waiver. $5,990,800.00, $5,702,700.00 for operations, $275,700.00 for performance funding, and $12,400.00 for costs incurred under the North American Indian tuition waiver.

(m) The appropriation for Lansing Community College is $33,255,300.00, $32,852,000.00 for operations, $280,600.00 for 1-time performance funding, and $122,700.00 for costs incurred under the North American Indian tuition waiver. $34,339,200.00, $32,852,000.00 for operations, $1,376,900.00 for performance funding, and $110,300.00 for costs incurred under the North American Indian tuition waiver.

(n) The appropriation for Macomb Community College is $34,629,700.00, $34,276,100.00 for operations, $330,300.00 for 1-time performance funding, and $23,300.00 for costs incurred under the North American Indian tuition waiver. $35,950,400.00, $34,276,100.00 for operations, $1,635,800.00 for performance funding, and $38,500.00 for costs incurred under the North American Indian tuition waiver.

(o) The appropriation for Mid Michigan Community College is $5,396,300.00, $5,184,400.00 for operations, $88,000.00 for 1-time performance funding, and $153,900.00 for costs incurred under the North American Indian tuition waiver. $5,555,700.00, $5,184,400.00 for operations, $273,700.00 for performance funding, and
$97,600.00 for costs incurred under the North American Indian tuition waiver.

(p) The appropriation for Monroe County Community College is $4,798,100.00, $4,746,200.00 for operations, $51,200.00 for 1-time performance funding, and $700.00 for costs incurred under the North American Indian tuition waiver. $5,005,000.00, $4,746,200.00 for operations, $257,400.00 for performance funding, and $1,400.00 for costs incurred under the North American Indian tuition waiver.

(q) The appropriation for Montcalm Community College is $3,612,600.00, $3,570,600.00 for operations, $37,200.00 for 1-time performance funding, and $4,800.00 for costs incurred under the North American Indian tuition waiver. $3,767,400.00, $3,570,600.00 for operations, $188,300.00 for performance funding, and $8,500.00 for costs incurred under the North American Indian tuition waiver.

(r) The appropriation for C.S. Mott Community College is $16,623,500.00, $16,440,000.00 for operations, $142,500.00 for 1-time performance funding, and $41,000.00 for costs incurred under the North American Indian tuition waiver. $17,127,100.00, $16,440,000.00 for operations, $658,300.00 for performance funding, and $28,800.00 for costs incurred under the North American Indian tuition waiver.

(s) The appropriation for Muskegon Community College is $9,431,700.00, $9,289,100.00 for operations, $85,100.00 for 1-time performance funding, and $57,500.00 for costs incurred under the North American Indian tuition waiver. $9,775,400.00, $9,289,100.00 for operations, $444,300.00 for performance funding, and $42,000.00 for costs incurred under the North American Indian tuition waiver.

(t) The appropriation for North Central Michigan College is $3,612,700.00, $3,389,300.00 for operations, $42,200.00 for 1-time performance funding, and $181,200.00 for costs incurred under the North American Indian tuition waiver. $3,779,800.00, $3,389,300.00 for operations, $226,600.00 for performance funding, and $163,900.00 for costs incurred under the North American Indian tuition waiver.
(u) The appropriation for Northwestern Michigan College is $9,906,900.00, $9,567,100.00 for operations, $88,600.00 for 1-time performance funding, and $251,200.00 for costs incurred under the North American Indian tuition waiver.

$10,162,300.00, $9,567,100.00 for operations, $439,700.00 for performance funding, and $155,500.00 for costs incurred under the North American Indian tuition waiver.

(v) The appropriation for Oakland Community College is $22,485,200.00, $22,211,700.00 for operations, $240,000.00 for 1-time performance funding, and $33,500.00 for costs incurred under the North American Indian tuition waiver.

$23,505,300.00, $22,211,700.00 for operations, $1,257,800.00 for performance funding, and $35,800.00 for costs incurred under the North American Indian tuition waiver.

(w) The appropriation for Schoolcraft College is $13,386,700.00, $13,196,200.00 for operations, $151,700.00 for 1-time performance funding, and $38,800.00 for costs incurred under the North American Indian tuition waiver. $13,960,700.00, $13,196,200.00 for operations, $743,300.00 for performance funding, and $21,200.00 for costs incurred under the North American Indian tuition waiver.

(x) The appropriation for Southwestern Michigan College is $7,081,900.00, $6,979,400.00 for operations, $68,400.00 for 1-time performance funding, and $34,100.00 for costs incurred under the North American Indian tuition waiver.

$7,359,900.00, $6,979,400.00 for operations, $353,400.00 for performance funding, and $27,100.00 for costs incurred under the North American Indian tuition waiver.

(y) The appropriation for St. Clair County Community College is $7,478,700.00, $7,385,200.00 for operations, $78,400.00 for 1-time performance funding, and $15,100.00 for costs incurred under the North American Indian tuition waiver.

$7,805,200.00, $7,385,200.00 for operations, $401,400.00 for performance funding, and $18,600.00 for costs incurred under the North American Indian tuition waiver.

(z) The appropriation for Washtenaw Community College is $14,080,600.00.
$13,855,900.00 for operations, $189,400.00 for 1-time performance funding, and $23,700.00 for costs incurred under the North American Indian tuition waiver.

$14,875,000.00, $13,855,900.00 for operations, $995,400.00 for performance funding, and $23,700.00 for costs incurred under the North American Indian tuition waiver.

(aa) The appropriation for Wayne County Community College is $17,782,100.00, $17,593,400.00 for operations, $173,700.00 for 1-time performance funding, and $15,000.00 for costs incurred under the North American Indian tuition waiver.

$18,384,700.00, $17,593,400.00 for operations, $782,700.00 for performance funding, and $8,600.00 for costs incurred under the North American Indian tuition waiver.

(bb) The appropriation for West Shore Community College is $2,630,600.00, $2,585,600.00 for operations, $24,800.00 for 1-time performance funding, and $20,200.00 for costs incurred under the North American Indian tuition waiver.

$2,742,200.00, $2,585,600.00 for operations, $135,400.00 for performance funding, and $21,200.00 for costs incurred under the North American Indian tuition waiver.

(3) The amount appropriated in subsection (2) for community college operations is $328,583,400.00-$341,244,400.00 and is appropriated from the state school aid fund.

(4) From the appropriations described in subsection (1), both of the following apply:

(a) Subject to section 207a, the amount appropriated for fiscal year 2021-2022 to offset certain fiscal year 2021-2022 2022-2023 retirement contributions is $1,733,600.00, $7,020,000.00, appropriated from the state school aid fund.

(b) For fiscal year 2021-2022, 2022-2023, there is allocated an amount not to exceed $11,700,000.00-$10,800,000.00 for payments to participating community colleges, appropriated from the state school aid fund. A community college that receives money under this subdivision shall use that money solely for the purpose of offsetting the normal cost contribution rate.
(5) From the appropriations described in subsection (1), subject to section 207b, the amount appropriated for payments to community colleges that are participating entities of the retirement system is $87,200,000.00 - $92,600,000.00 appropriated from the state school aid fund.

(6) From the appropriations described in subsection (1), subject to section 207c, the amount appropriated for renaissance zone tax reimbursements is $2,200,000.00, appropriated from the state school aid fund. Each community college receiving funds in this subsection shall accrue these payments to its institutional fiscal year ending June 30, 2022 - 2023.

Sec. 201e. (1) In addition to the funds appropriated under section 201(2) for community college operations, for the fiscal year ending September 30, 2023 only, there is appropriated an amount not to exceed $12,696,000.00 - $16,184,000.00 from the state school aid fund for operational support payments - one-time performance funding. (2) From the amount appropriated under subsection (1), each community college is allocated the following:

(a) Alpena Community College, $225,700.00 - $273,500.00.
(b) Bay de Noc Community College, $219,800.00 - $274,200.00.
(c) Delta College, $594,700.00 - $727,700.00.
(d) Glen Oaks Community College, $104,000.00 - $150,900.00.
(e) Gogebic Community College, $191,100.00 - $229,600.00.
(f) Grand Rapids Community College, $736,400.00 - $993,100.00.
(g) Henry Ford College, $881,900.00 - $1,167,000.00.
(h) Jackson College, $500,400.00 - $538,900.00.
(i) Kalamazoo Valley Community College, $513,900.00 - $676,200.00.
(j) Kellogg Community College, $402,700.00 - $487,300.00.
(k) Kirtland Community College, $131,700.00 - $219,500.00.
Sec. 206. (1) Except for the funds appropriated in section 201(4)(b), the funds appropriated in section 201 and section 201e are appropriated for community colleges with fiscal years ending June 30, 2022–2023 and shall be paid out of the state treasury and distributed by the state treasurer to the respective community colleges in 11 monthly installments on the sixteenth of each month, or the next succeeding business day, beginning with October 16, 2021–2022. Each community college shall accrue its July and August 2022–2023 payments to its institutional fiscal year ending June 30, 2022–2023.

(2) The funds appropriated in section 201(4)(b) are appropriated for community
colleges with fiscal years ending June 30, 2022-2023 and shall be distributed to the respective community colleges in quarterly installments on the sixteenth of each November, February, May, and August. Each community college shall accrue its August 2022-2023 payments to its institutional fiscal year ending June 30, 2022-2023.

(3) If the state budget director determines that a community college failed to submit any of the following information in the form and manner specified by the center, the state treasurer shall, subject to subsection (4), withhold the monthly installments from that community college until those data are submitted:

(a) The Michigan community colleges verified data inventory data for the preceding academic year to the center by the first business day of November of each year as specified in section 217.

(b) The college credit opportunity data set as specified in section 209.

(b) (c) The longitudinal data set for the preceding academic year to the center as specified in section 219.

(c) (d) The annual independent audit as specified in section 222.

(d) (e) Tuition and mandatory fees information for the current academic year as specified in section 225.

(e) (f) The number and type of associate degrees and other certificates awarded during the previous academic year as specified in section 226.

(4) The state budget director shall notify the chairs of the house and senate appropriations subcommittees on community colleges at least 10 days before withholding funds from any community college under subsection (3).

Sec. 207a. The following apply to the allocation of the fiscal year 2021-2022 2022-2023 appropriations described in section 201(4):

(a) A community college that receives money under section 201(4) shall use that money solely for the purpose of offsetting a portion of the retirement contributions
owed by the college for that fiscal year.

(b) The amount allocated to each participating community college under section 201(4)(a) shall be based on each college's percentage of the total covered payroll for all community colleges that are participating colleges in the immediately preceding fiscal year.

(c) The amount allocated to each participating community college under section 201(4)(b) shall be based on each college's reported quarterly payroll for members for the current fiscal year.

Sec. 207b. All of the following apply to the allocation of the fiscal year 2021-2022-2023 appropriations described in section 201(5) for payments to community colleges that are participating entities of the retirement system:

(a) The amount of a payment under section 201(5) shall be the difference between the unfunded actuarial accrued liability contribution rate as calculated under section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341, as calculated without taking into account the maximum employer rate of 20.96% included in section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341, and the maximum employer rate of 20.96% under section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341.

(b) The amount allocated to each community college under section 201(5) shall be based on each community college's percentage of the total covered payroll for all community colleges that are participating colleges in the immediately preceding fiscal year. A community college that receives funds under this subdivision shall use the funds solely for the purpose of retirement contributions under section 201(5).

(c) Each participating college that receives funds under section 201(5) shall forward an amount equal to the amount allocated under subdivision (b) to the retirement system in a form and manner determined by the retirement system.
Sec. 207c. All of the following apply to the allocation of the appropriations described in section 201(6) to community colleges described in section 12(3) of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692:

(a) The amount allocated to each community college under section 201(6) for fiscal year 2021-2022 shall be based on that community college's proportion of total revenue lost by community colleges as a result of the exemption of property taxes levied in 2021 under the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696.

(b) The appropriations described in section 201(6) shall be made to each eligible community college within 60 days after the department of treasury certifies to the state budget director that it has received all necessary information to properly determine the amounts payable to each eligible community college under section 12 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692.

Sec. 209. (1) Within 30 days after the board of a community college adopts its annual operating budget for the following fiscal year, or after the board adopts a subsequent revision to that budget, the community college shall make all of the following information available through a link on its website homepage, and shall also submit this information, and the information described in subsections (4) and (5), to the state budget director, who will compile the information it receives into a single report for all community colleges and will submit the report to the house and senate appropriations subcommittees on community colleges and the house and senate fiscal agencies:

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

(b) A link to the most recent "Michigan Community College Data Inventory Report".

(c) General fund revenue and expenditure projections for the current fiscal year
and the next fiscal year.

(d) A listing of all debt service obligations, detailed by project, anticipated payment of each project, and total outstanding debt for the current fiscal year.

(e) Links to all of the following for the community college:

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

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

(iii) Audits and financial reports for the most recent fiscal year for which they are available.

(iv) A copy of the board of trustees resolution regarding compliance with best practices for the local strategic value component described in section 230(2).

(f) A map that includes the boundaries of the community college district.

(2) For statewide consistency and public visibility, community colleges must use the icon badge provided by the department of technology, management, and budget consistent with the icon badge developed by the department of education for K-12 school districts. It must appear on the front of each community college's homepage. The size of the icon may be reduced to 150 x 150 pixels.

(3) The state budget director shall determine whether a community college has complied with this section. The state budget director may withhold a community college's monthly installments described in section 206 until the community college complies with this section. The state budget director shall notify the chairs of the house and senate appropriations subcommittee on community colleges at least 10 days before withholding funds from any community college.

(4) Each community college shall report the following information to the senate
and house appropriations subcommittees on community colleges, the senate and house
fiscal agencies, and the state budget office by November 15 and post that information
on its website as required under subsection (1):

(a) Budgeted current fiscal year general fund revenue from tuition and fees.
(b) Budgeted current fiscal year general fund revenue from state appropriations.
(c) Budgeted current fiscal year general fund revenue from property taxes.
(d) Budgeted current fiscal year total general fund revenue.
(e) Budgeted current fiscal year total general fund expenditures.

(5) By the first business day of November of each year, a community college
shall post the following information on its website under the budget transparency icon
badge:

(a) Opportunities for earning college credit through the following programs:
   (i) State approved career and technical education or a tech prep articulated
       program of study.
   (ii) Direct college credit or concurrent enrollment.
   (iii) Dual enrollment.
   (iv) An early college/middle college program.

(b) For each program described in subdivision (a) that the community college
    offers, all of the following information:
   (i) The number of high school students participating in the program.
   (ii) The number of school districts that participate in the program with the
        community college.
   (iii) Whether a college professor, qualified local school district employee, or
        other individual teaches the course or courses in the program.
   (iv) The total cost to the community college to operate the program.
   (v) The cost per credit hour for the course or courses in the program.
(vi) The location where the course or courses in the program are held.

(vii) Instructional resources offered to the program instructors.

(viii) Resources offered to the student in the program.

(ix) Transportation services provided to students in the program.

Sec. 209a. (1) A public community college shall develop, maintain, and update a "campus safety information and resources" link, prominently displayed on the homepage of its website, to a section of its website containing all of the information required under subsection (2).

(2) The "campus safety information and resources" section of a public community college's website shall include, but not be limited to, all of the following information:

(a) Emergency contact numbers for police, fire, health, and other services.

(b) Hours, locations, phone numbers, and electronic mail contacts for campus public safety offices and title IX offices.

(c) A list of safety and security services provided by the community college, including transportation, escort services, building surveillance, anonymous tip lines, and other available security services.

(d) A public community college's policies applicable to minors on community college property.

(e) A directory of resources available at the community college or surrounding community for students or employees who are survivors of sexual assault or sexual abuse.


(g) Campus security policies and crime statistics pursuant to the student right-to-know and campus security act, Public Law 101-542, 104 Stat 2381. Information shall
include all material prepared pursuant to the public information reporting requirements under the crime awareness and campus security act of 1990, title II of the student right-to-know and campus security act, Public Law 101-542, 104 Stat 2381.

(3) A community college shall certify to the state budget director by October 1, 2021 that it is in compliance with this section. The state budget director may withhold a public community college’s monthly installments described in section 206 until the public community college complies with this section.

Sec. 226e. It is the goal of the governor to ensure that 60% of Michigan's residents achieve a postsecondary credential, high-quality industry certification, associate degree, or bachelor's degree by 2030.

Sec. 229a. Included in the fiscal year 2021-2022 2022-2023 appropriations for the department of technology, management, and budget are appropriations totaling $32,481,600.00 $32,981,600.00 to provide funding for the state share of costs for previously constructed capital projects for community colleges. Those appropriations for state building authority rent represent additional state general fund support for community colleges, and the following is an estimate of the amount of that support to each community college:

(a) Alpena Community College, $933,000.00 $902,600.00.
(b) Bay de Noc Community College, $532,000.00 $520,600.00.
(c) Delta College, $2,706,700.00 $2,732,600.00.
(d) Glen Oaks Community College, $128,500.00 $194,600.00.
(e) Gogebic Community College, $58,500.00 $56,600.00.
(f) Grand Rapids Community College, $1,210,000.00 $1,097,700.00.
(g) Henry Ford College, $1,073,900.00 $1,174,500.00.
(h) Jackson College, $2,260,600.00 $2,187,400.00.
(i) Kalamazoo Valley Community College, $2,028,700.00 $1,963,000.00.
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Sec. 230. (1) With the exception of fiscal year 2020-2021, and subject to subsection (4), money included in the appropriations for community college operations under section 201(2) for performance funding is distributed based on the following formula:

(a) Allocated proportionate to fiscal year 2020-2021-2021-2022 base appropriations, 30%.

(b) Based on a weighted student contact hour formula as provided for in the 2016
recommendations of the performance indicators task force, 30%.

(c) Based on the performance improvement as provided for in the 2016 recommendations of the performance indicators task force and based on data provided by the center, 10%.

(d) Based on the performance completion number as provided for in the 2016 recommendations of the performance indicators task force, 10%.

(e) Based on the performance completion rate as provided for in the 2016 recommendations of the performance indicators task force and based on data provided by the center, 10%.

(f) Based on administrative costs, 5%.

(g) Based on the local strategic value component, as developed in cooperation with the Michigan Community College Association and described in subsection (2), 5%.

(2) Money included in the appropriations for community college operations under section 201(2) and section 201e for local strategic value shall be allocated to each community college that certifies to the state budget director, through a board of trustees resolution on or before October 15, 2021-2022, that the college has met 4 out of 5 best practices listed in each category described in subsection (3). The resolution shall provide specifics as to how the community college meets each best practice measure within each category. One-third of funding available under the strategic value component shall be allocated to each category described in subsection (3). Amounts distributed under local strategic value shall be on a proportionate basis to each college's fiscal year 2020-2021-2021-2022 operations funding. Payments to community colleges that qualify for local strategic value funding shall be distributed with the November installment payment described in section 206.

(3) For purposes of subsection (2), the following categories of best practices reflect functional activities of community colleges that have strategic value to the
local communities and regional economies:

(a) For Category A, economic development and business or industry partnerships, the following:

(i) The community college has active partnerships with local employers including hospitals and health care providers.

(ii) The community college provides customized on-site training for area companies, employees, or both.

(iii) The community college supports entrepreneurship through a small business assistance center or other training or consulting activities targeted toward small businesses.

(iv) The community college supports technological advancement through industry partnerships, incubation activities, or operation of a Michigan technical education center or other advanced technology center.

(v) The community college has active partnerships with local or regional workforce and economic development agencies.

(b) For Category B, educational partnerships, the following:

(i) The community college has active partnerships with regional high schools, intermediate school districts, and career-tech centers to provide instruction through dual enrollment, concurrent enrollment, direct credit, middle college, or academy programs.

(ii) The community college hosts, sponsors, or participates in enrichment programs for area K-12 students, such as college days, summer or after-school programming, or Science Olympiad.

(iii) The community college provides, supports, or participates in programming to promote successful transitions to college for traditional age students, including grant programs such as talent search, upward bound, or other activities to promote
college readiness in area high schools and community centers.

(iv) The community college provides, supports, or participates in programming to promote successful transitions to college for new or reentering adult students, such as adult basic education, a high school equivalency test preparation program and testing, or recruiting, advising, or orientation activities specific to adults. As used in this subparagraph, "high school equivalency test preparation program" means that term as defined in section 4.

(v) The community college has active partnerships with regional 4-year colleges and universities to promote successful transfer, such as articulation, 2+2, or reverse transfer agreements or operation of a university center.

(c) For Category C, community services, the following:

(i) The community college provides continuing education programming for leisure, wellness, personal enrichment, or professional development.

(ii) The community college operates or sponsors opportunities for community members to engage in activities that promote leisure, wellness, cultural or personal enrichment such as community sports teams, theater or musical ensembles, or artist guilds.

(iii) The community college operates public facilities to promote cultural, educational, or personal enrichment for community members, such as libraries, computer labs, performing arts centers, museums, art galleries, or television or radio stations.

(iv) The community college operates public facilities to promote leisure or wellness activities for community members, including gymnasiums, athletic fields, tennis courts, fitness centers, hiking or biking trails, or natural areas.

(v) The community college promotes, sponsors, or hosts community service activities for students, staff, or community members.
(4) Payments for performance funding under section 201(2) and for one-time
performance funding under section 201e shall be made to a community college only if
that community college actively participates in the Michigan Transfer Network
sponsored by the Michigan Association of Collegiate Registrars and Admissions Officers
and submits timely updates, including updated course equivalencies at least every 6
months, to the Michigan transfer network. The state budget director shall determine if
a community college has not satisfied this requirement. The state budget director may
withhold payments for performance funding until a community college is in compliance
with this subsection.

ARTICLE III
STATE AID FOR UNIVERSITIES AND STUDENT FINANCIAL AID
Sec. 236. (1) Subject to the conditions set forth in this article, the amounts
listed in this section are appropriated for higher education for the fiscal year
ending September 30, 2022, 2023, from the funds indicated in this section. The
following is a summary of the appropriations in this section and section 236h:
(a) The gross appropriation is $1,808,251,200.00. After
deducting total interdepartmental grants and intradepartmental transfers in the amount
of $0.00, the adjusted gross appropriation is $1,808,251,200.00.
(b) The sources of the adjusted gross appropriation described in subdivision (a)
are as follows:
(i) Total federal revenues, $128,526,400.00.
(ii) Total local revenues, $0.00.
(iii) Total private revenues, $0.00.
(iv) Total other state restricted revenues, $361,403,400.00.
(v) State general fund/general purpose money, $1,318,321,500.00.
$1,382,300,200.00.
(2) Amounts appropriated for public universities are as follows:

(a) The appropriation for Central Michigan University is $90,440,500.00,
$87,600,000.00 for operations, $876,000.00 for 1-time supplemental funding, and
$1,964,500.00 for costs incurred under the North American Indian tuition waiver.

(b) The appropriation for Eastern Michigan University is $78,305,900.00,
$77,253,700.00 for operations, $772,500.00 for 1-time supplemental funding, and
$279,700.00 for costs incurred under the North American Indian tuition waiver.

(c) The appropriation for Ferris State University is $56,541,600.00,
$55,025,500.00 for operations, $550,300.00 for 1-time supplemental funding, and
$965,800.00 for costs incurred under the North American Indian tuition waiver.

(d) The appropriation for Grand Valley State University is $74,213,800.00,
$72,313,500.00 for operations, $723,100.00 for 1-time supplemental funding, and
$1,177,200.00 for costs incurred under the North American Indian tuition waiver.

(e) The appropriation for Lake Superior State University is $14,366,600.00,
$13,307,000.00 for operations, $133,100.00 for 1-time supplemental funding, and
$926,500.00 for costs incurred under the North American Indian tuition waiver.

$14,761,200.00, $13,307,000.00 for operations, $665,400.00 for operational support
payments, and $788,800.00 for costs incurred under the North American Indian tuition
waiver.

(f) The appropriation for Michigan State University is $357,862,000.00,
$287,331,700.00 for operations, $2,873,300.00 for 1-time supplemental funding,
$1,932,800.00 for costs incurred under the North American Indian tuition waiver,
$35,286,700.00 for MSU AgBioResearch, and $30,437,500.00 for MSU
Extension. $372,071,900.00, $287,331,700.00 for operations, $14,366,600.00 for
operational support payments, $2,046,400.00 for costs incurred under the North
American Indian tuition waiver, $36,684,200.00 for MSU AgBioResearch, and
$31,643,000.00 for MSU Extension.

(g) The appropriation for Michigan Technological University is $51,371,900.00,
$50,101,600.00 for operations, $501,000.00 for 1-time supplemental funding, and
$769,300.00 for costs incurred under the North American Indian tuition waiver.

$53,454,100.00, $50,101,600.00 for operations, $2,505,100.00 for operational support
payments, and $847,400.00 for costs incurred under the North American Indian tuition
waiver.

(h) The appropriation for Northern Michigan University is $49,338,700.00,
$47,809,100.00 for operations, $478,100.00 for 1-time supplemental funding, and
$1,051,500.00 for costs incurred under the North American Indian tuition waiver.

$51,360,900.00, $47,809,100.00 for operations, $2,390,500.00 for operational support
payments, and $1,161,300.00 for costs incurred under the North American Indian tuition
waiver.

(i) The appropriation for Oakland University is $54,012,900.00, $53,147,400.00
for operations, $531,500.00 for 1-time supplemental funding, and $334,000.00 for costs incurred under the North American Indian tuition waiver. $61,538,300.00, $53,147,400.00 for operations, $2,657,400.00 for operational support payments, $5,378,200.00 for per-student floor funding, and $355,300.00 for costs incurred under the North American Indian tuition waiver.

(j) The appropriation for Saginaw Valley State University is $31,043,500.00, $30,583,800.00 for operations, $305,800.00 for 1-time supplemental funding, and $153,900.00 for costs incurred under the North American Indian tuition waiver. $32,346,300.00, $30,583,800.00 for operations, $1,529,200.00 for operational support payments, $45,000.00 for per-student floor funding, and $188,300.00 for costs incurred under the North American Indian tuition waiver.

(k) The appropriation for University of Michigan – Ann Arbor is $326,265,400.00, $321,970,100.00 for operations, $3,219,700.00 for 1-time supplemental funding, and $1,075,600.00 for costs incurred under the North American Indian tuition waiver. $338,906,400.00, $321,970,100.00 for operations, $16,098,600.00 for operational support payments, and $837,700.00 for costs incurred under the North American Indian tuition waiver.

(l) The appropriation for University of Michigan – Dearborn is $26,593,700.00, $26,167,000.00 for operations, $261,700.00 for 1-time supplemental funding, and $165,000.00 for costs incurred under the North American Indian tuition waiver. $28,957,000.00, $26,167,000.00 for operations, $1,308,400.00 for operational support payments, $1,235,400.00 for per-student floor funding, and $246,200.00 for costs incurred under the North American Indian tuition waiver.

(m) The appropriation for University of Michigan – Flint is $24,197,400.00, $23,616,200.00 for operations, $236,200.00 for 1-time supplemental funding, and $345,000.00 for costs incurred under the North American Indian tuition waiver.
The amount appropriated in subsection (2) for public universities is $1,553,483,000.00, appropriated from the following:

(a) State school aid fund, $343,168,300.00.

(b) State general fund/general purpose money, $1,210,314,700.00.

$1,283,743,400.00.

The amount appropriated for Michigan public school employees' retirement system reimbursement is $11,495,000.00, $70,000.00, appropriated from the state school aid fund.

The amount appropriated for state and regional programs is $316,800.00, appropriated from general fund/general purpose money and allocated as follows:

(a) Higher education database modernization and conversion, $200,000.00.
(b) Midwestern Higher Education Compact, $116,800.00.

(6) The amount appropriated for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks program is $2,691,500.00, appropriated from general fund/general purpose money and allocated as follows:

(a) Select student support services, $1,956,100.00.
(b) Michigan college/university partnership program, $586,800.00.
(c) Morris Hood, Jr. educator development program, $148,600.00.

(7) Subject to subsection (8), the amount appropriated for grants and financial aid is $147,783,200.00, $141,683,200.00, allocated as follows:

(a) State competitive scholarships, $29,861,700.00.
(b) Tuition grants, $42,021,500.00.
(c) Tuition incentive program, $71,300,000.00, $65,200,000.00.
(d) Children of veterans and officer's survivor tuition grant programs, $1,400,000.00.
(e) Project GEAR-UP, $3,200,000.00.

(8) The money appropriated in subsection (7) for grants and financial aid is appropriated from the following:

(a) Federal revenues under the United States Department of Education, Office of Elementary and Secondary Education, GEAR-UP program, $3,200,000.00.
(b) Federal revenues under the social security act, temporary assistance for needy families, $125,326,400.00, $119,226,400.00.
(c) State general fund/general purpose money, $19,256,800.00.

(9) For fiscal year 2021-2022 only, in addition to the allocation under subsection (4), from the appropriations described in subsection (1), there is allocated an amount not to exceed $4,740,000.00, $4,650,000.00 for payments to participating public universities, appropriated from the state school aid fund. A
university that receives money under this subsection shall use that money solely for
the purpose of offsetting the normal cost contribution rate. As used in this
subsection, "participating public universities" means public universities that are a
reporting unit of the Michigan public school employees' retirement system under the
public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437,
and that pay contributions to the Michigan public school employees' retirement system
for the state fiscal year.

(11) The amount of one-time funding appropriated for the Japan Center for
Michigan Universities is $500,000.00, appropriated from the state general fund/general
purpose money and allocated to support the operations of the Japan Center.

Sec. 236b. In addition to the funds appropriated in section 236, there is
appropriated for grants and financial aid in fiscal year 2021-2022-2022-2023 an amount
not to exceed $6,000,000.00 for federal contingency authorization. These funds are not
available for expenditure until they have been transferred under section 393(2) of the
management and budget act, 1984 PA 431, MCL 18.1393, for another purpose under this
article.

Sec. 236c. In addition to the funds appropriated for fiscal year 2021-2022-2022-
2023 in section 236, appropriations to the department of technology, management, and
budget in the act providing general appropriations for fiscal year 2021-2022-2022-2023
for state building authority rent, totaling an estimated $130,595,300.00
$132,295,300.00 provide funding for the state share of costs for previously
constructed capital projects for state universities. These appropriations for state
building authority rent represent additional state general fund support provided to
public universities, and the following is an estimate of the amount of that support to
each university:

(a) Central Michigan University, $13,227,700.00 $12,973,000.00.
Sec. 236i. (1) In addition to the funds appropriated under section 236(2) for university operations, for the fiscal year ending September 30, 2021—2023 only, there is appropriated an amount not to exceed $57,304,000.00 from the state general fund/general purpose money for one-time operational support payments, $1,746,900.00 for one-time support for MSU AgBioResearch, and $1,506,900.00 for one-time support for MSU Extension. These funds are intended to be used for the same purposes as the funds appropriated under section 201(2) for university operations, and are appropriated from state general fund/general purpose money. (2) From the amount appropriated in subsection (1), each university is allocated the following:

(a) Central Michigan University, $3,437,300.00, $4,380,000.00.
(b) Eastern Michigan University, $6,168,300.00, $6,049,500.00.
(c) Ferris State University, $8,104,200.00, $8,392,700.00.
(d) Grand Valley State University, $7,486,500.00, $8,653,400.00.
(e) Lake Superior State University, $1,842,700.00, $2,340,600.00.
(f) Michigan State University, $17,351,100.00, $16,673,800.00.
(g) Michigan Technological University, $3,488,700.00, $3,421,600.00.
(h) Northern Michigan University, $7,486,500.00, $7,342,400.00.
(i) Oakland University, $9,059,800.00, $9,488,200.00.
(j) Saginaw Valley State University, $8,009,300.00, $7,855,700.00.
(k) University of Michigan - Ann Arbor, $10,459,000.00, $12,065,900.00.
(l) University of Michigan - Dearborn, $11,336,800.00, $10,774,000.00.
(m) University of Michigan - Flint, $6,546,200.00, $6,084,700.00.
(n) Wayne State University, $10,489,800.00, $10,118,000.00.
(o) Western Michigan University, $9,644,600.00, $10,061,800.00.
Sec. 236k. (1) The amounts appropriated in section 236 for per-student floor funding are distributed to those public universities whose annual state appropriations per fiscal year equated student is less than $4,500.00 and are to be allocated each year over four years until a funding floor of $4,500.00 is met.

(2) The per-student floor funding allocation for fiscal year 2022-2023 is an amount equal to (the difference between $4,500.00 and the amount calculated by dividing the annual state appropriations for fiscal year 2020-2021 by fiscal year equated student for fiscal year 2020-2021) divided by 4. The amount paid to an eligible public university is the amount calculated in the immediately preceding sentence multiplied by fiscal year equated student for fiscal year 2020-2021. If a calculation under this section results in an amount less than $0, the payment under this section is equal to $0. It is the intent that each university will reach a minimum funding level of at least $4,500.00 over 4 years.
(3) As used in this section:

(a) "Annual state appropriations" are those total amounts allocated in section 236(2) with the exception of MSU AgBioResearch and MSU Extension for the fiscal year ending September 30, 2021.

(b) "Fiscal year equated student" is the total fiscal year equated student as defined and reported in the higher education institutional data inventory for fiscal year ending September 30, 2021.

Sec. 241. (1) Subject to sections 244 and 265a, the funds appropriated in section 236 and section 236i to public universities shall be paid out of the state treasury and distributed by the state treasurer to the respective institutions in 11 equal monthly installments on the sixteenth of each month, or the next succeeding business day, beginning with October 16, 2021–2022. Except for Wayne State University, each institution shall accrue its July and August 2022 payments to its institutional fiscal year ending June 30, 2022–2023.

(2) All public universities shall submit higher education institutional data inventory (HEIDI) data and associated financial and program information requested by and in a manner prescribed by the state budget director. For public universities with fiscal years ending June 30, these data shall be submitted to the state budget director by October 15 of each fiscal year. Public universities with a fiscal year ending September 30, 2021–2022 shall submit preliminary HEIDI data by November 15, 2021–2022 and final data by December 15, 2021–2022. If a public university fails to submit HEIDI data and associated financial aid program information in accordance with this reporting schedule, the state treasurer may withhold the monthly installments under subsection (1) to the public university until those data are submitted.

Sec. 245. (1) A public university shall maintain a public transparency website available through a link on its website homepage. The public university shall update
this website within 30 days after the university's governing board adopts its annual operating budget for the next academic year, or after the governing board adopts a subsequent revision to that budget. In addition, each public university shall submit the information described in subsections (2), (3), (6), and (7) to the state budget director, who will compile the information into a single report for all public universities and will submit the report to the house and senate appropriations subcommittees on higher education and the house and senate fiscal agencies.

(2) The website required under subsection (1) shall include all of the following concerning the public university:

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

(b) A summary of current expenditures for the most recent fiscal year for which they are available, expressed as pie charts in the following 2 categories:

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

(A) Earnings and wages.

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

(C) Retirement benefit costs.

(D) All other personnel costs.

(ii) A chart of all current expenditures the public university reported as part of its higher education institutional data inventory data under section 241(2), broken into the same subcategories in which it reported those data.

(c) Links to all of the following for the public university:

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

(ii) Each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee of the
(iii) Audits and financial reports for the most recent fiscal year for which they are available.

(d) A list of all positions funded partially or wholly through institutional general fund revenue that includes the position title and annual salary or wage amount for each position.

(d) General fund revenue and expenditure projections for the current fiscal year and the next fiscal year.

(e) A listing of all debt service obligations, detailed by project, anticipated fiscal year payment for each project, and total outstanding debt for the current fiscal year.

(f) The institution's policy regarding the transferability of core college courses between community colleges and the university.

(g) A listing of all community colleges that have entered into reverse transfer agreements with the university.

(3) On the website required under subsection (1), a public university shall provide a dashboard or report card demonstrating the university's performance in several "best practice" measures. The dashboard or report card shall include at least all of the following for the 3 most recent academic years for which the data are available:

(a) Enrollment.

(b) Student retention rate.

(c) Six-year graduation rates.

(d) Number of Pell grant recipients and graduating Pell grant recipients.

(e) Geographic origination of students, categorized as in-state, out-of-state, and international.
(f) Faculty to student ratios and total university employee to student ratios.

(g) Teaching load by faculty classification.

(h) Graduation outcome rates, including employment and continuing education.

(4) For statewide consistency and public visibility, public universities must use the icon badge provided by the department of technology, management, and budget consistent with the icon badge developed by the department of education for K-12 school districts. It must appear on the front of each public university's homepage. The size of the icon may be reduced to 150 x 150 pixels. The font size and style for this reporting must be consistent with other documents on each university's website.

(5) The state budget director shall determine whether a public university has complied with this section. The state budget director may withhold a public university's monthly installments described in section 241 until the public university complies with this section.

(6) By the first business day of November of each year, a public university shall post the following information on its website under the budget transparency icon badge:

(a) Opportunities for earning college credit through the following programs:

(i) State approved career and technical education or a tech prep articulated program of study.

(ii) Direct college credit or concurrent enrollment.

(iii) Dual enrollment.

(b) An early college/middle college program.

(b) For each program described in subdivision (a) that the public university offers, all of the following information:

(i) The number of high school students participating in the program.

(ii) The number of school districts that participate in the program with the
public university. 

(iii) Whether a university professor, qualified local school district employee, or other individual teaches the course or courses in the program.

(iv) The total cost to the public university to operate the program.

(v) The cost per credit hour for the course or courses in the program.

(vi) The location where the course or courses in the program are held.

(vii) Instructional resources offered to the program instructors.

(viii) Resources offered to the student in the program.

(ix) Transportation services provided to students in the program.

5 A public university shall collect and report the number and percentage of all enrolled students who complete the Free Application for Federal Student Aid, broken out by undergraduate and graduate/professional classifications, to the center and post the information on its website under the budget transparency icon badge.

Sec. 245a. (1) A public university shall develop, maintain, and update a "campus safety information and resources" link, prominently displayed on the homepage of its website, to a section of its website containing all of the information required under subsection (2).

(2) The "campus safety information and resources" section of a public university's website shall include, but not be limited to, all of the following information:

(a) Emergency contact numbers for police, fire, health, and other services.

(b) Hours, locations, phone numbers, and email contacts for campus public safety offices and title IX offices.

(c) A listing of safety and security services provided by the university, including transportation, escort services, building surveillance, anonymous tip lines, and other available security services.
(d) A public university's policies applicable to minors on university property.
(e) A directory of resources available at the university or surrounding community for students or employees who are survivors of sexual assault or sexual abuse.
(g) Campus security policies and crime statistics pursuant to the student right-to-know and campus security act, Public Law 101-542, 104 Stat 2381. Information shall include all material prepared pursuant to the public information reporting requirements under the crime awareness and campus security act of 1990, title II of the student right-to-know and campus security act, Public Law 101-542, 104 Stat 2381.

(3) A public university shall certify to the state budget director by October 1, 2021 that it is in compliance with this section. The state budget director may withhold a public university's monthly installments described in section 241 until the public university complies with this section.

Sec. 251. (1) Payments of the amounts included in section 236 for the state competitive scholarship program shall be distributed pursuant to 1964 PA 208, MCL 390.971 to 390.981.

(2) Pursuant to section 6 of 1964 PA 208, MCL 390.976, the department of treasury shall determine an actual state competitive scholarship award per student, which shall be $1,000.00, $1,200.00, that ensures that the aggregate payments for the state competitive scholarship program do not exceed the appropriation contained in section 236 for the state competitive scholarship program. If the department determines that insufficient funds are available to establish an award amount equal to $1,000.00, $1,200.00, the department shall immediately report to the house and senate appropriations subcommittees on higher education, the house and senate fiscal
agencies, and the state budget director regarding the estimated amount of additional
funds necessary to establish a $1,000.00 $1,200.00 award amount.

(3) The department of treasury shall implement a proportional competitive
scholarship award level for recipients enrolled less than full-time in a given
semester or term.

(4) If a student who receives an award under this section has his or her tuition
and fees paid under the Michigan educational trust program, pursuant to the Michigan
education trust act, 1986 PA 316, MCL 390.1421 to 390.1442, and still has financial
need, the funds awarded under this section may be used for educational expenses other
than tuition and fees.

(5) If the department of treasury increases the award per eligible student from
that provided in the previous fiscal year, it shall not have the effect of reducing
the number of eligible students receiving awards in relation to the total number of
eligible applicants. Any increase in the grant shall be proportional for all eligible
students receiving awards.

(6) Veterans Administration benefits shall not be considered in determining
eligibility for the award of scholarships under 1964 PA 208, MCL 390.971 to 390.981.

Sec. 252. (1) The amounts appropriated in section 236 for the state tuition
grant program shall be distributed pursuant to 1966 PA 313, MCL 390.991 to 390.997a.

(2) Tuition grant awards shall be made to all eligible Michigan residents
enrolled in undergraduate degree programs who are qualified and who apply by March 1
of each year for the next academic year.

(3) Pursuant to section 5 of 1966 PA 313, MCL 390.995, and subject to
subsections (6) and (7), the department of treasury shall determine an actual tuition
grant award per student, which shall be $2,800.00 $2,900.00, that ensures that the
aggregate payments for the tuition grant program do not exceed the appropriation
contained in section 236 for the state tuition grant program. If the department determines that insufficient funds are available to establish an award amount equal to $2,800.00, the department shall immediately report to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director regarding the estimated amount of additional funds necessary to establish a $2,800.00 award amount. If the department determines that sufficient funds are available to establish an award amount equal to $2,800.00, the department shall immediately report to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director regarding the award amount established and the projected amount of any projected year-end appropriation balance based on that award amount. By February 18 of each fiscal year, the department shall analyze the status of award commitments, shall make any necessary adjustments, and shall confirm that those award commitments will not exceed the appropriation contained in section 236 for the tuition grant program. The determination and actions shall be reported to the state budget director and the house and senate fiscal agencies no later than the final day of February of each year. If award adjustments are necessary, the students shall be notified of the adjustment by March 4 of each year.

(4) The department of treasury shall continue a proportional tuition grant award level for recipients enrolled less than full-time in a given semester or term.

(5) If the department of treasury increases the award per eligible student from that provided in the previous fiscal year, it shall not have the effect of reducing the number of eligible students receiving awards in relation to the total number of eligible applicants. Any increase in the grant shall be proportional for all eligible students receiving awards for that fiscal year.

(6) The department of treasury shall not award more than $4,800,000.00 in
tuition grants to eligible students enrolled in the same independent nonprofit college or university in this state. Any decrease in the grant shall be proportional for all eligible students enrolled in that college or university, as determined by the department. The limit described in this subsection does not apply to any other student financial aid program or in combination with any other student financial aid program.

(7) The department of treasury shall not award tuition grants to otherwise eligible students enrolled in an independent college or university that does not report, in a form and manner directed by and satisfactory to the department of treasury, by October 31 of each year, all of the following:

(a) The number of students in the most recently completed academic year who in any academic year received a state tuition grant at the reporting institution and successfully completed a program or graduated.

(b) The number of students in the most recently completed academic year who in any academic year received a state tuition grant at the reporting institution and took a remedial education class.

(c) The number of students in the most recently completed academic year who in any academic year received a Pell grant at the reporting institution and successfully completed a program or graduated.

(8) By February 1 of each year, each independent college and university participating in the tuition grant program shall report to the senate and house appropriations subcommittees on higher education, the senate and house fiscal agencies, and the state budget director on its efforts to develop and implement sexual assault response training for the institution's title IX coordinator, campus law enforcement personnel, campus public safety personnel, and any other campus personnel charged with responding to on-campus incidents, including information on sexual assault response training materials and the status of implementing sexual assault
response training for institutional personnel.

Sec. 256. (1) The funds appropriated in section 236 for the tuition incentive program must be distributed as provided in this section and pursuant to the administrative procedures for the tuition incentive program of the department of treasury.

(2) As used in this section:

(a) "Phase I" means the first part of the tuition incentive program defined as the academic period of 80 semester or 120 term credits, or less, leading to an associate degree or certificate. Students must be enrolled in a certificate or associate degree program and taking classes within the program of study for a certificate or associate degree. Tuition will not be covered for courses outside of a certificate or associate degree program.

(b) "Phase II" means the second part of the tuition incentive program that provides assistance in the third and fourth year of 4-year degree programs.

(c) "Department" means the department of treasury.

(d) "High school equivalency certificate" means that term as defined in section 4.

(3) An individual must meet the following basic criteria and financial thresholds to be eligible for tuition incentive program benefits:

(a) To be eligible for phase I, an individual must meet all of the following criteria:

(i) Be less than 20 years of age at the time he or she graduates from high school with a diploma or certificate of completion or achieves a high school equivalency certificate or, for students attending a 5-year middle college approved by the Michigan department of education, be less than 21 years of age when he or she graduates from high school.
(ii) Be a United States citizen and a resident of this state according to institutional criteria.

(iii) Be at least a half-time student, earning less than 80 semester or 120 term credits at a participating educational institution within 4 years of high school graduation or achievement of a high school equivalency certificate. All program eligibility expires 10 years after initial enrollment at a participating educational institution.

(iv) Meet the satisfactory academic progress policy of the educational institution he or she attends.

(b) To be eligible for phase II, an individual must meet either of the following criteria in addition to the criteria in subdivision (a):

(i) Complete at least 56 transferable semester or 84 transferable term credits.

(ii) Obtain an associate degree or certificate at a participating institution.

(c) To be eligible for phase I or phase II, an individual must be financially eligible as determined by the department. An individual is financially eligible for the tuition incentive program if he or she was eligible for Medicaid from this state for 24 months within the 36 months prior to high school completion. before application. The department shall accept certification of Medicaid eligibility only from the department of health and human services for the purposes of verifying if a person is Medicaid eligible for 24 months within the 36 months prior to high school completion. before application. Certification of eligibility may begin in the sixth grade.

(4) For phase I, the department shall provide payment on behalf of a person eligible under subsection (3). The department shall only accept standard per-credit hour tuition billings and shall reject billings that are excessive or outside the guidelines for the type of educational institution.
(5) For phase I, all of the following apply:

(a) Payments for associate degree or certificate programs must not be made for more than 80 semester or 120 term credits for any individual student at any participating institution.

(b) For persons enrolled at a Michigan community college, the department shall pay the current in-district tuition and mandatory fees. For persons residing in an area that is not included in any community college district, the out-of-district tuition rate may be authorized.

(c) For persons enrolled at a Michigan public university, the department shall pay lower division resident tuition and mandatory fees for the current year and a per-credit payment that does not exceed 2.5 times the average community college in-district per-credit tuition rate as reported by the last business day of August, for the immediately preceding academic year.

(d) For persons enrolled at a Michigan independent, nonprofit degree-granting college or university, a Michigan federal tribally controlled community college, or Focus: HOPE, the department shall pay mandatory fees for the current year and a per-credit payment that does not exceed the average community college in-district per-credit tuition rate as reported by the last business day of August for the immediately preceding academic year.

(6) A person participating in phase II may be eligible for additional funds not to exceed $500.00 per semester or $400.00 per term up to a maximum of $2,000.00 subject to the following conditions:

(a) Credits are earned in a 4-year program at a Michigan degree-granting 4-year college or university.

(b) The tuition reimbursement is for coursework completed within 30 months of completion of the phase I requirements.
(7) The department shall work closely with participating institutions to provide the highest level of participation and ensure that all requirements of the program are met.

(8) The department shall notify students of their financial eligibility for the program any time after the student begins sixth grade.

(9) Except as otherwise provided in section 3(d) of the Michigan reconnect grant act, 2020 PA 84, MCL 390.1703, and section 17 of the Michigan reconnect grant recipient act, 2020 PA 68, MCL 390.1717, each institution shall ensure that all known available restricted grants for tuition and fees are used before billing the tuition incentive program for any portion of a student's tuition and fees.

(10) The department shall ensure that the tuition incentive program is well publicized and that eligible Medicaid clients are provided information on the program. The department shall provide the necessary funding and staff to fully operate the program.

(11) The department of treasury shall collaborate with the center to use the P-20 longitudinal data system to report the following information for each qualified postsecondary institution:

(a) The number of phase I students in the most recently completed academic year who in any academic year received a tuition incentive program award and who successfully completed a degree or certificate program. Cohort graduation rates for phase I students shall be calculated using the established success rate methodology developed by the center in collaboration with the postsecondary institutions.

(b) The number of students in the most recently completed academic year who in any academic year received a Pell grant at the reporting institution and who successfully completed a degree or certificate program. Cohort graduation rates for students who received Pell grants must be calculated using the established success
rate methodology developed by the center in collaboration with the postsecondary institutions.

(12) If a qualified postsecondary institution does not report the data necessary to complete the reporting in subsection (11) to the P-20 longitudinal data system by October 15 for the prior academic year, the department of treasury shall not award phase I tuition incentive program funding to otherwise eligible students enrolled in that institution until the data are submitted.

Sec. 259. It is the intent of the legislature that the department of treasury is encouraged to continue an aggressive campaign to inform high school students about the financial aid programs offered by this state and the eligibility requirements for participation in those financial aid programs, including free or reduced tuition programs provided by community colleges and universities in this state.

Sec. 260. (1) The department of treasury shall work with student and postsecondary education groups, including the Michigan College Access Network, the Michigan Association of School Counselors, the Michigan Association of State Universities, the Michigan Community College Association, and the Michigan Independent Colleges and Universities, to provide an online informational resource for students in grades 9 through 12 and prospective and current student loan borrowers. The online informational resource must be a website or a portion of an existing website designed and maintained by the department of treasury that, to the extent practicable, contains information including, but not limited to, all of the following:

(a) A list of public and private community support centers, student debt clinics, and other organizations and their contact information submitted by Michigan College Access Network that provides free information and services for student loan borrowers to help educate them about repayment options and to help them access student loan programs or benefits for which they may be eligible.
(b) Links to state and federal financial aid programs, including FAFSA and College Scorecard.

(c) Links to each promise zone website and the financial aid website to each community college, public university, and independent college and university in this state.

(d) Benefits of federal student loans that may no longer be available if a borrower refines a loan.

(e) Links to net price calculators for community colleges receiving an appropriation in section 201 and universities receiving an appropriation in section 236, if available.

(f) Information on the fundamentals of borrowing and repayment, including, but not limited to, all of the following:

(i) A link to the federal Public Service Loan Forgiveness Program.

(ii) Deciding how much to borrow.

(iii) Creating a plan for borrowing and repayment.

(iv) Estimating how much borrowing is needed for a given school year.

(v) Evaluating financial aid offers.

(vi) Factors that affect total student loan costs.

(vii) Tips for graduating with less student loan debt.

(viii) A loan payment calculator or a link to a loan payment calculator that can be used for different types of loans.

(ix) Links to federal student loan entrance and exit counseling services and the FACT tool.

(x) Student loan debt relief scams.

(g) A list of student loan providers in this state.

(2) A university receiving an appropriation in section 236 shall place a
prominent link to the website created under this section on its website homepage.

(3) Independent colleges and universities in this state are encouraged to place a link to the website created under this section on their website homepages.

(4) By November 1 of each year, the department of treasury shall inform each high school in this state about the website described in this section and encourage them to distribute the information to all students in grades 9 through 12.

Sec. 263. (1) Included in the appropriation in section 236 for fiscal year 2021-2022-2023 for MSU AgBioResearch is $2,982,900.00 and included in the appropriation in section 236 for MSU Extension is $2,645,200.00 for Project GREEEN. Project GREEEN is intended to address critical regulatory, food safety, economic, and environmental problems faced by this state's plant-based agriculture, forestry, and processing industries. "GREEEN" is an acronym for Generating Research and Extension to Meet Environmental and Economic Needs.

(2) The department of agriculture and rural development and Michigan State University, in consultation with agricultural commodity groups and other interested parties, shall develop Project GREEEN and its program priorities.

Sec. 263a. (1) Not later than September 30 of each year, Michigan State University shall submit a report on MSU AgBioResearch and MSU Extension to the house and senate appropriations subcommittees on agriculture and on higher education, the house and senate standing committees on agriculture, the house and senate fiscal agencies, and the state budget director for the preceding academic fiscal year.

(2) The report required under subsection (1) shall include all of the following:

(a) Total funds expended by MSU AgBioResearch and by MSU Extension identified by state, local, private, federal, and university fund sources.

(b) A review of major programs within both MSU AgBioResearch and MSU Extension with specific reference to accomplishments, impacts, and a specific accounting of
Project GREEEN expenditures and the impact of those expenditures. The program review for MSU AgBioResearch and MSU Extension should include the following:

(i) The number of agriculture and food-related firms collaborating with and using services of research and extension faculty and staff.

(ii) The number of individuals utilizing MSU Extension's educational services.

(iii) External funds generated in support of research and extension.

(iv) Efforts to improve access to healthy foods for Michigan consumers.

Sec. 264. Included in the appropriation in section 236 for fiscal year 2021-2022 for Michigan State University is $80,000.00 for the Michigan Future Farmers of America Association. This $80,000.00 allocation shall not supplant any existing support that Michigan State University provides to the Michigan Future Farmers of America Association.

Sec. 265. (1) Payments under section 236 for one-time supplemental funding for fiscal year 2021-2022, and payments under section 265a for performance funding operational support payments and operational support payments and under section 236i for one-time operational support payments for fiscal years 2022-2023 and 2023-2024, year 2022-2023 shall only be made to a public university that certifies to the state budget director by October 1, 2021-2022 that its board did not adopt an increase in tuition and fee rates for resident undergraduate students after September 1, 2020-2021 for the 2020-2021-2022 academic year and that its board will not adopt an increase in tuition and fee rates for resident undergraduate students for the 2021-2022-2023 academic year that is greater than 4.2% or $590.00, $722.00, whichever is greater. As used in this subsection:

(a) "Fee" means any board-authorized fee that will be paid by more than 1/2 of all resident undergraduate students at least once during their enrollment at a public university, as described in the higher education institutional data inventory (HEIDI)
user manual. A university increasing a fee that applies to a specific subset of
students or courses shall provide sufficient information to prove that the increase
applied to that subset will not cause the increase in the average amount of board-
authorized total tuition and fees paid by resident undergraduate students in the 2021-
2022-2023 academic year to exceed the limit established in this subsection.

(b) "Tuition and fee rate" means the average of full-time rates paid by a
majority of students in each undergraduate class, based on an unweighted average of
the rates authorized by the university board and actually charged to students,
deducting any uniformly rebated or refunded amounts, for the 2 semesters with the
highest levels of full-time equated resident undergraduate enrollment during the
academic year, as described in the higher education institutional data inventory
(HEIDI) user manual.

(2) The state budget director shall implement uniform reporting requirements to
ensure that a public university receiving a payment under section 236 for 1-time
supplemental funding or a payment under section 265a for performance funding
operational support payments and operational support payments and under section 236i
for one-time operational support payments has satisfied the tuition restraint
requirements of this section. The state budget director shall have the sole authority
to determine if a public university has met the requirements of this section.

Information reported by a public university to the state budget director under this
subsection shall also be reported to the house and senate appropriations subcommittees
on higher education and the house and senate fiscal agencies.

(3) Universities that exceed the tuition and fee rate cap described in
subsection (1) shall not receive a planning or construction authorization for a state-
funded capital outlay project in fiscal year 2022-2023 or 2023-2024.

(4) Notwithstanding any other provision of this act, the legislature may at any
time adj

ust appropriations for a university that adopts an increase in tuition and fee
rates for resident undergraduate students that exceeds the rate cap established in
subsection (1).

Sec. 265a. (1) Appropriations to public universities in section 236 for fiscal
operational support payments and section 236i for one-time operational support
payments shall be paid only to a public university that complies with section 265 and
certifies to the state budget director, the house and senate appropriations
subcommittees on higher education, and the house and senate fiscal agencies by October
1, 2019—the last business day of August that it complies with all of the following
requirements:

(a) The university participates in reverse transfer agreements described in
section 286 with at least 3 Michigan community colleges.

(b) The university does not and will not consider whether dual enrollment
credits earned by an incoming student were utilized towards his or her high school
graduation requirements when making a determination as to whether those credits may be
used by the student toward completion of a university degree or certificate program.

(c) The university actively participates in and submits timely updates to the
Michigan Transfer Network created as part of the Michigan Association of Collegiate
Registrars and Admissions Officers transfer agreement.

(2) Any performance funding operational support payment and one-time operational
support payments amounts under section 236 and section 236i that are not paid to a
public university because it did not comply with 1 or more requirements under
subsection (1) are unappropriated and reappropriated for performance funding
operational support payment and one-time operational support payments to those public
universities that meet the requirements under subsection (1), distributed in
proportion to their performance funding, operational support payment and one-time operational support payments appropriation amounts under section 236- and section 236i.

(3) The state budget director shall report to the house and senate appropriations subcommittees on higher education and the house and senate fiscal agencies by October 15, 2019, September 15, 2022 regarding any performance funding operational support payment and one-time operational support payments amounts that are not paid to a public university because it did not comply with 1 or more requirements under subsection (1) and any reappropriation of funds under subsection (2).

(4) performance funding Operational support payment and one-time operational support payments amounts described in section 236 and section 236i are distributed across-the-board proportional to each university's share of total operations funding appropriated in fiscal year 2021-2022. Based on the following formula:

(a) Proportional to each university's share of total operations funding appropriated in fiscal year 2010-2011, 50%.

(b) Based on weighted undergraduate completions in critical skills areas, 11.1%.

(c) Based on research and development expenditures, for universities classified in Carnegie classifications as doctoral universities: moderate research activity, doctoral universities: higher research activity, or doctoral universities: highest research activity only, 5.6%.

(d) Based on 6-year graduation rate, total degree completions, and institutional support as a percentage of core expenditures, and the percentage of students receiving Pell grants, scored against national Carnegie classification peers and weighted by total undergraduate fiscal year equated students, 33.3%.

(5) For purposes of determining the score of a university under subsection (4)(d), each university is assigned 1 of the following scores:
(a) A university classified as in the top 20%, a score of 3.

(b) A university classified as above national median, a score of 2.

(c) A university classified as improving, a score of 2. It is the intent of the legislature that, beginning in the 2020-2021 state fiscal year, a university classified as improving is assigned a score of 1.

(d) A university that is not included in subdivision (a), (b), or (c), a score of 0.

(6) As used in this section, "Carnegie classification" means the basic classification of the university according to the most recent version of the Carnegie classification of institutions of higher education, published by the Carnegie Foundation for the Advancement of Teaching.

(7) It is the intent of the legislature to allocate more funding based on an updated set of performance metrics in future years. Updated metrics will be based on the outcome of joint hearings between the house and senate appropriations subcommittees on higher education and community colleges intended to be held in the fall of 2019.

Sec. 265b. (1) Appropriations to public universities in section 236 for the fiscal year ending September 30, 2022-2023 for operations funding shall be reduced by 10% pursuant to the procedures described in subdivision (a) for a public university that fails to submit certification to the state budget director, the house and senate appropriations subcommittees on higher education, and the house and senate fiscal agencies by October 1, 2021-2022 that the university complies with sections 274c and 274d and that it complies with all of the requirements described in subdivisions (b) to (i), as follows:

(a) If a university fails to submit certification, the state budget director shall withhold 10% of that university’s annual operations funding until the university
submits certification. If a university fails to submit certification by the end of the fiscal year, the 10% of its annual operations funding that is withheld shall lapse to the general fund.

(b) For title IX investigations of alleged sexual misconduct, the university prohibits the use of medical experts that have an actual or apparent conflict of interest.

(c) For title IX investigations of alleged sexual misconduct, the university prohibits the issuance of divergent reports to complainants, respondents, and administration and instead requires that identical reports be issued to them.

(d) Consistent with the university's obligations under 20 USC 1092(f), the university notifies each individual who reports having experienced sexual assault by a student, faculty member, or staff member of the university that the individual has the option to report the matter to law enforcement, to the university, to both, or to neither, as the individual may choose.

(e) The university provides both of the following:

(i) For all freshmen and incoming transfer students enrolled, an in-person sexual misconduct prevention presentation or course, which must include contact information for the title IX office of the university.

(ii) For all students not considered freshmen or incoming transfer students, an online or electronic sexual misconduct prevention presentation or course.

(f) The university prohibits seeking compensation from the recipient of any medical procedure, treatment, or care provided by a medical professional who has been convicted of a felony arising out of the medical procedure, treatment, or care.

(g) The university had a third party review its title IX compliance office and related policies and procedures by the end of the 2018-2019 academic year. A copy of the third-party review shall be transmitted to the state budget director, the house
and senate appropriations subcommittees on higher education, and the house and senate fiscal agencies. Each university shall have a third-party review once every three years and a copy of the third-party review shall be transmitted to the state budget director, the house and senate appropriations subcommittees on higher education, and the house and senate fiscal agencies.

(h) The university requires that the governing board and the president or chancellor of the university receive not less than quarterly reports from their title IX coordinator or title IX office. The report shall contain aggregated data of the number of sexual misconduct reports that the office received for the academic year, the types of reports received, including reports received against employees, and a summary of the general outcomes of the reports and investigations. A member of the governing board may request to review a title IX investigation report involving a complaint against an employee, and the university shall provide the report in a manner it considers appropriate. The university shall protect the complainant's anonymity, and the report shall not contain specific identifying information.

(i) If allegations against an employee are made in more than 1 title IX complaint that resulted in the university finding that no misconduct occurred, the university requires that the title IX officer promptly notify the president or chancellor and a member of the university's governing board in writing and take all appropriate steps to ensure that the matter is being investigated thoroughly, including hiring an outside investigator for future cases involving that employee. A third-party title IX investigation under this subdivision does not prohibit the university from simultaneously conducting its own title IX investigation through its own title IX coordinator.

(2) Each public university that receives an appropriation in section 236 shall also certify that its president or chancellor and a member of its governing board has
reviewed all title IX reports involving the alleged sexual misconduct of an employee of the university, and shall send the certification to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director by October 1, 2021—2022.

(3) For purposes of this section, "sexual misconduct" includes, but is not limited to, any of the following:

(a) Intimate partner violence.
(b) Nonconsensual sexual conduct.
(c) Sexual assault.
(d) Sexual exploitation.
(e) Sexual harassment.
(f) Stalking.

Sec. 267. All public universities shall submit the amount of tuition and fees actually charged to a full-time resident undergraduate student for academic year 2021—2022—2023 as part of their higher education institutional data inventory (HEIDI) data by October 1, 2021, and by the last business day of August each year thereafter. A public university shall report any revisions for any semester of the reported academic year 2021—2022—2023 tuition and fee charges to HEIDI within 15 days of being adopted.

Sec. 268. (1) For the fiscal year ending September 30, 2022, it is the intent of the legislature that funds be allocated for unfunded North American Indian tuition waiver costs incurred by public universities under 1976 PA 174, MCL 390.1251 to 390.1253, from the general fund.

(1) By January 15 of each year, the department of civil rights shall annually submit to the state budget director, the house and senate appropriations subcommittees on higher education, and the house and senate fiscal agencies a report
on North American Indian tuition waivers for the preceding academic year that
includes, but is not limited to, all of the following information:

(a) The number of waiver applications received and the number of waiver
applications approved.

(b) For each university submitting information under subsection (3), all of the
following:

(i) The number of graduate and undergraduate North American Indian students
enrolled each term for the previous academic year.

(ii) The number of North American Indian waivers granted each term, including to
continuing education students, and the monetary value of the waivers for the previous
academic year.

(iii) The number of graduate and undergraduate students attending under a North
American Indian tuition waiver who withdrew from the university each term during the
previous academic year. For purposes of this subparagraph, a withdrawal occurs when a
student who has been awarded the waiver withdraws from the institution at any point
during the term, regardless of enrollment in subsequent terms.

(iv) The number of graduate and undergraduate students attending under a North
American Indian tuition waiver who successfully complete a degree or certificate
program, separated by degree or certificate level, and the graduation rate for
graduate and undergraduate students attending under a North American Indian tuition
waiver who complete a degree or certificate within 150% of the normal time to
complete, separated by the level of the degree or certificate.

(2) By January 1 of each year, a public university that receives funds under
section 236, or a tribal college receiving pass-through funds under section 269 or
270c, shall provide to the department of civil rights any information necessary for
preparing the report detailed in subsection (2)(1), using guidelines and procedures
developed by the department of civil rights.

(3) The department of civil rights may consolidate the report required under this section with the report required under section 223, but a consolidated report must separately identify data for universities and data for community colleges.

Sec. 269. For fiscal year 2021-2022, 2022-2023, from the amount appropriated in section 236 to Central Michigan University for costs incurred under the North American Indian tuition waiver, $82,400.00 $31,000.00 shall be paid to Saginaw Chippewa Tribal College for the costs of waiving tuition for North American Indians under 1976 PA 174, MCL 390.1251 to 390.1253. It is the intent of the legislature that The Saginaw Chippewa Tribal College is encouraged to provide the department of civil rights the necessary information for the college to be included in the report required under section 268.

Sec. 270c. For fiscal year 2021-2022, 2022-2023 from the amount appropriated in section 236 to Northern Michigan University for costs incurred under the North American Indian tuition waiver, $50,000.00 $87,800.00 is to be paid to Keweenaw Bay Ojibwa Community College for the costs of waiving tuition for North American Indians under 1976 PA 174, MCL 390.1251 to 390.1253. It is the intent of the legislature that The Keweenaw Bay Ojibwa Community College is encouraged to provide the department of civil rights the necessary information for the community college to be included in the report required under section 268.

Sec. 275h. It is the goal of the governor to ensure that 60% of Michigan's residents achieve a postsecondary credential, high-quality industry certification, associate degree, or bachelor's degree by 2030. (1) It is the intent of the legislature that each public university adopt an advocacy policy applicable to faculty, staff, students, student employees, visitors, and contractors by January 1, 2022 and comply with all other requirements of this section.
(2) An advocacy policy established under subsection (1) should include, but is not limited to, policies for distribution and self-distribution of printed political or advocacy materials, related First Amendment activities, and political demonstrating. The policy should include a process for filing a complaint or reporting a violation of the advocacy policy and identify the public university staff responsible for investigating complaints and violations. The advocacy policy should include the effective date and be posted on the university's website.

Sec. 276. (1) Included in the appropriation for fiscal year 2021-2022-2022-2023 for each public university in section 236 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks future faculty program that is intended to increase the pool of academically or economically disadvantaged candidates pursuing faculty teaching careers in postsecondary education in this state. Preference may not be given to applicants on the basis of race, color, ethnicity, gender, or national origin. Institutions should encourage applications from applicants who would otherwise not adequately be represented in the graduate student and faculty populations. Each public university shall apply the percentage change applicable to every public university in the calculation of appropriations in section 236 to the amount of funds allocated to the future faculty program.

(2) The program shall be administered by each public university in a manner prescribed by the department of labor and economic opportunity. The department of labor and economic opportunity shall use a good faith effort standard to evaluate whether a fellowship is in default. All of the following apply to the program:

(a) By April 15 of each year, public universities shall report any anticipated unexpended or unencumbered program funds to the department of labor and economic opportunity. Encumbered funds are those funds that were committed by a fellowship agreement that is signed during the current fiscal year or administrative expenses
that have been approved by the department of labor and economic opportunity.

(b) Before August 1, 2022, of each year, unexpended or unencumbered funds may be transferred, under the direction of the department of labor and economic opportunity, to a future faculty program at another university to be awarded to an eligible candidate at that university.

(c) Program allocations not expended or encumbered by September 30, 2024 must be returned to the department of labor and economic opportunity so that those funds may lapse to the state general fund.

(d) Not more than 5% of each public university's allocation for the program may be used for administration of the program.

(e) In addition to the appropriation for fiscal year 2022-2023, any revenue received during prior fiscal years by the department of labor and economic opportunity from defaulted fellowship agreements are appropriated for the purposes originally intended.

Sec. 277. (1) Included in the appropriation for fiscal year 2021-2022-2022-2023 for each public university in section 236 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks college day program that is intended to introduce academically or economically disadvantaged schoolchildren to the potential of a college education in this state. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Public universities should encourage participation from those who would otherwise not adequately be represented in the student population.

(2) Individual program plans of each public university shall include a budget of equal contributions from this program, the participating public university, the participating school district, and the participating independent degree-granting college. College day funds shall not be expended to cover indirect costs. Not more
than 20% of the university match shall be attributable to indirect costs. Each public
university shall apply the percentage change applicable to every public university in
the calculation of appropriations in section 236 to the amount of funds allocated to
the college day program.

(3) The program described in this section shall be administered by each public
university in a manner prescribed by the department of labor and economic opportunity.

Sec. 278. (1) Included in section 236 for fiscal year 2021–2022–2022–2023 is
funding for the Martin Luther King, Jr. – Cesar Chavez – Rosa Parks select student
support services program for developing academically or economically disadvantaged
student retention programs for 4-year public and independent educational institutions
in this state. Preference may not be given to participants on the basis of race,
color, ethnicity, gender, or national origin. Institutions should encourage
participation from those who would otherwise not adequately be represented in the
student population.

(2) An award made under this program to any 1 institution shall not be greater
than $150,000.00, have an award period of no more than two years, and the amount
awarded shall be matched on a 70% state, 30% college or university basis.

(3) The program described in this section shall be administered by the
department of labor and economic opportunity.

Sec. 279. (1) Included in section 236 for fiscal year 2021–2022–2022–2023 is
funding for the Martin Luther King, Jr. – Cesar Chavez – Rosa Parks college/university
partnership program between 4-year public and independent colleges and universities
and public community colleges, which is intended to increase the number of
academically or economically disadvantaged students who transfer from community
colleges into baccalaureate programs in this state. Preference may not be given to
participants on the basis of race, color, ethnicity, gender, or national origin.
Institutions should encourage participation from those who would otherwise not adequately be represented in the transfer student population.

(2) The grants shall be made under the program described in this section to Michigan public and independent colleges and universities. An award to any institution shall not be greater than $150,000.00, have an award period of no more than two years, and the amount awarded shall be matched on a 70% state, 30% college or university basis.

(3) The program described in this section shall be administered by the department of labor and economic opportunity.

Sec. 280. (1) Included in the appropriation for fiscal year 2021-2022-2022-2023 for each public university in section 236 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks visiting professors program which is intended to increase the number of instructors in the classroom to provide role models for academically or economically disadvantaged students. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national or origin. Public universities should encourage participation from those who would otherwise not adequately be represented in the student population.

(2) The program described in this section shall be administered by the department of labor and economic opportunity.

(3) The amount allocated to each university is $9,994.00 and have an award period of no more than two years. Each university receiving funds for fiscal year 2021-2022-2022-2023 under this section shall report to the department of labor and economic opportunity by April 15, 2023 the amount of its unobligated and unexpended funds as of March 31, 2023 and a plan to expend the remaining funds by the end of the fiscal year. The amount of funding reported as not being expended may be transferred, under the direction of the department, to another university for use
Sec. 281. (1) Included in the appropriation for fiscal year 2021-2022-2022-2023 under this section.

in section 236 is funding under the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the Morris Hood, Jr. educator development program, which is intended to increase the number of academically or economically disadvantaged students who enroll in and complete K-12 teacher education programs at the baccalaureate level and teach in this state. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Institutions should encourage participation from those who would otherwise not adequately be represented in the teacher education student population.

(2) The program described in this section shall be administered by each state-approved teacher education institution in a manner prescribed by the department of labor and economic opportunity.

(3) Approved teacher education institutions may and are encouraged to use select student support services funding in coordination with the Morris Hood, Jr. funding to achieve the goals of the program described in this section.

Sec. 282. (1) Each institution receiving funds for fiscal year 2021-2022-2022-2023 under section 278, 279, or 281 shall provide to the department of labor and economic opportunity by April 15, 2023 the unobligated and unexpended funds as of March 31, 2023 and a plan to expend the remaining funds by the end of the fiscal year. Notwithstanding the award limitations in sections 278 and 279, the amount of funding reported as not being expended will be reallocated to the institutions that intend to expend all funding received under section 278, 279, or 281.

(2) Funds received for the purpose of administering programs under sections 275j, 278, 279, and 281 shall not be used for direct financial aid or indirect financial aid. However, a university may provide academic incentives to motivate
participating students as approved by the department. As used in this subsection:

(a) "Direct financial aid" includes, but is not limited to, scholarships, payment of tuition, stipends, and work-studies.

(b) "Indirect financial aid" includes, but is not limited to, transportation, textbook allowances, child care support, and assistance with medical premiums or expenses.

ARTICLE IV
SUMMARY OF ANTICIPATED APPROPRIATIONS

Sec. 298. (1) Subject to the conditions set forth in this act, the amounts appropriated in this act for the fiscal year ending September 30, 2023 for the public schools, intermediate school districts, community colleges and public universities of this state, and certain other state purposes relating to education are anticipated to be the same amounts appropriated for the fiscal year ending September 30, 2024, with the following exceptions:

(2) Appropriations for School Aid (Article I)

Drinking Water Declaration of Emergency Early Childhood Collaborative................................. 1,000,000 0
School Infrastructure........................................ 171,000,000 170,000,000
Proposal A Obligation Payment......................... 4,421,000,000 4,290,000,000
Discretionary Payment.................................... 5,744,000,000 5,729,000,000
Mental Health Screening Tools.......................... 25,000,000 0
Wraparound Support Services - Staffing.............. 120,000,000 0
TRAILS................................................... 120,000,000 0
Great Start Readiness Program......................... 451,470,000 469,470,000
Before and After School Partnerships ............... 50,000,000 25,000,000
Great Start Readiness Program - Home-Based Pilot .... 5,000,000 0
Michigan Reading Corps ........................................ 3,500,000 0
Professional Learning - Early Literacy ...................... 4,000,000 0
Special Education Foundations .............................. 323,300,000 335,300,000
Special Education Headlee Obligations .................... 710,000,000 735,500,000
CE Equipment Upgrades ..................................... 10,000,000 0
School Safety Grants ......................................... 51,000,000 0
Cross-Sector School Safety Model .......................... 15,000,000 0
Benchmark Assessments ................................. 11,500,000 0
Michigan Public School Employees Retirement System .... 1,823,021,000 1,955,321,000

(3) Appropriations for Community Colleges (Article II)

Michigan Public School Employees Retirement System..... $ 110,420,000 $ 117,920,000
One-Time Operations Support................................. $ 16,184,000 $ 0

(4) Appropriations for Universities and Student Financial Aid (Article III)

Michigan Public School Employees Retirement System..... $ 4,720,000 $ 4,450,000
One-Time Operations Support................................. $ 76,291,700 $ 0

Enacting section 1. (1) In accordance with section 30 of article I of the state constitution of 1963, total state spending on school aid under article I as amended by this amendatory act from state sources for fiscal year 2022-2023 is estimated at $16,164,795,700.00 and state appropriations for school aid to be paid to local units of government for fiscal year 2022-2023 are estimated at $15,788,938,300.00.

(2) In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources for community colleges for fiscal year 2022-2023 under article II as amended by this amendatory act is estimated at $470,028,400.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2022-2023 is estimated at $470,028,400.00.

(3) In accordance with section 30 of article IX of the state constitution of
1963, total state spending from state sources for higher education for fiscal year 2022-2023 under article III as amended by this amendatory act is estimated at $1,730,188,500.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2022-2023 is estimated at $0.

Enacting section 2. Sections 11n, 11o, 11r, 11t, 22g, 25i, 31m, 31y, 31z, 35b, 35d, 35e, 35f, 35g, 35h, 41a, 55, 61g, 67a, 67b, 94c, 94d, 95b, 97a, 98a, 98b, 98d, 99i, 99t, 99u, 99w, 99x, 99z, 99aa, 99bb, 104a, 104f, 104g, 152b, 152d, 164, 166, 208, 210g, 210h, 212, 220, 226b, 226d, 226g, 228, 236h, 261, 265e, 271a, 274, 275a, 275d, 275f, 275g, 275i, 281a, 286b, and 291 of the state school aid act of 1979, 1979 PA 94, MCL 388.1611n, 388.1611o, 388.1611r, 388.1611t, 388.1622g, 388.1625i, 388.1631m, 388.1631y, 388.1631z, 388.1635b, 388.1635d, 388.1635e, 388.1635f, 388.1635g, 388.1635h, 388.1641a, 388.1655, 388.1661g, 388.1667a, 388.1667b, 388.1694c, 388.1694d, 388.1695b, 388.1697a, 388.1698a, 388.1698b, 388.1698d, 388.1699i, 388.1699t, 388.1699u, 388.1699w, 388.1699x, 388.1699z, 388.1699aa, 388.1699bb, 388.1704a, 388.1704f, 388.1704g, 388.1752b, 388.1764g, 388.1764h, 388.1766, 388.1808, 388.1810g, 388.1810h, 388.1812, 388.1820, 388.1826b, 388.1826f, 388.1826e, 388.1826d, 388.1826g, 388.1828, 388.1836h, 388.1861, 388.1865e, 388.1871a, 388.1874, 388.1875a, 388.1875d, 388.1875f, 388.1875g, 388.1875i, 388.1881a, 388.1886b, and 388.1891 are repealed effective October 1, 2022.

Enacting section 3. This amendatory act takes effect October 1, 2022.