

SENATE BILL NO. 994

June 25, 2020, Introduced by Senator SCHMIDT and referred to the Committee on Appropriations.

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

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LINE-ITEM APPROPRIATIONS

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Sec. 101. There is appropriated for various state departments

4

and agencies to supplement appropriations for the fiscal year

1 ending September 30, 2020, from the following funds:

2 **APPROPRIATION SUMMARY:**

3	GROSS APPROPRIATION	\$ 1,303,000,000
4	Interdepartmental grant revenues:	
5	Total interdepartmental grants and intradepartmental	
6	transfers	0
7	ADJUSTED GROSS APPROPRIATION	\$ 1,303,000,000
8	Federal revenues:	
9	Total federal revenues	1,303,000,000
10	Special revenue funds:	
11	Total local revenues	0
12	Total private revenues	0
13	Total other state restricted revenues	0
14	State general fund/general purpose	\$ 0

15 **Sec. 102. DEPARTMENT OF EDUCATION**

16 **(1) APPROPRIATION SUMMARY**

17	GROSS APPROPRIATION	\$ 1,250,000,000
18	Interdepartmental grant revenues:	
19	Total interdepartmental grants and intradepartmental	
20	transfers	0
21	ADJUSTED GROSS APPROPRIATION	\$ 1,250,000,000
22	Federal revenues:	
23	Total federal revenues	1,250,000,000
24	Special revenue funds:	
25	Total local revenues	0
26	Total private revenues	0
27	Total other state restricted revenues	0
28	State general fund/general purpose	\$ 0

29 **(2) ONE-TIME APPROPRIATIONS**

1	Safe schools restart plan	\$ 1,250,000,000
2	GROSS APPROPRIATION	\$ <u>1,250,000,000</u>

3 Appropriated from:

4 Federal revenues:

5	Coronavirus relief fund	1,250,000,000
6	State general fund/general purpose	\$ 0

7 **Sec. 103. DEPARTMENT OF TREASURY**

8 **(1) APPROPRIATION SUMMARY**

9	GROSS APPROPRIATION	\$ 53,000,000
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10 Interdepartmental grant revenues:

11	Total interdepartmental grants and intradepartmental	
12	transfers	0

13	ADJUSTED GROSS APPROPRIATION	\$ 53,000,000
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14 Federal revenues:

15	Total federal revenues	53,000,000
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16 Special revenue funds:

17	Total local revenues	0
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18	Total private revenues	0
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19	Total other state restricted revenues	0
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20	State general fund/general purpose	\$ 0
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21 **(2) ONE-TIME APPROPRIATIONS**

22	Teacher hazard and overtime pay premiums	\$ 53,000,000
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23	GROSS APPROPRIATION	\$ <u>53,000,000</u>
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24 Appropriated from:

25 Federal revenues:

26	Coronavirus relief fund	53,000,000
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27	State general fund/general purpose	\$ 0
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PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

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3 Sec. 201. In accordance with section 30 of article IX of the
4 state constitution of 1963, total state spending from state sources
5 in this appropriation act for the fiscal year ending September 30,
6 2020 is \$0.00 and state spending from state sources to be paid to
7 local units of government is \$0.00.

8 Sec. 202. The appropriations authorized under this act are
9 subject to the management and budget act, 1984 PA 431, MCL 18.1101
10 to 18.1594.

11 Sec. 203. If the state administrative board, acting under
12 section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount
13 appropriated under this act, the legislature may, by a concurrent
14 resolution adopted by a majority of the members elected to and
15 serving in each house, intertransfer funds within this act for the
16 particular department, board, commission, officer, or institution.

DEPARTMENT OF EDUCATION

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19 Sec. 301. (1) From the funds appropriated in part 1 for safe
20 schools restart plan, there is allocated \$1,250,000,000.00 to
21 assist schools with increased and new expenditures incurred as a
22 result of the COVID-19 pandemic and for the purposes described in
23 this section.

24 (2) From the allocation in subsection (1), there is allocated
25 an amount not to exceed \$1,170,000,000.00 to provide payments to
26 districts equal to \$800.00 for each pupil in membership in the
27 district for 2019-2020 as calculated under section 6 of the state
28 school aid act of 1979, 1979 PA 94, MCL 388.1606. Funds paid to
29 districts under this subsection are to pay for the costs associated

1 with the paradigm shift in the method of delivering education
2 caused by the COVID-19 pandemic, which include, but are not limited
3 to, costs associated with implementing a robust distance learning
4 plan and for implementing health and safety measures to return
5 students safely to school. A robust distance learning plan should
6 include all of the following as determined to be necessary by each
7 district:

8 (a) Wireless devices and expanded connectivity opportunities
9 for students and teachers. If funds allocated under this subsection
10 are used for devices, they should be purchased through a statewide
11 purchasing online tool to the extent feasible. Funds may be used to
12 expand network services, and to develop or expand wired or wireless
13 connectivity. Other allowable uses of funds for connectivity
14 include, but are not limited to, extended Wi-Fi in parking lots of
15 community anchor institutions such as schools and libraries;
16 equipping school buses with cellular or satellite Wi-Fi to provide
17 access in particularly challenged areas; coordinating with service
18 providers to assist low-income families in connecting to existing
19 services where available and appropriate; providing educational
20 software for virtual learning; and providing training to educators.
21 If a district uses funds under this subsection for purposes
22 described under this subdivision, the district agrees not to spend
23 grant funds to construct new or extend existing fiber networks
24 within a public right-of-way, and the district further agrees that
25 any request for proposals or solicitations to purchase devices or
26 services is technology neutral.

27 (b) Development of online and digital curriculum.

28 (c) Professional development related to virtual
29 learning/instructional technology.

1 (d) Improving telework capabilities for school employees.

2 (e) Other expenses incurred after March 1, 2020 as part of a
3 robust distance learning plan and safe return to school including,
4 but not limited to, salaries and benefit costs for directly hired
5 staff, contracted staff, or staff at a public school academy who
6 are employed by an educational management company; mailing and
7 otherwise personally delivering learning materials including
8 packets; instructional recovery; food service costs incurred as a
9 result of providing food during the COVID-19 pandemic;
10 communicating with students and parents via modes other than
11 computer devices; and added intervention services due to developing
12 social-emotional issues.

13 (3) Districts may use funds allocated under subsection (2) to
14 provide for the health and safety needs of students returning to
15 school under social distancing guidelines. Additional costs that
16 may be considered as eligible expenses under this subsection
17 include, but are not limited to, costs associated with smaller
18 class sizes, sanitization procedures and materials, staggered start
19 times, staggered bussing, staggered instructional periods, building
20 enhancements necessary for the safe return of students to school as
21 a result of the COVID-19 pandemic, plexiglass barriers, masks, or
22 other related materials or measures.

23 (4) From the funds allocated in subsection (1), there is
24 allocated for 2019-2020 only an amount not to exceed \$80,000,000.00
25 for payments to intermediate districts to assist districts in
26 drafting, coordinating, and implementing distance learning plans
27 and plans for a safe return to school. Funds shall be paid to each
28 intermediate district in the same proportion that the intermediate
29 district receives out of the total funds under section 81 of the

1 state school aid act of 1979, 1979 PA 94, MCL 388.1681. Funds can
2 be used to support any expenses that occurred on or after March 1,
3 2020 in response to the COVID-19 pandemic that are associated with
4 distance learning and a safe return to school.

5 (5) The department of education shall make payments under this
6 section not later than July 15, 2020. The payments under this
7 section are direct, noncompetitive grant payments and do not
8 require the approval of the state board of education or the state
9 superintendent of public instruction. The department shall
10 distribute the grants without application by a district and without
11 further approval by the department.

12 (6) As used in this section:

13 (a) "District" means a local school district as that term is
14 defined in section 6 of the revised school code, 1976 PA 451, MCL
15 380.6, or a public school academy as that term is defined in
16 section 5 of the revised school code, 1976 PA 451, MCL 380.5.

17 (b) "Intermediate district" means an intermediate school
18 district as that term is defined in section 4 of the revised school
19 code, 1976 PA 451, MCL 380.4.

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21 **DEPARTMENT OF TREASURY**

22 Sec. 401. (1) From the funds appropriated in part 1 for
23 teacher hazard and overtime pay premiums, there is allocated for
24 2019-2020 only an amount not to exceed \$53,000,000.00 for payments
25 to districts and nonpublic schools to distribute funding to
26 classroom teachers to recognize the additional overtime and
27 hazardous conditions teachers have incurred or experienced to
28 provide distance learning during the period of school closure as a
29 result of the COVID-19 pandemic. All of the following apply to

1 funds allocated under this section:

2 (a) The department shall distribute funding allocated under
3 this section to districts and nonpublic schools equal to \$500.00
4 per full-time equated (FTE) classroom teacher employed by the
5 district or nonpublic school or assigned to regularly and
6 continuously work under contract in a public school operated by the
7 district or in a nonpublic school, and reported to the center for
8 educational performance and information for the 2019-2020 school
9 year. A teacher who works full time and is calculated as 1.0 FTE
10 will receive \$500.00 and a teacher whose work time is calculated as
11 less than 1.0 FTE shall receive that portion of the FTE applied to
12 \$500.00. The department must distribute funding allocated under
13 this subsection not later than July 15, 2020.

14 (b) Not later than July 31, 2020, districts and nonpublic
15 schools shall distribute money to classroom teachers in an amount
16 equal to \$500.00 per full-time equated classroom teacher in the
17 district or nonpublic school. The district or nonpublic school may
18 distribute funds to classroom teachers by direct deposit or check.

19 (c) Each classroom teacher receiving funds allocated under
20 this section shall sign, and the district or nonpublic school
21 distributing funds to the classroom teacher shall retain for no
22 less than 4 years, a statement that includes an acknowledgment of
23 the receipt of funds.

24 (d) Districts and nonpublic schools shall return any
25 unexpended funds allocated under this section to the department not
26 later than September 30, 2020 in a manner prescribed by the
27 department.

28 (e) Classroom teachers may opt out of receiving funds
29 allocated under this section.

1 (f) If funds allocated under this section are insufficient to
2 pay \$500.00 per full-time equated classroom teacher, the department
3 shall reduce the payment on an equal per full-time equated
4 classroom teacher basis.

5 (2) As used in this section:

6 (a) "Classroom teacher" means a full-time or part-time teacher
7 with an assigned class who provided distance learning to students
8 during the period of school closure that resulted from COVID-19.
9 For the purposes of this section, classroom teacher does not
10 include substitute teachers, paraprofessionals, support staff, or
11 administrators.

12 (b) "District" means a local school district as that term is
13 defined in section 6 of the revised school code, 1976 PA 451, MCL
14 380.6, or a public school academy as that term is defined in
15 section 5 of the revised school code, 1976 PA 451, MCL 380.5.

16 (c) "Regularly and continuously work under contract" means
17 that term as defined in section 1230e of the revised school code,
18 1976 PA 451, MCL 380.1230e.