

**FIRST CONFERENCE REPORT**

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 927, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), sections 11 and 236 as amended by 2019 PA 162, section 17b as amended by 2007 PA 137, and section 201 as amended by 2019 PA 52.

Recommends:

First: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

(attachment)

Second: That the House and Senate agree to the title of the bill to read as follows:

A bill to amend 1979 PA 94, entitled "AN ACT to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 2, 3, 6, 11, 11a, 11d, 11j, 11k, 11m, 11p, 11s, 15, 17c, 18, 18a, 20, 20d, 20f, 21h, 22a, 22b, 22d, 22m, 22p, 24, 24a, 25f, 25g, 26a, 26b, 26c, 28, 31a, 31d, 31f, 31j, 31n, 32d, 32p, 35a, 35b, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61d, 62, 65, 67, 74, 81, 94, 94a, 95b, 98, 98a, 99h, 99s, 99t, 99u, 99w, 99x, 101, 104, 105, 105c, 107, 147, 147a, 147c, 147e, 152a, 152b, 163, 201, 202a, 203, 205, 206, 207a, 207b, 207c, 209, 209a, 217, 222, 223, 226, 229, 229a, 230, 236, 236b, 236c, 237b, 238, 241, 242, 245, 245a, 256, 263, 264,



265, 265b, 267, 268, 269, 270, 275, 276, 277, 278, 279, 280, 281, 282, 289, and 296 (MCL 388.1602, 388.1603, 388.1606, 388.1611, 388.1611a, 388.1611d, 388.1611j, 388.1611k, 388.1611m, 388.1611p, 388.1611s, 388.1615, 388.1617c, 388.1618, 388.1618a, 388.1620, 388.1620d, 388.1620f, 388.1621h, 388.1622a, 388.1622b, 388.1622d, 388.1622m, 388.1622p, 388.1624, 388.1624a, 388.1625f, 388.1625g, 388.1626a, 388.1626b, 388.1626c, 388.1628, 388.1631a, 388.1631d, 388.1631f, 388.1631j, 388.1631n, 388.1632d, 388.1632p, 388.1635a, 388.1635b, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1651f, 388.1653a, 388.1654, 388.1654b, 388.1654d, 388.1655, 388.1656, 388.1661a, 388.1661b, 388.1661d, 388.1662, 388.1665, 388.1667, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695b, 388.1698, 388.1698a, 388.1699h, 388.1699s, 388.1699t, 388.1699u, 388.1699w, 388.1699x, 388.1701, 388.1704, 388.1705, 388.1705c, 388.1707, 388.1747, 388.1747a, 388.1747c, 388.1747e, 388.1752a, 388.1752b, 388.1763, 388.1801, 388.1802a, 388.1803, 388.1805, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1809a, 388.1817, 388.1822, 388.1823, 388.1826, 388.1829, 388.1829a, 388.1830, 388.1836, 388.1836b, 388.1836c, 388.1837b, 388.1838, 388.1841, 388.1842, 388.1845, 388.1845a, 388.1856, 388.1863, 388.1864, 388.1865, 388.1865b, 388.1867, 388.1868, 388.1869, 388.1870, 388.1875, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1889, and 388.1896), section 2 as amended by 2018 PA 227, sections 3, 203, 222, 223, 237b, and 275 as amended by 2017 PA 108, sections 6, 11p, and 104 as amended by 2020 PA 149, sections 11, 11m, 20, 22a, 22b, 26c, 31j, 32d, 51a, 51c, 61a, 94a, 95b, 99h, 147c, 147e, 201, 236, and 256 as amended by 2020 PA 146, sections 11a, 11j, 11k, 11s, 15, 18, 20d, 20f, 21h, 22m, 22p, 24, 24a, 26a, 26b, 31d, 31f, 31n, 32p, 39, 39a, 41, 51d, 53a, 54, 54b, 56, 61b, 61d, 62, 65, 67, 74, 81, 94, 98, 99s, 107, 147, 147a, and 152a as amended by 2019 PA 58, section 11d as added by 2020 PA 146, sections 17c, 35b, and 99u as amended by 2018 PA 586, section 18a as amended by 2015 PA 85, sections 22d, 25f, 25g, 31a, and 35a as amended by 2019 PA 162, section 54d as amended and sections 28 and 51f as added by 2019 PA 58, sections 55, 99t, 152b, 226, and 229 as amended by 2018 PA 265, section 98a as added by 2020 PA 149, sections 99w and 99x as added by 2018 PA 586, section 101 as amended by 2020 PA 148, sections 105 and 105c as amended by 2008 PA 268, section 163 as amended by 2018 PA 266, section 202a as amended by 2016 PA 249, sections 205, 238, and 242 as amended by 2012 PA 201, sections 206, 207a, 207b, 207c, 209, 209a, 217, 229a, and 230 as amended by 2019 PA 52, sections 236b, 236c, 241, 245, 245a, 263,



264, 265, 265b, 267, 268, 269, 270, 276, 277, 278, 279, 280, 281, 282, and 289 as amended by 2019 PA 62, and section 296 as added by 2011 PA 62, and by adding sections 25i, 25j, 29a, 31k, 35d, 35e, 35f, 67a, 94b, 98d, 99i, 99z, 104f, 104g, 226a, 226b, 226d, 226e, 259, 260, 270b, 270c, 275f, 275g, 275h, 275i, and 281a; and to repeal acts and parts of acts.

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Jim Stamas

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Shane Hernandez

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Wayne A. Schmidt

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Aaron Miller

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Jon Hoadley

Conferees for the Senate

Conferees for the House





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**HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 927**

A bill to amend 1979 PA 94, entitled  
"The state school aid act of 1979,"  
by amending sections 2, 3, 6, 11, 11a, 11d, 11j, 11k, 11m, 11p,  
11s, 15, 17c, 18, 18a, 20, 20d, 20f, 21h, 22a, 22b, 22d, 22m, 22p,  
24, 24a, 25f, 25g, 26a, 26b, 26c, 28, 31a, 31d, 31f, 31j, 31n, 32d,  
32p, 35a, 35b, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d,  
55, 56, 61a, 61b, 61d, 62, 65, 67, 74, 81, 94, 94a, 95b, 98, 98a,  
99h, 99s, 99t, 99u, 99w, 99x, 101, 104, 105, 105c, 107, 147, 147a,  
147c, 147e, 152a, 152b, 163, 201, 202a, 203, 205, 206, 207a, 207b,  
207c, 209, 209a, 217, 222, 223, 226, 229, 229a, 230, 236, 236b,  
236c, 237b, 238, 241, 242, 245, 245a, 256, 263, 264, 265, 265b,  
267, 268, 269, 270, 275, 276, 277, 278, 279, 280, 281, 282, 289,  
and 296 (MCL 388.1602, 388.1603, 388.1606, 388.1611, 388.1611a,



388.1611d, 388.1611j, 388.1611k, 388.1611m, 388.1611p, 388.1611s,  
 388.1615, 388.1617c, 388.1618, 388.1618a, 388.1620, 388.1620d,  
 388.1620f, 388.1621h, 388.1622a, 388.1622b, 388.1622d, 388.1622m,  
 388.1622p, 388.1624, 388.1624a, 388.1625f, 388.1625g, 388.1626a,  
 388.1626b, 388.1626c, 388.1628, 388.1631a, 388.1631d, 388.1631f,  
 388.1631j, 388.1631n, 388.1632d, 388.1632p, 388.1635a, 388.1635b,  
 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d,  
 388.1651f, 388.1653a, 388.1654, 388.1654b, 388.1654d, 388.1655,  
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 388.1699w, 388.1699x, 388.1701, 388.1704, 388.1705, 388.1705c,  
 388.1707, 388.1747, 388.1747a, 388.1747c, 388.1747e, 388.1752a,  
 388.1752b, 388.1763, 388.1801, 388.1802a, 388.1803, 388.1805,  
 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1809a,  
 388.1817, 388.1822, 388.1823, 388.1826, 388.1829, 388.1829a,  
 388.1830, 388.1836, 388.1836b, 388.1836c, 388.1837b, 388.1838,  
 388.1841, 388.1842, 388.1845, 388.1845a, 388.1856, 388.1863,  
 388.1864, 388.1865, 388.1865b, 388.1867, 388.1868, 388.1869,  
 388.1870, 388.1875, 388.1876, 388.1877, 388.1878, 388.1879,  
 388.1880, 388.1881, 388.1882, 388.1889, and 388.1896), section 2 as  
 amended by 2018 PA 227, sections 3, 203, 222, 223, 237b, and 275 as  
 amended by 2017 PA 108, sections 6, 11p, and 104 as amended by 2020  
 PA 149, sections 11, 11m, 20, 22a, 22b, 26c, 31j, 32d, 51a, 51c,  
 61a, 94a, 95b, 99h, 147c, 147e, 201, 236, and 256 as amended by  
 2020 PA 146, sections 11a, 11j, 11k, 11s, 15, 18, 20d, 20f, 21h,  
 22m, 22p, 24, 24a, 26a, 26b, 31d, 31f, 31n, 32p, 39, 39a, 41, 51d,  
 53a, 54, 54b, 56, 61b, 61d, 62, 65, 67, 74, 81, 94, 98, 99s, 107,  
 147, 147a, and 152a as amended by 2019 PA 58, section 11d as added



by 2020 PA 146, sections 17c, 35b, and 99u as amended by 2018 PA 586, section 18a as amended by 2015 PA 85, sections 22d, 25f, 25g, 31a, and 35a as amended by 2019 PA 162, section 54d as amended and sections 28 and 51f as added by 2019 PA 58, sections 55, 99t, 152b, 226, and 229 as amended by 2018 PA 265, section 98a as added by 2020 PA 149, sections 99w and 99x as added by 2018 PA 586, section 101 as amended by 2020 PA 148, sections 105 and 105c as amended by 2008 PA 268, section 163 as amended by 2018 PA 266, section 202a as amended by 2016 PA 249, sections 205, 238, and 242 as amended by 2012 PA 201, sections 206, 207a, 207b, 207c, 209, 209a, 217, 229a, and 230 as amended by 2019 PA 52, sections 236b, 236c, 241, 245, 245a, 263, 264, 265, 265b, 267, 268, 269, 270, 276, 277, 278, 279, 280, 281, 282, and 289 as amended by 2019 PA 62, and section 296 as added by 2011 PA 62, and by adding sections 25i, 25j, 29a, 31k, 35d, 35e, 35f, 67a, 94b, 98d, 99i, 99z, 104f, 104g, 226a, 226b, 226d, 226e, 259, 260, 270b, 270c, 275f, 275g, 275h, 275i, and 281a; and to repeal acts and parts of acts.

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

1           Sec. 2. As used in this article  ~~,and~~ article IV  ~~,and article~~  
 2  ~~V,~~the words and phrases defined in sections 3 to 6 have the  
 3 meanings ascribed to them in those sections.

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

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

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



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

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

10 (6) "Department", except ~~in section 107,~~ **as otherwise provided**  
11 **in this article**, means the department of education.

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

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

29 (9) "District superintendent" means the superintendent of a





1 district or the chief administrator of a public school academy.

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

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

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



1 (4) "Membership", except as otherwise provided in this  
 2 subsection ~~and or~~ this article, means for a district, a public  
 3 school academy, or an intermediate district the sum of the product  
 4 of .90 times the number of full-time equated pupils in grades K to  
 5 12 actually enrolled and in regular daily attendance in the  
 6 district, public school academy, or intermediate district on the  
 7 pupil membership count day for the current school year, plus the  
 8 product of .10 times the final audited count from the supplemental  
 9 count day of full-time equated pupils in grades K to 12 actually  
 10 enrolled and in regular daily attendance in the district, public  
 11 school academy, or intermediate district for the immediately  
 12 preceding school year. A district's, public school academy's, or  
 13 intermediate district's membership is adjusted as provided under  
 14 section 25e for pupils who enroll after the pupil membership count  
 15 day in a strict discipline academy operating under sections 1311b  
 16 to 1311m of the revised school code, MCL 380.1311b to 380.1311m.  
 17 ~~However, except as otherwise provided in this subsection, for a~~  
 18 ~~community district, membership means the sum of the product of .90~~  
 19 ~~times the number of full-time equated pupils in grades K to 12~~  
 20 ~~actually enrolled and in regular daily attendance in the community~~  
 21 ~~district on the pupil membership count day for the current school~~  
 22 ~~year, plus the product of .10 times the final audited count from~~  
 23 ~~the supplemental count day of full-time equated pupils in grades K~~  
 24 ~~to 12 actually enrolled and in regular daily attendance in the~~  
 25 ~~community district for the immediately preceding school year. For~~  
 26 2020-2021 only, membership means for a district, a public school  
 27 academy, **or** an intermediate district, ~~or a community district,~~ the  
 28 sum of the product of .75 times the district's, public school  
 29 academy's, **or** intermediate district's ~~, or community district's~~



1 2019-2020 membership as calculated under this section in 2019-2020  
 2 and the product of .25 times [the sum of (the product of .90 times  
 3 the number of full-time equated pupils engaged in pandemic learning  
 4 for fall 2020 or, for a public school academy that operates as a  
 5 cyber school, as that term is defined in section 551 of the revised  
 6 school code, MCL 380.551, the number of full-time equated pupils in  
 7 grades K to 12 actually enrolled and in regular daily attendance in  
 8 the public school academy on pupil membership count day **for the**  
 9 **current school year**) and (the product of .10 times the final  
 10 audited count from the supplemental count day of full-time equated  
 11 pupils in grades K to 12 actually enrolled and in regular daily  
 12 attendance in the district, public school academy, **or** intermediate  
 13 district ~~, or community district~~ for the immediately preceding  
 14 school year)]. All pupil counts used in this subsection are as  
 15 determined by the department and calculated by adding the number of  
 16 pupils registered for attendance plus pupils received by transfer  
 17 and minus pupils lost as defined by rules promulgated by the  
 18 superintendent, and as corrected by a subsequent department audit.  
 19 The amount of the foundation allowance for a pupil in membership is  
 20 determined under section 20. In making the calculation of  
 21 membership, all of the following, as applicable, apply to  
 22 determining the membership of a district, a public school academy,  
 23 or an intermediate district:

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

29 (b) If a pupil is educated in a district other than the



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

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

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

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

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

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

28 (h) For the purposes of this section and section 6a, for a  
29 cyber school, as that term is defined in section 551 of the revised



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

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

14 (i) Except as otherwise provided in this subparagraph, if  
15 operations begin before the pupil membership count day for the  
16 fiscal year, membership is the average number of full-time equated  
17 pupils in grades K to 12 actually enrolled and in regular daily  
18 attendance on the pupil membership count day for the current school  
19 year and on the supplemental count day for the current school year,  
20 as determined by the department and calculated by adding the number  
21 of pupils registered for attendance on the pupil membership count  
22 day plus pupils received by transfer and minus pupils lost as  
23 defined by rules promulgated by the superintendent, and as  
24 corrected by a subsequent department audit, plus the final audited  
25 count from the supplemental count day for the current school year,  
26 and dividing that sum by 2. However, for 2020-2021 only, if  
27 operations begin before the pupil membership count day for the  
28 fiscal year, except for a public school academy that operates as a  
29 cyber school, as that term is defined in section 551 of the revised



1 school code, MCL 380.551, membership is the average number of full-  
2 time equated pupils engaged in pandemic learning for fall 2020 and  
3 full-time equated pupils engaged in pandemic learning for spring  
4 2021, as that term is defined in section 6a, as determined by the  
5 department and calculated by adding the number of pupils registered  
6 for attendance on the pupil membership count day plus pupils  
7 received by transfer and minus pupils lost as defined by rules  
8 promulgated by the superintendent, and as corrected by a subsequent  
9 department audit, plus the final audited count from the  
10 supplemental count day for the current school year, and dividing  
11 that sum by 2.

12 (ii) If operations begin after the pupil membership count day  
13 for the fiscal year and not later than the supplemental count day  
14 for the fiscal year, membership is the final audited count of the  
15 number of full-time equated pupils in grades K to 12 actually  
16 enrolled and in regular daily attendance on the supplemental count  
17 day for the current school year, but, for 2020-2021 only, except  
18 for a public school academy that operates as a cyber school, as  
19 that term is defined in section 551 of the revised school code, MCL  
20 380.551, membership is the final audited count of the number of  
21 full-time equated pupils engaged in pandemic learning for spring  
22 2021, as that term is defined in section 6a.

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



1 were also counted in the district on the immediately preceding  
2 supplemental count day.

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

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

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

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

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

23 (B) Had dropped out of school.

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

26 (iii) If a child does not meet the minimum age requirement to be  
27 eligible to attend school for that school year under section 1147  
28 of the revised school code, MCL 380.1147, but will be 5 years of  
29 age not later than December 1 of that school year, the district may



1 count the child in membership for that school year if the parent or  
2 legal guardian has notified the district in writing that he or she  
3 intends to enroll the child in kindergarten for that school year.

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

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

26 (i) If the public school academy provides instruction for at  
27 least 1/2 of the class hours required under section 101, the public  
28 school academy receives as its prorated share of the full-time  
29 equated membership for each of those pupils an amount equal to 1





1 times the product of the hours of instruction the public school  
 2 academy provides divided by the number of hours required under  
 3 section 101 for full-time equivalency, and the remainder of the  
 4 full-time membership for each of those pupils is allocated to the  
 5 district or intermediate district providing the remainder of the  
 6 hours of instruction.

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

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

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

24 (q) The number of class hours used to calculate full-time  
 25 equated memberships must be consistent with section 101. In  
 26 determining full-time equated memberships for pupils who are  
 27 enrolled in a postsecondary institution or for pupils engaged in an  
 28 internship or work experience under section 1279h of the revised  
 29 school code, MCL 380.1279h, a pupil is not considered to be less



1 than a full-time equated pupil solely because of the effect of his  
2 or her postsecondary enrollment or engagement in the internship or  
3 work experience, including necessary travel time, on the number of  
4 class hours provided by the district to the pupil.

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

20 (s) For a district or a public school academy that has pupils  
21 enrolled in a grade level that was not offered by the district or  
22 public school academy in the immediately preceding school year, the  
23 number of pupils enrolled in that grade level to be counted in  
24 membership is the average of the number of those pupils enrolled  
25 and in regular daily attendance on the pupil membership count day  
26 and the supplemental count day of the current school year, but, for  
27 2020-2021 only, except for a public school academy that operates as  
28 a cyber school, as that term is defined in section 551 of the  
29 revised school code, MCL 380.551, the number of pupils enrolled in



1 that grade level to be counted in membership is the average of the  
2 number of those pupils engaged in pandemic learning for fall 2020  
3 and the number of those pupils engaged in pandemic learning for  
4 spring 2021, as that term is defined in section 6a, as determined  
5 by the department. Membership is calculated by adding the number of  
6 pupils registered for attendance in that grade level on the pupil  
7 membership count day plus pupils received by transfer and minus  
8 pupils lost as defined by rules promulgated by the superintendent,  
9 and as corrected by subsequent department audit, plus the final  
10 audited count from the supplemental count day for the current  
11 school year, and dividing that sum by 2.

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

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



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

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

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

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

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

19 (w) For a public school academy that has been in operation for  
20 at least 2 years and that suspended operations for at least 1  
21 semester and is resuming operations, membership is the sum of the  
22 product of .90 times the number of full-time equated pupils in  
23 grades K to 12 actually enrolled and in regular daily attendance on  
24 the first pupil membership count day or supplemental count day,  
25 whichever is first, occurring after operations resume, plus the  
26 product of .10 times the final audited count from the most recent  
27 pupil membership count day or supplemental count day that occurred  
28 before suspending operations, as determined by the superintendent,  
29 but, for 2020-2021 only, except for a public school academy that



1 operates as a cyber school, as that term is defined in section 551  
 2 of the revised school code, MCL 380.551, membership is the sum of  
 3 the product of .90 times the number of full-time equated pupils  
 4 engaged in pandemic learning for fall 2020 or the number of full-  
 5 time equated pupils engaged in pandemic learning for spring 2021,  
 6 as that term is defined in section 6a, whichever applies first  
 7 after operations resume, plus the product of .10 times the final  
 8 audited count from the most recent pupil membership count day or  
 9 supplemental count day that occurred before suspending operations,  
 10 as determined by the superintendent.

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



1 **between 155,000 and 160,000, the district's membership is**  
2 **considered to be the membership figure calculated under this**  
3 **subdivision.** The membership figure calculated under this  
4 subdivision is the greater of the following:

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

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

12 (y) Full-time equated memberships for special education pupils  
13 who are not enrolled in kindergarten but are enrolled in a  
14 classroom program under R 340.1754 of the Michigan Administrative  
15 Code are determined by dividing the number of class hours scheduled  
16 and provided per year by 450. Full-time equated memberships for  
17 special education pupils who are not enrolled in kindergarten but  
18 are receiving early childhood special education services under R  
19 340.1755 or R 340.1862 of the Michigan Administrative Code are  
20 determined by dividing the number of hours of service scheduled and  
21 provided per year per-pupil by 180.

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

27 (aa) For the first year in which a pupil is counted in  
28 membership on the pupil membership count day in a middle college  
29 program, the membership is the average of the full-time equated



1 membership on the pupil membership count day and on the  
2 supplemental count day for the current school year, as determined  
3 by the department. If a pupil described in this subdivision was  
4 counted in membership by the operating district on the immediately  
5 preceding supplemental count day, the pupil is excluded from the  
6 district's immediately preceding supplemental count for the  
7 purposes of determining the district's membership.

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

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

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



1 pupil as being in full attendance for a month unless both of the  
2 following are met:

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

6 (ii) The pupil meets the district's definition under section  
7 23a of satisfactory monthly progress for that month or, if the  
8 pupil does not meet that definition of satisfactory monthly  
9 progress for that month, the pupil did meet that definition of  
10 satisfactory monthly progress in the immediately preceding month  
11 and appropriate interventions are implemented within 10 school days  
12 after it is determined that the pupil does not meet that definition  
13 of satisfactory monthly progress.

14 (ee) A pupil participating in a virtual course under section  
15 21f is counted in membership in the district enrolling the pupil.

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

26 (gg) If a special education pupil is expelled under section  
27 1311 or 1311a of the revised school code, MCL 380.1311 and  
28 380.1311a, and is not in attendance on the pupil membership count  
29 day because of the expulsion, and if the pupil remains enrolled in





1 the district and resumes regular daily attendance during that  
 2 school year, the district's membership is adjusted to count the  
 3 pupil in membership as if he or she had been in attendance on the  
 4 pupil membership count day.

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

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

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

16 (i) The pupil would meet the definition of an eligible student  
 17 under the postsecondary enrollment options act, 1996 PA 160, MCL  
 18 388.511 to 388.524, if the course were an eligible course under  
 19 that act.

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

25 (iii) The department determines that the college or university  
 26 is an institution that, in the other state, fulfills a function  
 27 comparable to a state university or community college, as those  
 28 terms are defined in section 3 of the postsecondary enrollment  
 29 options act, 1996 PA 160, MCL 388.513, or is an independent



1 nonprofit degree-granting college or university.

2 (iv) The district or public school academy pays for a portion  
3 of the pupil's tuition at the college or university in an amount  
4 equal to the eligible charges that the district or public school  
5 academy would pay to an eligible postsecondary institution under  
6 the postsecondary enrollment options act, 1996 PA 160, MCL 388.511  
7 to 388.524, as if the course were an eligible course under that  
8 act.

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

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

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

24 (i) If the district's or public school academy's membership for  
25 pupils counted under section 166b equals or exceeds 5% of the  
26 district's or public school academy's membership for pupils not  
27 counted in membership under section 166b in the immediately  
28 preceding fiscal year, then the growth in the district's or public  
29 school academy's membership for pupils counted under section 166b



1 must not exceed 10%.

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

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

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

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

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

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

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

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



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

2 (d) A pupil enrolled in a district other than the pupil's  
3 district of residence under an intermediate district schools of  
4 choice pilot program as described in section 91a or former section  
5 91 if the intermediate district and its constituent districts have  
6 been exempted from section 105.

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

10 (f) A pupil who has made an official written complaint or  
11 whose parent or legal guardian has made an official written  
12 complaint to law enforcement officials and to school officials of  
13 the pupil's district of residence that the pupil has been the  
14 victim of a criminal sexual assault or other serious assault, if  
15 the official complaint either indicates that the assault occurred  
16 at school or that the assault was committed by 1 or more other  
17 pupils enrolled in the school the pupil would otherwise attend in  
18 the district of residence or by an employee of the district of  
19 residence. A person who intentionally makes a false report of a  
20 crime to law enforcement officials for the purposes of this  
21 subdivision is subject to section 411a of the Michigan penal code,  
22 1931 PA 328, MCL 750.411a, which provides criminal penalties for  
23 that conduct. As used in this subdivision:

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

28 (ii) "Serious assault" means an act that constitutes a felony  
29 violation of chapter XI of the Michigan penal code, 1931 PA 328,



1 MCL 750.81 to 750.90h, or that constitutes an assault and  
2 infliction of serious or aggravated injury under section 81a of the  
3 Michigan penal code, 1931 PA 328, MCL 750.81a.

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

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

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

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

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

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

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

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

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



1 380.1311a.

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

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

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

12 (o) A pupil who enrolls in a district other than the pupil's  
13 district of residence as a result of the pupil's school not making  
14 adequate yearly progress under the no child left behind act of  
15 2001, Public Law 107-110, or the every student succeeds act, Public  
16 Law 114-95.

17 However, if a district educates pupils who reside in another  
18 district and if the primary instructional site for those pupils is  
19 established by the educating district after 2009-2010 and is  
20 located within the boundaries of that other district, the educating  
21 district must have the approval of that other district to count  
22 those pupils in membership.

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

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



1 session in the district or building. A district is considered to be  
 2 in session for purposes of this subdivision when the district is  
 3 providing pupil instruction pursuant to an extended COVID-19  
 4 learning plan approved under section 98a.

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

7 (i) Fourth Wednesday in July.

8 (ii) First Wednesday in October.

9 (iii) Second Wednesday in February.

10 (iv) Fourth Wednesday in April.

11 (8) "Pupils in grades K to 12 actually enrolled and in regular  
 12 daily attendance" means pupils in grades K to 12 in attendance and  
 13 receiving instruction in all classes for which they are enrolled on  
 14 the pupil membership count day or the supplemental count day, as  
 15 applicable. Except as otherwise provided in this subsection, a  
 16 pupil who is absent from any of the classes in which the pupil is  
 17 enrolled on the pupil membership count day or supplemental count  
 18 day and who does not attend each of those classes during the 10  
 19 consecutive school days immediately following the pupil membership  
 20 count day or supplemental count day, except for a pupil who has  
 21 been excused by the district, is not counted as 1.0 full-time  
 22 equated membership. A pupil who is excused from attendance on the  
 23 pupil membership count day or supplemental count day and who fails  
 24 to attend each of the classes in which the pupil is enrolled within  
 25 30 calendar days after the pupil membership count day or  
 26 supplemental count day is not counted as 1.0 full-time equated  
 27 membership. In addition, a pupil who was enrolled and in attendance  
 28 in a district, intermediate district, or public school academy  
 29 before the pupil membership count day or supplemental count day of



1 a particular year but was expelled or suspended on the pupil  
 2 membership count day or supplemental count day is only counted as  
 3 1.0 full-time equated membership if the pupil resumed attendance in  
 4 the district, intermediate district, or public school academy  
 5 within 45 days after the pupil membership count day or supplemental  
 6 count day of that particular year. A pupil not counted as 1.0 full-  
 7 time equated membership due to an absence from a class is counted  
 8 as a prorated membership for the classes the pupil attended. For  
 9 purposes of this subsection, "class" means a period of time in 1  
 10 day when pupils and ~~a certificated teacher, a teacher engaged to~~  
 11 ~~teach under section 1233b of the revised school code, MCL~~  
 12 ~~380.1233b, or an individual working under a valid~~ **an individual who**  
 13 **is appropriately placed under a valid certificate**, substitute  
 14 permit, authorization, or approval issued by the department, are  
 15 together and instruction is taking place.

16 (9) "Pupils engaged in pandemic learning for fall 2020" means  
 17 pupils in grades K to 12 who are enrolled in a district, excluding  
 18 a district that operates as a cyber school, as that term is defined  
 19 in section 551 of the revised school code, MCL 380.551, or  
 20 intermediate district and to which any of the following apply:

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

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

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

29 (iii) The pupil and the pupil's teacher or at least 1 of the





1 pupil's teachers engage in a subject-oriented telephone  
2 conversation on 2020-2021 pupil membership count day.

3 (iv) The district or intermediate district documents that an  
4 electronic mail dialogue occurred between the pupil and the pupil's  
5 teacher or at least 1 of the pupil's teachers on 2020-2021 pupil  
6 membership count day.

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

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

13 (ii) The pupil completes a course assignment on 2020-2021 pupil  
14 membership count day and the completion is documented by the  
15 district or intermediate district.

16 (iii) The pupil completes a course lesson or lesson activity on  
17 2020-2021 pupil membership count day and the completion is  
18 documented by the district or intermediate district.

19 (iv) The pupil accesses an ongoing lesson that is not a login  
20 on 2020-2021 pupil membership count day and the access is  
21 documented by the district or intermediate district.

22 (c) At a minimum, 1 2-way interaction has occurred between the  
23 pupil and the pupil's teacher or at least 1 of the pupil's teachers  
24 **or another district employee who has responsibility for the pupil's**  
25 **learning, grade progression, or academic progress** during the week  
26 on which 2020-2021 pupil membership count day falls and during each  
27 week for the 3 consecutive weeks after the week on which 2020-2021  
28 pupil membership count day falls. A district may utilize 2-way  
29 interactions that occur under this subdivision toward meeting the



1 requirement under section 101(3)(h). As used in this subdivision:

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

- 17 (A) Electronic mail.
- 18 (B) Telephone.
- 19 (C) Instant messaging.
- 20 (D) Face-to-face conversation.

21 (ii) "Week" means a period beginning on Wednesday and ending on  
 22 the following Tuesday.

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

29 (e) The pupil has not participated in or completed an activity



1 as described in subdivision (a), (b), or (c) and the pupil was  
2 excused from participation or completion, but the pupil  
3 participates in or completes an activity described in subdivision  
4 (a) or (b) during the 30 calendar days immediately following the  
5 2020-2021 pupil membership count day.

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

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

11 (11) "The revised school code" means the revised school code,  
12 1976 PA 451, MCL 380.1 to 380.1852.

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

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

19 (14) "State board" means the state board of education.

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

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

27 (17) "Tuition pupil" means a pupil of school age attending  
28 school in a district other than the pupil's district of residence  
29 for whom tuition may be charged to the district of residence.



1 Tuition pupil does not include a pupil who is a special education  
 2 pupil, a pupil described in subsection (6)(c) to (o), or a pupil  
 3 whose parent or guardian voluntarily enrolls the pupil in a  
 4 district that is not the pupil's district of residence. A pupil's  
 5 district of residence shall not require a high school tuition  
 6 pupil, as provided under section 111, to attend another school  
 7 district after the pupil has been assigned to a school district.

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

11 (19) "Taxable value" means the taxable value of property as  
 12 determined under section 27a of the general property tax act, 1893  
 13 PA 206, MCL 211.27a.

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

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

25 Sec. 11. (1) For the fiscal year ending September 30, 2020,  
 26 there is appropriated for the public schools of this state and  
 27 certain other state purposes relating to education the sum of  
 28 ~~\$12,660,530,800.00~~ **\$12,829,470,800.00** from the state school aid  
 29 fund, the sum of ~~\$273,600,000.00~~ **\$104,660,000.00** from the general



1 fund, an amount not to exceed \$75,900,000.00 from the community  
 2 district education trust fund created under section 12 of the  
 3 Michigan trust fund act, 2000 PA 489, MCL 12.262, an amount not to  
 4 exceed \$9,717,800.00 from the talent investment fund created under  
 5 section 8a of the higher education loan authority act, 1975 PA 222,  
 6 MCL 390.1158a, an amount not to exceed \$31,900,000.00 from the  
 7 MPERS retirement obligation reform reserve fund, and an amount not  
 8 to exceed \$100.00 from the water emergency reserve fund. **For the**  
 9 **fiscal year ending September 30, 2021, there is appropriated for**  
 10 **the public schools of this state and certain other state purposes**  
 11 **relating to education the sum of \$13,589,621,600.00 from the state**  
 12 **school aid fund, the sum of \$50,964,700.00 from the general fund,**  
 13 **an amount not to exceed \$77,700,000.00 from the community district**  
 14 **education trust fund created under section 12 of the Michigan trust**  
 15 **fund act, 2000 PA 489, MCL 12.262, and an amount not to exceed**  
 16 **\$100.00 from the water emergency reserve fund.** In addition, all  
 17 available federal funds are appropriated for the fiscal ~~year~~**years**  
 18 ending September 30, 2020 **and September 30, 2021.**

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

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

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

29 (2) The state treasurer may receive money or other assets from



1 any source for deposit into the school aid stabilization fund. The  
2 state treasurer shall deposit into the school aid stabilization  
3 fund all of the following:

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

7 (b) Money statutorily dedicated to the school aid  
8 stabilization fund.

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

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

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

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

23 (6) If the maximum amount appropriated under section 11 from  
24 the state school aid fund for a fiscal year exceeds the amount  
25 available for expenditure from the state school aid fund for that  
26 fiscal year, there is appropriated from the school aid  
27 stabilization fund to the state school aid fund an amount equal to  
28 the projected shortfall as determined by the department of  
29 treasury, but not to exceed available money in the school aid



1 stabilization fund. If the money in the school aid stabilization  
 2 fund is insufficient to fully fund an amount equal to the projected  
 3 shortfall, the state budget director shall notify the legislature  
 4 as required under section 296(2) and state payments in an amount  
 5 equal to the remainder of the projected shortfall must be prorated  
 6 in the manner provided under section 296(3).

7 (7) For ~~2019-2020~~, **2020-2021**, in addition to the  
 8 appropriations in section 11, there is appropriated from the school  
 9 aid stabilization fund to the state school aid fund the amount  
 10 necessary to fully fund the allocations under this article.

11 Sec. 11d. (1) For 2019-2020, the department shall deduct an  
 12 amount equal to \$175.00 per membership pupil from each district's  
 13 total state school aid. A district may choose to apply this  
 14 reduction to funding the district receives under any provision of  
 15 this act, other than sections 11j, 22a, 26a, 26b, 26c, 31d, 31f,  
 16 51a(2), 51a(11), 51c, 53a, 147c, 147e(2)(a), and 152a, even if the  
 17 reduction chosen by the district results in a program being reduced  
 18 or discontinued.

19 (2) If the department, after applying the deduction calculated  
 20 in subsection (1), determines that this state has overpaid the  
 21 amount of total state school aid to a district, the department  
 22 shall establish as a receivable the amount of overpayment and shall  
 23 recoup the amount from the district in subsequent monthly  
 24 apportionments of total state school aid. The full amount of  
 25 overpayment must be recouped within 1 fiscal year.

26 (3) If a district has pledged remaining total state school aid  
 27 for 2019-2020 for the fulfillment of requirements related to the  
 28 repayment of state aid anticipation notes or the equivalent loan  
 29 instrument not offered by this state, and if the district presents



1 evidence satisfactory to the department that the deduction  
 2 calculated in subsection (1) would cause hardship for the district  
 3 in fulfilling its pledged loan repayment requirements, the  
 4 department shall establish as a receivable in the current fiscal  
 5 year the amount of the deduction calculated in subsection (1) and  
 6 shall recoup the amount from the district in subsequent monthly  
 7 apportionments of total state school aid. The full amount of the  
 8 deduction calculated in subsection (1) must be recouped within 1  
 9 fiscal year.

10       **(4) From the state school aid fund money appropriated under**  
 11 **section 11, there is allocated for 2020-2021 an amount not to**  
 12 **exceed \$95,000,000.00 to provide payments to districts as provided**  
 13 **under this subsection. The amount of a payment under this**  
 14 **subsection to each district must be equal to the district's 50/50**  
 15 **blended membership multiplied by the quotient of \$95,000,000.00**  
 16 **divided by the statewide sum of each district's 50/50 blended**  
 17 **membership. As used in this subsection, "50/50 blended membership"**  
 18 **means the sum of the product of .5 times the district's 2019-2020**  
 19 **membership as calculated under section 6(4) in 2019-2020 and the**  
 20 **product of .5 times [the sum of (the product of .90 times the**  
 21 **number of full-time equated pupils engaged in pandemic learning for**  
 22 **fall 2020 or, for a district that is a public school academy that**  
 23 **operates as a cyber school, as that term is defined in section 551**  
 24 **of the revised school code, MCL 380.551, the number of full-time**  
 25 **equated pupils in grades K to 12 actually enrolled and in regular**  
 26 **daily attendance in the district on pupil membership count day for**  
 27 **the current school year) and (the product of .10 times the final**  
 28 **audited count from the supplemental count day of full-time equated**  
 29 **pupils in grades K to 12 actually enrolled and in regular daily**





1 attendance in the district for the immediately preceding school  
2 year)].

3 (5) ~~(4)~~—As used in this section, "total state school aid"  
4 means the total combined amount of all state funds allocated to a  
5 district under this act, except for funds allocated to a district  
6 under sections 11j, 22a, 26a, 26b, 26c, 31d, 31f, 51a(2), 51a(11),  
7 51c, 53a, 147c, 147e(2)(a), and 152a.

8 Sec. 11j. From the appropriation in section 11, there is  
9 allocated an amount not to exceed \$111,000,000.00 for ~~2019-2020~~  
10 **2020-2021** for payments to the school loan bond redemption fund in  
11 the department of treasury on behalf of districts and intermediate  
12 districts. Notwithstanding section 296 or any other provision of  
13 this act, funds allocated under this section are not subject to  
14 proration and must be paid in full.

15 Sec. 11k. For ~~2019-2020~~, **2020-2021**, there is appropriated from  
16 the general fund to the school loan revolving fund an amount equal  
17 to the amount of school bond loans assigned to the Michigan finance  
18 authority, not to exceed the total amount of school bond loans held  
19 in reserve as long-term assets. As used in this section, "school  
20 loan revolving fund" means that fund created in section 16c of the  
21 shared credit rating act, 1985 PA 227, MCL 141.1066c.

22 Sec. 11m. From the appropriation in section 11, there is  
23 allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed  
24 ~~\$7,000,000.00~~ **\$11,400,000.00** for fiscal year cash-flow borrowing  
25 costs solely related to the state school aid fund established ~~by~~  
26 **under** section 11 of article IX of the state constitution of 1963.

27 Sec. 11p. (1) From the federal funds appropriated under  
28 section 11, for 2019-2020 only, there is allocated an amount not to  
29 exceed \$512,000,000.00 from the federal funding awarded to this



1 state from the coronavirus relief fund under the coronavirus aid,  
2 relief, and economic security act, Public Law 116-136.

3 (2) From the funds allocated under this section, the  
4 department shall pay to each district an amount equal to \$350.00  
5 for each pupil in membership for 2019-2020 only.

6 (3) A district receiving funds under this section must comply  
7 with all requirements corresponding to the receipt of funds under  
8 the coronavirus aid, relief, and economic security act, Public Law  
9 116-136, and 2 CFR part 200, as applicable, including, but not  
10 limited to, any certifications, assurances, and accountability and  
11 transparency provisions. The department may require any  
12 documentation necessary to ensure compliance with federal  
13 requirements.

14 **(4) A district receiving funds under this section must, to the**  
15 **greatest extent practicable, continue to pay its employees and**  
16 **contractors during the period of any disruptions or closures**  
17 **related to coronavirus.**

18 (5) ~~(4)~~—Any funds received under this act and expended by a  
19 district in any manner that does not adhere to the coronavirus aid,  
20 relief, and economic security act, Public Law 116-136, or 2 CFR  
21 part 200, as applicable, must be returned to this state. If it is  
22 determined that a district receiving funds under this act ~~expends~~  
23 **expended** any funds received under this act for a purpose that is  
24 not consistent with the requirements of the coronavirus aid,  
25 relief, and economic security act, Public Law 116-136, or 2 CFR  
26 part 200, as applicable, the state budget director is authorized to  
27 withhold payment of state funds, in part or in whole, payable to  
28 that district from any state appropriation under this act.

29 (6) ~~(5)~~—The allocation in this section from the federal



1 funding awarded to this state from the coronavirus relief fund  
 2 under the coronavirus aid, relief, and economic security act,  
 3 Public Law 116-136, reduces to \$0.00 the coronavirus relief fund  
 4 appropriations authorized in the same amount and for the same  
 5 purpose under section 302 of 2020 PA 67.

6 Sec. 11s. (1) From the state school aid fund money  
 7 appropriated in section 11, there is allocated ~~\$8,075,000.00~~  
 8 **\$5,000,000.00** for ~~2019-2020-2020-2021~~ **and from the general fund**  
 9 **money appropriated in section 11, there is allocated \$3,075,000.00**  
 10 **for 2020-2021** for the purpose of providing services and programs to  
 11 children who reside within the boundaries of a district with the  
 12 majority of its territory located within the boundaries of a city  
 13 for which an executive proclamation of emergency **concerning**  
 14 **drinking water** is issued in the current or immediately preceding ~~3~~  
 15 **5** fiscal years under the emergency management act, 1976 PA 390, MCL  
 16 30.401 to 30.421. From the funding appropriated in section 11,  
 17 there is allocated for ~~2019-2020-2020-2021~~ \$100.00 from the water  
 18 emergency reserve fund for the purposes of this section.

19 (2) From the ~~allocation-general fund money allocated~~ in  
 20 subsection (1), there is allocated to a district with the majority  
 21 of its territory located within the boundaries of a city in which  
 22 an executive proclamation of emergency is issued in the current or  
 23 immediately preceding ~~4-5~~ fiscal years and that has at least 4,500  
 24 pupils in membership for the 2016-2017 fiscal year or has at least  
 25 ~~4,000-3,000~~ pupils in membership for a fiscal year after 2016-2017,  
 26 an amount not to exceed \$2,425,000.00 for ~~2019-2020-2020-2021~~ for  
 27 the purpose of employing school nurses, classroom aides, and school  
 28 social workers. The district shall provide a report to the  
 29 department in a form, manner, and frequency prescribed by the



1 department. The department shall provide a copy of that report to  
 2 the governor, the house and senate school aid subcommittees, the  
 3 house and senate fiscal agencies, and the state budget director  
 4 within 5 days after receipt. The report must provide at least the  
 5 following information:

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

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

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

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

15 (3) For ~~2019-2020 only,~~ **2020-2021 only**, from the allocation  
 16 **state school aid fund money allocated** in subsection (1), there is  
 17 allocated an amount not to exceed ~~\$4,000,000.00~~ **\$2,400,000.00** to an  
 18 intermediate district that has a constituent district described in  
 19 subsection (2) to provide state early intervention services for  
 20 children described in subsection (1) who are between age 3 and age  
 21 5. The intermediate district shall use these funds to provide state  
 22 early intervention services that are similar to the services  
 23 described in the early on Michigan state plan, including ensuring  
 24 that all children described in subsection (1) who are less than 4  
 25 years of age as of September 1, 2016 are assessed and evaluated at  
 26 least twice annually.

27 (4) From the ~~allocation~~ **state school aid fund money allocated**  
 28 in subsection (1), there is allocated an amount not to exceed  
 29 \$1,000,000.00 for ~~2019-2020~~ **2020-2021** to the intermediate district



1 described in subsection (3) to enroll children described in  
 2 subsection (1) in school-day great start readiness programs,  
 3 regardless of household income eligibility requirements contained  
 4 in section 32d. The department shall administer this funding  
 5 consistent with all other provisions that apply to great start  
 6 readiness programs under sections 32d and 39.

7 (5) For ~~2019-2020~~, **2020-2021**, from the ~~allocation~~-**general fund**  
 8 **money allocated** in subsection (1), there is allocated an amount not  
 9 to exceed \$650,000.00 for nutritional services to children  
 10 described in subsection (1).

11 (6) For **2020-2021**, from the **state school aid fund money**  
 12 **allocated in subsection (1)**, there is allocated an amount not to  
 13 **exceed \$1,600,000.00 to the intermediate district described in**  
 14 **subsection (3) for interventions and supports for students in K to**  
 15 **12 who were impacted by an executive proclamation of emergency**  
 16 **described in subsection (1) concerning drinking water. Funds under**  
 17 **this subsection must be used for behavioral supports, social**  
 18 **workers, counselors, psychologists, nursing services, including,**  
 19 **but not limited to, vision and hearing services, transportation**  
 20 **services, parental engagement, community coordination, and other**  
 21 **support services.**

22 (7) ~~(6)~~-In addition to other funding allocated and  
 23 appropriated in this section, there is appropriated an amount not  
 24 to exceed \$5,000,000.00 for ~~2019-2020~~ **2020-2021** for state  
 25 restricted contingency funds. These contingency funds are not  
 26 available for expenditure until they have been transferred to a  
 27 section within this article under section 393(2) of the management  
 28 and budget act, 1984 PA 431, MCL 18.1393.

29 (8) ~~(7)~~-Notwithstanding section 17b, the department shall make



1 payments under this section on a schedule determined by the  
2 department.

3       Sec. 15. (1) If a district or intermediate district fails to  
4 receive its proper apportionment, the department, upon satisfactory  
5 proof that the district or intermediate district was entitled  
6 justly, shall apportion the deficiency in the next apportionment.  
7 Subject to subsections (2) and (3), if a district or intermediate  
8 district has received more than its proper apportionment, the  
9 department, upon satisfactory proof, shall deduct the excess in the  
10 next apportionment. Notwithstanding any other provision in this  
11 article, state aid overpayments to a district, other than  
12 overpayments in payments for special education or special education  
13 transportation, may be recovered from any payment made under this  
14 article other than a special education or special education  
15 transportation payment, from the proceeds of a loan to the district  
16 under the emergency municipal loan act, 1980 PA 243, MCL 141.931 to  
17 141.942, or from the proceeds of millage levied or pledged under  
18 section 1211 of the revised school code, MCL 380.1211. State aid  
19 overpayments made in special education or special education  
20 transportation payments may be recovered from subsequent special  
21 education or special education transportation payments, from the  
22 proceeds of a loan to the district under the emergency municipal  
23 loan act, 1980 PA 243, MCL 141.931 to 141.942, or from the proceeds  
24 of millage levied or pledged under section 1211 of the revised  
25 school code, MCL 380.1211.

26       (2) If the result of an audit conducted by or for the  
27 department affects the current fiscal year membership, the  
28 department shall adjust affected payments in the current fiscal  
29 year. A deduction due to an adjustment made as a result of an audit



1 conducted by or for the department, or as a result of information  
 2 obtained by the department from the district, an intermediate  
 3 district, the department of treasury, or the office of auditor  
 4 general, must be deducted from the district's apportionments when  
 5 the adjustment is finalized. At the request of the district and  
 6 upon the district presenting evidence satisfactory to the  
 7 department of the hardship, the department may grant up to an  
 8 additional 4 years for the adjustment and may advance payments to  
 9 the district otherwise authorized under this article if the  
 10 district would otherwise experience a significant hardship in  
 11 satisfying its financial obligations. However, a district that ~~has~~  
 12 presented satisfactory evidence of hardship and ~~is~~**was** undergoing  
 13 an extended adjustment during 2018-2019 may continue to use the  
 14 period of extended adjustment as originally granted by the  
 15 department.

16 (3) If, based on an audit by the department or the  
 17 department's designee or because of new or updated information  
 18 received by the department, the department determines that the  
 19 amount paid to a district or intermediate district under this  
 20 article for the current fiscal year or a prior fiscal year was  
 21 incorrect, the department shall make the appropriate deduction or  
 22 payment in the district's or intermediate district's allocation in  
 23 the next apportionment after the adjustment is finalized. The  
 24 department shall calculate the deduction or payment according to  
 25 the law in effect in the fiscal year in which the incorrect amount  
 26 was paid. If the district does not receive an allocation for the  
 27 fiscal year or if the allocation is not sufficient to pay the  
 28 amount of any deduction, the amount of any deduction otherwise  
 29 applicable must be satisfied from the proceeds of a loan to the



1 district under the emergency municipal loan act, 1980 PA 243, MCL  
 2 141.931 to 141.942, or from the proceeds of millage levied or  
 3 pledged under section 1211 of the revised school code, MCL  
 4 380.1211, as determined by the department.

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

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

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

20 (7) In addition to funds appropriated in section 11 for all  
 21 programs and services, there is appropriated for ~~2019-2020-2020-~~  
 22 **2021** for obligations in excess of applicable appropriations an  
 23 amount equal to the collection of overpayments, but not to exceed  
 24 amounts available from overpayments.

25 Sec. 17c. (1) Except as otherwise provided under this article,  
 26 the department shall do both of the following for funds  
 27 appropriated under this article for grants distributed by the  
 28 department to districts, intermediate districts, and eligible  
 29 entities:





1       ~~(a) Not later than September 1 of each fiscal year, open the~~  
 2 ~~grant application for funds appropriated for the subsequent fiscal~~  
 3 ~~year. Open the grant application for funds appropriated for the~~  
 4 **immediately succeeding fiscal year by not later than September 1 of**  
 5 **the current fiscal year or 30 calendar days after the state school**  
 6 **aid budget for the immediately succeeding fiscal year is enacted**  
 7 **into law, whichever occurs later.** The department shall also provide  
 8 to districts, intermediate districts, and eligible entities, and  
 9 post on its publicly accessible website, the grant application and  
 10 award process schedule and the list of state grants and contracts  
 11 available in the ~~subsequent~~ **immediately succeeding** fiscal year.

12       ~~(b) Not later than December 1 of each fiscal year, publish~~  
 13 ~~grant awards for funds appropriated in that fiscal year. Publish~~  
 14 **grant awards for funds appropriated in the current fiscal year by**  
 15 **not later than December 1 of the current fiscal year.**

16       ~~(2) Information for grants awarded from funds appropriated~~  
 17 ~~under this article must be placed on the state board agenda in~~  
 18 ~~August of the preceding fiscal year. However, this subsection does~~  
 19 ~~not apply to grants awarded, directly or indirectly, from federal~~  
 20 ~~funds or federal grants. Information for grants awarded from funds~~  
 21 **appropriated under this article for the immediately succeeding**  
 22 **fiscal year must be placed on the state board agenda in August of**  
 23 **the current fiscal year or in the month immediately following the**  
 24 **month in which the state school aid budget for the immediately**  
 25 **succeeding fiscal year is enacted into law, whichever occurs later.**

26       Sec. 18. (1) Except as provided in another section of this  
 27 article, each district or other entity shall apply the money  
 28 received by the district or entity under this article to salaries  
 29 and other compensation of teachers and other employees, tuition,



1 transportation, lighting, heating, ventilation, water service, the  
 2 purchase of textbooks, other supplies, and any other school  
 3 operating expenditures defined in section 7. However, not more than  
 4 20% of the total amount received by a district under sections 22a  
 5 and 22b or received by an intermediate district under section 81  
 6 may be transferred by the board to either the capital projects fund  
 7 or to the debt retirement fund for debt service. A district or  
 8 other entity shall not apply or take the money for a purpose other  
 9 than as provided in this section. The department shall determine  
 10 the reasonableness of expenditures and may withhold from a  
 11 recipient of funds under this article the apportionment otherwise  
 12 due upon a violation by the recipient. **A district must not be**  
 13 **prohibited or limited from using funds appropriated or allocated**  
 14 **under this article that are permitted for use for noninstructional**  
 15 **services to contract or subcontract with an intermediate district,**  
 16 **third party, or vendor for the noninstructional services.**

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

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

29 (b) Using data that have already been collected and submitted



1 to the department, a summary of district expenditures for the most  
 2 recent fiscal year for which they are available, expressed in the  
 3 following 2 visual displays:

4 (i) A chart of personnel expenditures, broken into the  
 5 following subcategories:

6 (A) Salaries and wages.

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

10 (C) Retirement benefit costs.

11 (D) All other personnel costs.

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

14 (A) Instruction.

15 (B) Support services.

16 (C) Business and administration.

17 (D) Operations and maintenance.

18 (c) Links to all of the following:

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

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

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

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

29 (v) The district's written policy governing procurement of



1 supplies, materials, and equipment.

2 (vi) The district's written policy establishing specific  
3 categories of reimbursable expenses, as described in section  
4 1254(2) of the revised school code, MCL 380.1254.

5 (vii) Either the district's accounts payable check register for  
6 the most recent school fiscal year or a statement of the total  
7 amount of expenses incurred by board members or employees of the  
8 district that were reimbursed by the district for the most recent  
9 school fiscal year.

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

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

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

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

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

26 (i) Costs incurred for each instance of out-of-state travel by  
27 the school administrator of the district that is fully or partially  
28 paid for by the district and the details of each of those instances  
29 of out-of-state travel, including at least identification of each



1 individual on the trip, destination, and purpose.

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

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

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

24 (b) If a district operates in a single building with fewer  
25 than 700 full-time equated pupils, if the district has stable  
26 membership, and if the error rate of the immediately preceding 2  
27 pupil accounting field audits of the district is less than 2%, the  
28 district may have a pupil accounting field audit conducted  
29 biennially but must continue to have desk audits for each pupil



1 count. The auditor must document compliance with the audit cycle in  
2 the pupil auditing manual. As used in this subdivision, "stable  
3 membership" means that the district's membership for the current  
4 fiscal year varies from the district's membership for the  
5 immediately preceding fiscal year by less than 5%.

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

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

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

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

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

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

24 (f) The annual financial audit reports and pupil accounting  
25 procedures reports must be available to the public in compliance  
26 with the freedom of information act, 1976 PA 442, MCL 15.231 to  
27 15.246.

28 (g) Not later than January 31 of each year, the department  
29 shall notify the state budget director and the legislative



1 appropriations subcommittees responsible for review of the school  
 2 aid budget of districts and intermediate districts that have not  
 3 filed an annual financial audit and pupil accounting procedures  
 4 report required under this section for the school year ending in  
 5 the immediately preceding fiscal year.

6 (5) By **the first business day in** November ~~1~~<sup>4</sup> of each fiscal  
 7 year, **but, for submission of the 2019-2020 annual comprehensive**  
 8 **financial data described in this subsection, by the first business**  
 9 **day in December,** each district and intermediate district shall  
 10 submit to the center, in a manner prescribed by the center, annual  
 11 comprehensive financial data consistent with the district's or  
 12 intermediate district's audited financial statements and consistent  
 13 with accounting manuals and charts of accounts approved and  
 14 published by the department. For an intermediate district, the  
 15 report must also contain the website address where the department  
 16 can access the report required under section 620 of the revised  
 17 school code, MCL 380.620. The department shall ensure that the  
 18 prescribed Michigan public school accounting manual chart of  
 19 accounts includes standard conventions to distinguish expenditures  
 20 by allowable fund function and object. The functions must include  
 21 at minimum categories for instruction, pupil support, instructional  
 22 staff support, general administration, school administration,  
 23 business administration, transportation, facilities operation and  
 24 maintenance, facilities acquisition, and debt service; and must  
 25 include object classifications of salary, benefits, including  
 26 categories for active employee health expenditures, purchased  
 27 services, supplies, capital outlay, and other. A district shall  
 28 report the required level of detail consistent with the manual as  
 29 part of the comprehensive annual financial report.



1 (6) By **the last business day** in September ~~30~~ of each year,  
 2 each district and intermediate district shall file with the center  
 3 the special education actual cost report, known as "SE-4096", on a  
 4 form and in the manner prescribed by the center. An intermediate  
 5 district shall certify the audit of a district's report.

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

12 (8) The department shall review its pupil accounting and pupil  
 13 auditing manuals at least annually and shall periodically update  
 14 those manuals to reflect changes in this article.

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

19 (10) If a district or intermediate district does not comply  
 20 with subsections (4), (5), (6), (7), and (12), or if the department  
 21 determines that the financial data required under subsection (5)  
 22 are not consistent with audited financial statements, the  
 23 department shall withhold all state school aid due to the district  
 24 or intermediate district under this article, beginning with the  
 25 next payment due to the district or intermediate district, until  
 26 the district or intermediate district complies with subsections  
 27 (4), (5), (6), (7), and (12). If the district or intermediate  
 28 district does not comply with subsections (4), (5), (6), (7), and  
 29 (12) by the end of the fiscal year, the district or intermediate





1 district forfeits the amount withheld.

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

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

24 (13) By March 31 of each year, the department shall submit to  
25 the house and senate appropriations subcommittees on state school  
26 aid, the state budget director, and the house and senate fiscal  
27 agencies a report summarizing the per-pupil costs by vendor type of  
28 virtual courses available under section 21f and virtual courses  
29 provided by a school of excellence that is a cyber school, as



1 defined in section 551 of the revised school code, MCL 380.551.

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

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

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

9 (c) Virtual courses provided by third party vendors not  
10 affiliated with a Michigan public school.

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

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

16 (16) **Beginning October 1, 2020, and annually thereafter, the**  
17 **department shall submit to the senate and house subcommittees on**  
18 **state school aid and to the senate and house standing committees on**  
19 **education an itemized list of allocations under this article to any**  
20 **association or consortium consisting of associations in the**  
21 **immediately preceding fiscal year. The report must detail the**  
22 **recipient or recipients, the amount allocated, and the purpose for**  
23 **which the funds were distributed.**

24 Sec. 18a. ~~Grant~~ **Except as otherwise provided in this article,**  
25 **grant** funds awarded and allotted to a district, intermediate  
26 district, or other entity, unless otherwise specified in this  
27 article, ~~shall~~ **must** be expended by the grant recipient before the  
28 end of the fiscal year immediately following the fiscal year in  
29 which the funds are received. ~~If~~ **Except as otherwise provided in**



1 **this article, if** a grant recipient does not expend the funds  
 2 received under this article before the end of the fiscal year in  
 3 which the funds are received, the grant recipient shall submit a  
 4 report to the department not later than November 1 after the fiscal  
 5 year in which the funds are received indicating whether it expects  
 6 to expend those funds during the fiscal year in which the report is  
 7 submitted. ~~A-Except as otherwise provided in this article, a~~  
 8 recipient of a grant shall return any unexpended grant funds to the  
 9 department in the manner prescribed by the department not later  
 10 than September 30 after the fiscal year in which the funds are  
 11 received.

12 Sec. 20. (1) For ~~2019-2020,~~ **2020-2021**, both of the following  
 13 apply:

14 (a) The target foundation allowance ~~, formerly known as the~~  
 15 ~~basic foundation allowance,~~ is \$8,529.00.

16 (b) The minimum foundation allowance is \$8,111.00.

17 (2) The department shall calculate the amount of each  
 18 district's foundation allowance as provided in this section, using  
 19 a target foundation allowance in the amount specified in subsection  
 20 (1). ~~For the purpose of these calculations, a reference to the~~  
 21 ~~target foundation allowance for a preceding fiscal year is~~  
 22 ~~equivalent to a reference to the "basic" foundation allowance for~~  
 23 ~~that fiscal year.~~

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

29 (a) Except as otherwise provided in this subdivision, for a



1 district that had a foundation allowance for the immediately  
 2 preceding fiscal year that was at least equal to the minimum  
 3 foundation allowance for the immediately preceding fiscal year, but  
 4 less than the target foundation allowance for the immediately  
 5 preceding fiscal year, the district receives a foundation allowance  
 6 in an amount equal to the sum of the district's foundation  
 7 allowance for the immediately preceding fiscal year plus the  
 8 difference between twice the dollar amount of the adjustment from  
 9 the immediately preceding fiscal year to the current fiscal year  
 10 made in the target foundation allowance and [(the difference  
 11 between the target foundation allowance for the current fiscal year  
 12 and target foundation allowance for the immediately preceding  
 13 fiscal year minus \$40.00) times (the difference between the  
 14 district's foundation allowance for the immediately preceding  
 15 fiscal year and the minimum foundation allowance for the  
 16 immediately preceding fiscal year) divided by the difference  
 17 between the target foundation allowance for the current fiscal year  
 18 and the minimum foundation allowance for the immediately preceding  
 19 fiscal year.] However, the foundation allowance for a district that  
 20 had less than the target foundation allowance for the immediately  
 21 preceding fiscal year must not exceed the target foundation  
 22 allowance for the current fiscal year.

23 (b) Except as otherwise provided in this subsection, for a  
 24 district that in the immediately preceding fiscal year had a  
 25 foundation allowance in an amount equal to the amount of the target  
 26 foundation allowance for the immediately preceding fiscal year, the  
 27 district receives a foundation allowance for ~~2019-2020-2020-2021~~ in  
 28 an amount equal to the target foundation allowance for ~~2019-~~  
 29 ~~2020-2020-2021~~.



1 (c) For a district that had a foundation allowance for the  
2 immediately preceding fiscal year that was greater than the target  
3 foundation allowance for the immediately preceding fiscal year, the  
4 district's foundation allowance is an amount equal to the sum of  
5 the district's foundation allowance for the immediately preceding  
6 fiscal year plus the lesser of the increase in the target  
7 foundation allowance for the current fiscal year, as compared to  
8 the immediately preceding fiscal year, or the product of the  
9 district's foundation allowance for the immediately preceding  
10 fiscal year times the percentage increase in the United States  
11 Consumer Price Index in the calendar year ending in the immediately  
12 preceding fiscal year as reported by the May revenue estimating  
13 conference conducted under section 367b of the management and  
14 budget act, 1984 PA 431, MCL 18.1367b.

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

18 (4) Except as otherwise provided in this subsection, beginning  
19 in 2014-2015, the state portion of a district's foundation  
20 allowance is an amount equal to the district's foundation allowance  
21 or the target foundation allowance for the current fiscal year,  
22 whichever is less, minus the local portion of the district's  
23 foundation allowance. For a district described in subsection  
24 (3)(c), beginning in 2014-2015, the state portion of the district's  
25 foundation allowance is an amount equal to \$6,962.00 plus the  
26 difference between the district's foundation allowance for the  
27 current fiscal year and the district's foundation allowance for  
28 1998-99, minus the local portion of the district's foundation  
29 allowance. For a district that has a millage reduction required



1 under section 31 of article IX of the state constitution of 1963,  
2 the department shall calculate the state portion of the district's  
3 foundation allowance as if that reduction did not occur. For a  
4 receiving district, if school operating taxes continue to be levied  
5 on behalf of a dissolved district that has been attached in whole  
6 or in part to the receiving district to satisfy debt obligations of  
7 the dissolved district under section 12 of the revised school code,  
8 MCL 380.12, the taxable value per membership pupil of property in  
9 the receiving district used for the purposes of this subsection  
10 does not include the taxable value of property within the  
11 geographic area of the dissolved district. For a community  
12 district, if school operating taxes continue to be levied by a  
13 qualifying school district under section 12b of the revised school  
14 code, MCL 380.12b, with the same geographic area as the community  
15 district, the taxable value per membership pupil of property in the  
16 community district to be used for the purposes of this subsection  
17 does not include the taxable value of property within the  
18 geographic area of the community district.

19 (5) The allocation calculated under this section for a pupil  
20 is based on the foundation allowance of the pupil's district of  
21 residence. For a pupil enrolled pursuant to section 105 or 105c in  
22 a district other than the pupil's district of residence, the  
23 allocation calculated under this section is based on the lesser of  
24 the foundation allowance of the pupil's district of residence or  
25 the foundation allowance of the educating district. For a pupil in  
26 membership in a K-5, K-6, or K-8 district who is enrolled in  
27 another district in a grade not offered by the pupil's district of  
28 residence, the allocation calculated under this section is based on  
29 the foundation allowance of the educating district if the educating



1 district's foundation allowance is greater than the foundation  
2 allowance of the pupil's district of residence.

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

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

26 (8) Subject to subsection (4), for a district that is formed  
27 or reconfigured after June 1, 2002 by consolidation of 2 or more  
28 districts or by annexation, the resulting district's foundation  
29 allowance under this section beginning after the effective date of



1 the consolidation or annexation is the lesser of the sum of the  
2 average of the foundation allowances of each of the original or  
3 affected districts, calculated as provided in this section,  
4 weighted as to the percentage of pupils in total membership in the  
5 resulting district who reside in the geographic area of each of the  
6 original or affected districts plus \$100.00 or the highest  
7 foundation allowance among the original or affected districts. This  
8 subsection does not apply to a receiving district unless there is a  
9 subsequent consolidation or annexation that affects the district.

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

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

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

23 (a) The pupil membership factor is computed by dividing the  
24 estimated membership in the school year ending in the current  
25 fiscal year, excluding intermediate district membership, by the  
26 estimated membership for the school year ending in the subsequent  
27 fiscal year, excluding intermediate district membership. If a  
28 consensus membership factor is not determined at the revenue  
29 estimating conference, the principals of the revenue estimating





1 conference shall report their estimates to the house and senate  
2 subcommittees responsible for school aid appropriations not later  
3 than 7 days after the conclusion of the revenue conference.

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

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

29 (12) Payments to districts and public school academies are not



1 made under this section. Rather, the calculations under this  
 2 section are used to determine the amount of state payments under  
 3 section 22b.

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

9 ~~(14) For the purposes of section 1211 of the revised school~~  
 10 ~~code, MCL 380.1211, the basic foundation allowance under this~~  
 11 ~~section is considered to be the target foundation allowance under~~  
 12 ~~this section.~~

13 (14) ~~(15)~~ As used in this section:

14 (a) "Certified mills" means the lesser of 18 mills or the  
 15 number of mills of school operating taxes levied by the district in  
 16 1993-94.

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

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

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

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



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

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

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

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

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

29 (k) "Nonexempt property" means property that is not a



1 principal residence, qualified agricultural property, qualified  
 2 forest property, supportive housing property, industrial personal  
 3 property, commercial personal property, or property occupied by a  
 4 public school academy.

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

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

13 (n) "School operating purposes" means the purposes included in  
 14 the operation costs of the district as prescribed in sections 7 and  
 15 18 and purposes authorized under section 1211 of the revised school  
 16 code, MCL 380.1211.

17 (o) "School operating taxes" means local ad valorem property  
 18 taxes levied under section 1211 of the revised school code, MCL  
 19 380.1211, and retained for school operating purposes.

20 ~~(p) "Target foundation allowance for the immediately preceding~~  
 21 ~~fiscal year" means, for 2019-2020 only, the basic foundation~~  
 22 ~~allowance in effect for the 2018-2019 fiscal year.~~

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

28 (q) ~~(r)~~ "Taxable value per membership pupil" means taxable  
 29 value, as certified by the county treasurer and reported to the



1 department, for the calendar year ending in the current state  
2 fiscal year divided by the district's membership excluding special  
3 education pupils for the school year ending in the current state  
4 fiscal year.

5 Sec. 20d. In making the final determination required under  
6 former section 20a of a district's combined state and local revenue  
7 per membership pupil in 1993-94 and in making calculations under  
8 section 20 for ~~2019-2020~~, **2020-2021**, the department and the  
9 department of treasury shall comply with all of the following:

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

25 (b) If a district had an adjustment made to its 1993-94 total  
26 state school aid that excluded payments made under former section  
27 146 and under section 147 on behalf of the district's employees who  
28 provided direct services for intermediate district center programs  
29 operated by the district under sections 51 to 56, if nonresident



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

13 Sec. 20f. (1) From the funds appropriated in section 11, there  
14 is allocated an amount not to exceed \$18,000,000.00 for ~~2019-2020~~  
15 **2020-2021** for payments to eligible districts under this section.

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

21 (a) The increase in the district's foundation allowance or  
22 per-pupil payment as calculated under section 20 from 2012-2013 to  
23 2013-2014.

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

26 (c) The quotient of the district's allocation under section  
27 147a for 2012-2013 divided by the district's membership pupils for  
28 2012-2013 minus the quotient of the district's allocation under  
29 section 147a for 2013-2014 divided by the district's membership



1 pupils for 2013-2014.

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

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

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

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

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

16 (d) The quotient of the district's allocation under section  
17 31a for 2015-2016 divided by the district's membership pupils for  
18 2015-2016 minus the quotient of the district's allocation under  
19 section 31a for 2014-2015 divided by the district's membership  
20 pupils for 2014-2015.

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

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

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

29 (c) The decrease in the district's pupil performance per-pupil



1 funding under former section 22j from 2014-2015 to 2015-2016.

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

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

11 Sec. 21h. (1) From the appropriation in section 11, there is  
12 allocated ~~\$6,000,000.00~~ **\$6,137,400.00** for ~~2019-2020~~ **2020-2021** for  
13 assisting districts assigned by the superintendent to participate  
14 in a partnership **and districts that have established a community**  
15 **engagement advisory committee in partnership with the department of**  
16 **treasury, are required to submit a deficit elimination plan or an**  
17 **enhanced deficit elimination plan under section 1220 of the revised**  
18 **school code, MCL 380.1220, and are located in a city with a**  
19 **population between 9,000 and 11,000 that is in a county with a**  
20 **population between 155,000 and 160,000 to improve student**  
21 **achievement and district financial stability. The superintendent**  
22 **shall collaborate with the state treasurer to identify any**  
23 **conditions that may be contributing to low academic performance**  
24 **within a district being considered for assignment to a partnership.**  
25 The purpose of the partnership is to identify district needs,  
26 develop intervention plans, and partner with public, private, and  
27 nonprofit organizations to coordinate resources and improve student  
28 achievement. Assignment of a district to a partnership is ~~at the~~  
29 ~~sole discretion of~~ **made by** the superintendent **in consultation with**





1 **the state treasurer.**

2 (2) A district ~~assigned to a partnership by the superintendent~~  
 3 **described in subsection (1)** is eligible for funding under this  
 4 section if the district includes at least 1 school that has been  
 5 ~~rated with a grade of "F", or comparable performance rating, in the~~  
 6 ~~most recent state accountability system rating and that does~~  
 7 **identified as low performing under the approved federal**  
 8 **accountability system or the state accountability system. A**  
 9 **district described in this subsection must do** all of the following  
 10 **to be eligible for funding under this section:**

11 (a) ~~Completes~~ **For a partnership district under this section,**  
 12 **within 90 days of assignment to the partnership described in this**  
 13 **section, and for a district described in subsection (1) that is not**  
 14 **a partnership district under this section, by October 15 of each**  
 15 **year, complete** a comprehensive needs **assessment or** evaluation in  
 16 collaboration with an intermediate ~~school~~-district, community  
 17 members, education organizations, and postsecondary institutions,  
 18 as applicable, ~~and that is~~ approved by the superintendent. ~~, within~~  
 19 ~~90 days of assignment to the partnership described in this section.~~  
 20 The comprehensive needs **assessment or** evaluation must include at  
 21 least all of the following:

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

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

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



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

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

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

12           (c) ~~Crafts~~ **Craft** academic goals that put pupils on track to  
 13 meet or exceed grade level proficiency.

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



1 **fiscal year.**

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

14 (5) **From the funds allocated under subsection (1), there is**  
 15 **allocated for 2020-2021 an amount not to exceed \$137,400.00 for the**  
 16 **purchase of a data analytics tool to be used by districts described**  
 17 **in subsection (1). The superintendent of public instruction shall**  
 18 **require districts described in subsection (1) to purchase a data**  
 19 **analytics tool funded under this subsection as part of the**  
 20 **agreements described in this section.**

21 (6) ~~(5)~~The department, **in consultation with the department of**  
 22 **treasury**, shall annually report ~~in person~~ to the legislature on the  
 23 activities funded under this section and how those activities  
 24 impacted student achievement in ~~eligible~~ districts that received  
 25 funds under this section. To the extent possible, participating  
 26 districts receiving funding under this section shall participate in  
 27 the report.

28 Sec. 22a. (1) From the appropriation in section 11, there is  
 29 allocated an amount not to exceed \$4,916,000,000.00 for 2019-2020



1 **and there is allocated an amount not to exceed \$4,880,500,000.00**  
 2 **for 2020-2021** for payments to districts and qualifying public  
 3 school academies to guarantee each district and qualifying public  
 4 school academy an amount equal to its 1994-95 total state and local  
 5 per pupil revenue for school operating purposes under section 11 of  
 6 article IX of the state constitution of 1963. Pursuant to section  
 7 11 of article IX of the state constitution of 1963, this guarantee  
 8 does not apply to a district in a year in which the district levies  
 9 a millage rate for school district operating purposes less than it  
 10 levied in 1994. However, subsection (2) applies to calculating the  
 11 payments under this section. **Funds allocated under this section**  
 12 **that are not expended in the fiscal year for which they were**  
 13 **allocated, as determined by the department, may be used to**  
 14 **supplement the allocations under sections 22b and 51c to fully fund**  
 15 **those allocations for the same fiscal year. For each fund transfer**  
 16 **as described in the immediately preceding sentence that occurs, the**  
 17 **state budget director shall send notification of the transfer to**  
 18 **the house and senate appropriations subcommittees on state school**  
 19 **aid and the house and senate fiscal agencies by not later than 14**  
 20 **calendar days after the transfer occurs.**

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

26 (a) Except as otherwise provided in this subsection, the state  
 27 portion of a district's 1994-95 foundation allowance is an amount  
 28 equal to the district's 1994-95 foundation allowance or \$6,500.00,  
 29 whichever is less, minus the difference between the sum of the



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



1 be due to the community district if not for the operation of  
2 section 386 of the revised school code, MCL 380.386, and the amount  
3 of this reduction is offset by the increase in funding under  
4 section 22b(2).

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

28 (3) Beginning in 2003-2004, for pupils in membership in a  
29 qualifying public school academy, there is allocated under this



1 section to the authorizing body that is the fiscal agent for the  
2 qualifying public school academy for forwarding to the qualifying  
3 public school academy an amount equal to the 1994-95 per pupil  
4 payment to the qualifying public school academy under section 20.

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

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

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

28 (7) As used in this section:

29 (a) "1994-95 foundation allowance" means a district's 1994-95



1 foundation allowance calculated and certified by the department of  
2 treasury or the superintendent under former section 20a as enacted  
3 in 1993 PA 336 and as amended by 1994 PA 283.

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

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

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

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

24 (f) "Hold harmless millage" means, for a district with a 1994-  
25 95 foundation allowance greater than \$6,500.00, the number of mills  
26 by which the exemption from the levy of school operating taxes on a  
27 principal residence, qualified agricultural property, qualified  
28 forest property, supportive housing property, industrial personal  
29 property, commercial personal property, and property occupied by a





1 public school academy could be reduced as provided in section 1211  
2 of the revised school code, MCL 380.1211, and the number of mills  
3 of school operating taxes that could be levied on all property as  
4 provided in section 1211(2) of the revised school code, MCL  
5 380.1211, as certified by the department of treasury for the 1994  
6 tax year. For a receiving district, if school operating taxes are  
7 to be levied on behalf of a dissolved district that has been  
8 attached in whole or in part to the receiving district to satisfy  
9 debt obligations of the dissolved district under section 12 of the  
10 revised school code, MCL 380.12, school operating taxes do not  
11 include school operating taxes levied within the geographic area of  
12 the dissolved district.

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

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

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

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

29 (k) "Receiving district" means a district to which all or part



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

3 (l) "School operating taxes" means local ad valorem property  
4 taxes levied under section 1211 of the revised school code, MCL  
5 380.1211, and retained for school operating purposes as defined in  
6 section 20.

7 (m) "Tax increment financing acts" means parts 2, 3, 4, and 6  
8 of the recodified tax increment financing act, 2018 PA 57, MCL  
9 125.4201 to 125.4420 and 125.4602 to 125.4629, or the brownfield  
10 redevelopment financing act, 1996 PA 381, MCL 125.2651 to 125.2670.

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

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



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

12           Sec. 22b. (1) For discretionary nonmandated payments to  
 13 districts under this section, there is allocated for 2019-2020 an  
 14 amount not to exceed \$4,499,100,000.00 from the state school aid  
 15 fund and general fund appropriations in section 11 and an amount  
 16 not to exceed \$75,900,000.00 from the community district education  
 17 trust fund appropriation in section 11, **and there is allocated for**  
 18 **2020-2021 an amount not to exceed \$4,488,800,000.00 from the state**  
 19 **school aid fund and general fund appropriations in section 11 and**  
 20 **an amount not to exceed \$77,700,000.00 from the community district**  
 21 **education trust fund appropriation in section 11. Except for money**  
 22 **allocated under this section from the community district education**  
 23 **trust fund appropriation in section 11, funds allocated under this**  
 24 **section that are not expended in the fiscal year for which they**  
 25 **were allocated, as determined by the department, may be used to**  
 26 **supplement the allocations under sections 22a and 51c to fully fund**  
 27 **those allocations for the same fiscal year. For each fund transfer**  
 28 **as described in the immediately preceding sentence that occurs, the**  
 29 **state budget director shall send notification of the transfer to**



1 the house and senate appropriations subcommittees on state school  
2 aid and the house and senate fiscal agencies by not later than 14  
3 calendar days after the transfer occurs.

4 (2) Subject to subsection (3) and section 296, the allocation  
5 to a district under this section is an amount equal to the sum of  
6 the amounts calculated under sections 20, 51a(2), 51a(3), and  
7 51a(11), minus the sum of the allocations to the district under  
8 sections 22a and 51c. For a community district, the allocation as  
9 otherwise calculated under this section is increased by an amount  
10 equal to the amount of local school operating tax revenue that  
11 would otherwise be due to the community district if not for the  
12 operation of section 386 of the revised school code, MCL 380.386,  
13 and this increase must be paid from the community district  
14 education trust fund allocation in subsection (1) in order to  
15 offset the absence of local school operating revenue in a community  
16 district in the funding of the state portion of the foundation  
17 allowance under section 20(4).

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

20 (a) Comply with section 1280b of the revised school code, MCL  
21 380.1280b.

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

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

27 (d) Comply with section 1230g of the revised school code, MCL  
28 380.1230g.

29 (e) Comply with section 21f.



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

3 (g) For a district that offers kindergarten, comply with  
4 section 104(4).

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

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

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

23 (7) It is the intent of the legislature that all  
24 constitutional obligations of this state have been fully funded  
25 under sections 22a, 31d, 51a, 51c, and 152a. If a claim is made by  
26 an entity receiving funds under this article that challenges the  
27 legislative determination of the adequacy of this funding or  
28 alleges that there exists an unfunded constitutional requirement,  
29 the state budget director may escrow or allocate from the



1 discretionary funds for nonmandated payments under this section the  
2 amount as may be necessary to satisfy the claim before making any  
3 payments to districts under subsection (2). If funds are escrowed,  
4 the escrowed funds are a work project appropriation and the funds  
5 are carried forward into the following fiscal year. The purpose of  
6 the work project is to provide for any payments that may be awarded  
7 to districts as a result of litigation. The work project is  
8 completed upon resolution of the litigation.

9 (8) If the local claims review board or a court of competent  
10 jurisdiction makes a final determination that this state is in  
11 violation of section 29 of article IX of the state constitution of  
12 1963 regarding state payments to districts, the state budget  
13 director shall use work project funds under subsection (7) or  
14 allocate from the discretionary funds for nonmandated payments  
15 under this section the amount as may be necessary to satisfy the  
16 amount owed to districts before making any payments to districts  
17 under subsection (2).

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

26 (10) If payments resulting from a final determination by the  
27 local claims review board or a court of competent jurisdiction that  
28 there has been a violation of section 29 of article IX of the state  
29 constitution of 1963 exceed the amount allocated for discretionary



1 nonmandated payments under this section, the legislature shall  
 2 provide for adequate funding for this state's constitutional  
 3 obligations at its next legislative session.

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

22 Sec. 22d. (1) From the state school aid fund money  
 23 appropriated under section 11, an amount not to exceed  
 24 \$7,000,000.00 is allocated for ~~2019-2020~~**2020-2021** for supplemental  
 25 payments to rural districts under this section.

26 (2) From the allocation under subsection (1), there is  
 27 allocated for ~~2019-2020~~**2020-2021** an amount not to exceed  
 28 \$957,300.00 for payments under this subsection to districts that  
 29 meet all of the following:



1 (a) Operates grades K to 12.

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

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

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

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

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

25 (4) Subject to subsection (6), from the allocation in  
26 subsection (1), there is allocated for ~~2019-2020~~**2020-2021** an  
27 amount not to exceed \$6,042,700.00 for payments under this  
28 subsection to districts that have fewer than 10.0 pupils per square  
29 mile as determined by the department.





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

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

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

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

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

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

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

22 Sec. 22m. (1) From the appropriations in section 11, there is  
23 allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed  
24 \$2,200,000.00 for supporting the integration of local data systems  
25 into the Michigan data hub network based on common standards and  
26 applications that are in compliance with section 19(6).

27 (2) An entity that is the fiscal agent for no more than 5  
28 consortia of intermediate districts that previously received  
29 funding from the technology readiness infrastructure grant under



1 former section 22i for the purpose of establishing regional data  
2 hubs that are part of the Michigan data hub network is eligible for  
3 funding under this section.

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

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

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

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

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

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

27 (a) Creating an infrastructure that effectively manages the  
28 movement of data between data systems used by intermediate  
29 districts, districts, and other educational organizations in



1 Michigan based on common data standards to improve student  
2 achievement.

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

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

9 (d) Promoting 100% district adoption of the Michigan data hub  
10 network by September 30, ~~2020~~2021.

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

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

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

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

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



1 subcommittees on state school aid and to the house and senate  
2 fiscal agencies.

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

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

17       (i) **Outcomes** that put pupils on track to meet or exceed grade  
18 level proficiency ~~and must be~~ **and that are** based on district **or**  
19 **public school academy** needs identified as required under section  
20 21h.

21       (ii) **Either of the following, as applicable:**

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

24       (B) **For 2020-2021 only, at least 1 proficiency or growth**  
25 **outcome based on a benchmark assessment described in section 104.**

26       (b) ~~Adopts a partnership agreement that includes~~  
27 ~~accountability~~ **Accountability** measures to be imposed if the  
28 district or public school academy does not achieve the measurable  
29 academic outcomes ~~under~~ **described in** subdivision (a) for ~~a~~ **each**



1 school **operated by the district or public school academy that is**  
 2 subject to a ~~the~~ partnership agreement. ~~Accountability For a~~  
 3 **district assigned as a partnership district as described in this**  
 4 **subsection, accountability** measures under this subdivision ~~may~~**must**  
 5 include ~~the closure of the school at the end of the current school~~  
 6 ~~year or the reconstitution of the school. For a public school~~  
 7 ~~academy that adopts a partnership agreement under this subdivision,~~  
 8 ~~the agreement must include a~~ **For a public school academy assigned**  
 9 **as a partnership district as described in this subsection,**  
 10 **accountability measures under this subdivision may include the**  
 11 **reconstitution of the school.**

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

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

28 (i) The district shall make significant changes to the  
 29 instructional and noninstructional programming of the school based



1 on the needs identified through a comprehensive review of data in  
2 compliance with section 21h.

3 (ii) The district shall ~~replace the principal of the school,~~  
4 ~~unless the current principal has been in place for less than 3~~  
5 ~~years and the board of the district determines that it is in the~~  
6 ~~best interests of the district to retain current school~~  
7 ~~leadership.~~ **review whether the current principal of the school**  
8 **should remain as principal or be replaced.**

9 (iii) The reconstitution plan for the school shall ~~must~~ require  
10 the adoption of goals similar to the goals included in ~~a~~ **the**  
11 partnership agreement, with a limit of ~~5~~ **3** years to achieve the  
12 goals. If the goals are not achieved within ~~5~~ **3** years, the  
13 superintendent of public instruction shall ~~either impose a second~~  
14 ~~reconstitution plan. on the school or close the school.~~

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

26 Sec. 24. (1) From the appropriation in section 11, there is  
27 allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed  
28 \$7,150,000.00 for payments to the educating district or  
29 intermediate district for educating pupils assigned by a court or



1 the department of health and human services to reside in or to  
2 attend a juvenile detention facility or child caring institution  
3 licensed by the department of health and human services and  
4 approved by the department to provide an on-grounds education  
5 program. The amount of the payment under this section to a district  
6 or intermediate district is calculated as prescribed under  
7 subsection (2).

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

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

28 (b) "Department's approved per-pupil allocation" for a  
29 district or intermediate district is determined by dividing the



1 total amount allocated under this section for a fiscal year by the  
 2 full-time equated membership total for all pupils approved by the  
 3 department to be funded under this section for that fiscal year for  
 4 the district or intermediate district.

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

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

16 Sec. 24a. From the appropriation in section 11, there is  
 17 allocated an amount not to exceed \$1,355,700.00 for ~~2019-2020~~**2020-**  
 18 **2021** for payments to intermediate districts for pupils who are  
 19 placed in juvenile justice service facilities operated by the  
 20 department of health and human services. The amount of the payment  
 21 to each intermediate district is an amount equal to the state share  
 22 of those costs that are clearly and directly attributable to the  
 23 educational programs for pupils placed in facilities described in  
 24 this section that are located within the intermediate district's  
 25 boundaries. The intermediate districts receiving payments under  
 26 this section shall cooperate with the department of health and  
 27 human services to ensure that all funding allocated under this  
 28 section is utilized by the intermediate district and department of  
 29 health and human services for educational programs for pupils





1 described in this section. Pupils described in this section are not  
 2 eligible to be funded under section 24. However, a program  
 3 responsibility or other fiscal responsibility associated with these  
 4 pupils must not be transferred from the department of health and  
 5 human services to a district or intermediate district unless the  
 6 district or intermediate district consents to the transfer.

7       Sec. 25f. (1) From the state school aid fund money  
 8 appropriated in section 11, there is allocated an amount not to  
 9 exceed \$1,600,000.00 for ~~2019-2020~~**2020-2021** for payments to strict  
 10 discipline academies established under sections 1311b to 1311m of  
 11 the revised school code, MCL 380.1311b to 380.1311m, as provided  
 12 under this section.

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

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



1 purposes of this subsection:

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

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

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

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

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

28 Sec. 25g. (1) From the state school aid fund money  
 29 appropriated in section 11, there is allocated an amount not to



1 exceed \$750,000.00 for ~~2019-2020~~ **2020-2021** for the purposes of this  
 2 section. Except as otherwise provided in this section, if the  
 3 operation of the special membership counting provisions under  
 4 section 6(4) (dd) and the other membership counting provisions under  
 5 section 6(4) result in a pupil being counted as more than 1.0 FTE  
 6 in a fiscal year, then the payment made for the pupil under  
 7 sections 22a and 22b must not be based on more than 1.0 FTE for  
 8 that pupil, and that portion of the FTE that exceeds 1.0 is paid  
 9 under this section in an amount equal to that portion multiplied by  
 10 the educating district's foundation allowance or per-pupil payment  
 11 calculated under section 20.

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

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

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

20 **Sec. 25i. (1) From the general fund money appropriated in**  
 21 **section 11, there is allocated for 2020-2021 an amount not to**  
 22 **exceed \$2,000,000.00 for an eligible attendance recovery program as**  
 23 **described in subsection (3). The funds allocated under this section**  
 24 **must be used to administer an eligible attendance recovery program**  
 25 **for all districts that opt into the program to serve eligible**  
 26 **pupils described in subsection (2).**

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



1 (a) The pupil did not engage in the district's remote  
2 continuous education offerings in spring 2020.

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

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

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

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

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

13 (3) An attendance recovery program that meets all of the  
14 following is an eligible attendance recovery program under this  
15 section:

16 (a) Reflects experience and successful outcomes running  
17 statewide student recovery programs.

18 (b) Has, at a minimum, 2 years of experience working with this  
19 state's local education agencies.

20 (c) Has multimodal contact capabilities that include, but are  
21 not limited to, a call center, electronic mail, text, social-media  
22 matching, and public service announcements.

23 (d) Reflects experience in assisting at-risk students in  
24 overcoming learning barriers in a remote or online learning  
25 environment.

26 (e) Has the ability to scale to provide outreach to at least  
27 20,000 students before the end of 2020.

28 (4) The department shall choose and designate the provider of  
29 the eligible attendance recovery program under this section by not



1 later than November 1, 2020. The provider chosen and designated by  
2 the department under this subsection must do all of the following:

3 (a) Work with the department to notify districts about the  
4 program and provide technical assistance to districts interested in  
5 opting in.

6 (b) Work with each district to obtain contact information for  
7 each eligible pupil.

8 (c) Provide outreach using differentiated treatment strategies  
9 to pupils and families using multiple modalities that may include  
10 phone, text, social media, electronic mail, and traditional mail,  
11 to find and engage eligible pupils.

12 (d) Implement a culturally and linguistically responsive  
13 outreach and support plan. Elements of the plan must include  
14 differentiated outreach and ongoing coaching strategies to families  
15 to ensure cultural and linguistic relevance.

16 (e) Use information about barriers to engagement gathered from  
17 pupils and families to assign eligible pupils to an ongoing support  
18 level. Ongoing support levels described in this subdivision must  
19 include a minimum of 3 support tiers following the general design  
20 of response to intervention (RTI) models.

21 (f) For eligible pupils and their families, provide a coach to  
22 deliver interventions in accordance with the pupil's needs and the  
23 framework of his or her assigned ongoing support level.

24 (g) Report weekly to each district that has opted into the  
25 program and to the department with metrics agreed upon by the  
26 provider and the department.

27 (5) Notwithstanding section 17b, the department shall make  
28 payments under this section by not later than December 1, 2020.

29 Sec. 25j. (1) From the state school aid fund money



1 appropriated in section 11, there is allocated \$2,000,000.00 to  
 2 intermediate districts for 2020-2021 to be used for the purposes  
 3 described in subsection (3).

4 (2) The funding provided to each intermediate district under  
 5 this section must be based on the number of pupils within the  
 6 intermediate district who are economically disadvantaged in  
 7 proportion to the number of economically disadvantaged pupils  
 8 statewide.

9 (3) An intermediate district that receives a payment from  
 10 funds allocated under subsection (1) shall use the funding to  
 11 support districts that offered in-person instruction at the  
 12 beginning of the 2019-2020 fiscal year but that began the 2020-2021  
 13 fiscal year utilizing a virtual-only mode of instruction or a  
 14 hybrid of in-person and a virtual mode of instruction. Funds  
 15 allocated under subsection (1) must be used for the following  
 16 purposes:

17 (a) To meet the unique needs of students with an  
 18 individualized education program.

19 (b) To address increased numbers of chronically absent pupils,  
 20 as applicable.

21 (c) To offer child care solutions for elementary-aged  
 22 students.

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

26 (5) As used in this section, "economically disadvantaged"  
 27 means that term as defined in section 31a.

28 Sec. 26a. From the funds appropriated in section 11, ~~there is~~  
 29 ~~allocated an amount not to exceed \$14,000,000.00 for 2018-2019 and~~



1 there is allocated an amount not to exceed \$15,300,000.00 for ~~2019-~~  
 2 ~~2020-2020-2021~~ to reimburse districts and intermediate districts  
 3 pursuant to ~~under~~ section 12 of the Michigan renaissance zone act,  
 4 1996 PA 376, MCL 125.2692, for taxes levied in ~~2018 and 2019, as~~  
 5 ~~applicable.~~ **2020**. The department shall pay the allocations not  
 6 later than 60 days after the department of treasury certifies to  
 7 the department and to the state budget director that the department  
 8 of treasury has received all necessary information to properly  
 9 determine the amounts due to each eligible recipient.

10 Sec. 26b. (1) From the appropriation in section 11, ~~there is~~  
 11 ~~allocated an amount not to exceed \$4,420,100.00 for 2018-2019 and~~  
 12 there is allocated an amount not to exceed ~~\$4,641,100.00~~  
 13 **\$4,645,000.00** for ~~2019-2020-2020-2021~~ for payments to districts,  
 14 intermediate districts, and community college districts for the  
 15 portion of the payment in lieu of taxes obligation that is  
 16 attributable to districts, intermediate districts, and community  
 17 college districts under section 2154 of the natural resources and  
 18 environmental protection act, 1994 PA 451, MCL 324.2154.

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

23 Sec. 26c. (1) From the ~~appropriation in~~ **state school aid fund**  
 24 **money appropriated under** section 11, there is allocated an amount  
 25 not to exceed ~~\$7,400,000.00~~ **\$9,700,000.00** for ~~2019-2020-2020-2021~~  
 26 to the promise zone fund created in subsection (3). The funds  
 27 allocated under this section reflect the amount of revenue from the  
 28 collection of the state education tax captured under section 17 of  
 29 the Michigan promise zone authority act, 2008 PA 549, MCL 390.1677.



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

12 (3) The promise zone fund is created as a separate account  
13 within the state school aid fund to be used solely for the purposes  
14 of the Michigan promise zone authority act, 2008 PA 549, MCL  
15 390.1661 to 390.1679. All of the following apply to the promise  
16 zone fund:

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

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

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

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





1 department.

2       Sec. 28. (1) To recognize differentiated instructional costs  
3 for different types of pupils in ~~2019-2020, 2020-2021~~, the  
4 following sections provide a weighted foundation allocation or an  
5 additional payment of some type in the following amounts, as  
6 allocated under those sections:

7       (a) Section 22d, isolated and rural districts, \$7,000,000.00.

8       (b) Section 31a, at risk, standard programming,  
9 \$510,000,000.00.

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

11       (d) Section 41, bilingual education for English language  
12 learners, ~~\$16,000,000.00~~-\$13,000,000.00.

13       (e) Section 51c, special education, mandated percentages,  
14 ~~\$689,100,000.00~~-\$713,400,000.00.

15       (f) Section 51f, special education, additional percentages,  
16 \$60,207,000.00.

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

19       (h) Section 61d, career and technical education incentives,  
20 ~~\$10,000,000.00~~-\$5,000,000.00.

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

24       **Sec. 29a. (1) From the state school aid fund money**  
25 **appropriated under section 11, there is allocated for 2020-2021 an**  
26 **amount not to exceed \$66,000,000.00 for payments as provided under**  
27 **this section to eligible districts described in subsection (2).**

28       (2) A district for which its 2020-2021 pupils in membership  
29 exceeds the calculation of membership for that district under



1 section 6(4) for 2020-2021 is an eligible district under this  
2 section.

3 (3) The payment to each eligible district under this section  
4 must be equal to the lesser of the eligible district's foundation  
5 allowance or the target foundation allowance multiplied by the  
6 difference between the eligible district's 2020-2021 pupils in  
7 membership and the eligible district's membership for 2020-2021 as  
8 calculated under section 6(4).

9 (4) If funds allocated under this section are insufficient to  
10 fully fund the calculations under this section, the department  
11 shall apply proration of an equal dollar amount per pupil.

12 (5) As used in this section, "2020-2021 pupils in membership"  
13 means the sum of (the product of .90 times the number of full-time  
14 equated pupils engaged in pandemic learning for fall 2020 or, for a  
15 district that is a public school academy that operates as a cyber  
16 school, as that term is defined in section 551 of the revised  
17 school code, MCL 380.551, the number of full-time equated pupils in  
18 grades K to 12 actually enrolled and in regular daily attendance in  
19 the district on pupil membership count day for the current school  
20 year) and (the product of .10 times the final audited count from  
21 the supplemental count day of full-time equated pupils in grades K  
22 to 12 actually enrolled and in regular daily attendance in the  
23 district for the immediately preceding school year).

24 Sec. 31a. (1) From the state school aid fund money  
25 appropriated in section 11, there is allocated for ~~2019-2020-2020-~~  
26 ~~2021~~ an amount not to exceed \$535,150,000.00 for payments to  
27 eligible districts and eligible public school academies for the  
28 purposes of ensuring that pupils are proficient in English language  
29 arts by the end of grade 3, that pupils are proficient in



1 mathematics by the end of grade 8, that pupils are attending school  
 2 regularly, that high school graduates are career and college ready,  
 3 and for the purposes under subsections (7) and (8).

4 (2) For a district that has combined state and local revenue  
 5 per membership pupil under section 20 that is greater than the  
 6 target foundation allowance under section 20 for the current fiscal  
 7 year and that, for the immediately preceding fiscal year, had  
 8 combined state and local revenue per membership pupil under section  
 9 20 that was greater than the ~~basic~~**target** foundation allowance  
 10 under section 20 that was in effect for ~~the 2018-2019~~**that** fiscal  
 11 year, the allocation under this section is an amount equal to 30%  
 12 of the allocation for which it would otherwise be eligible under  
 13 this section before any proration under subsection (14). **It is the**  
 14 **intent of the legislature that, if revenues are sufficient and if**  
 15 **districts with combined state and local revenue per membership**  
 16 **pupil under section 20 that is below the target foundation**  
 17 **allowance are receiving nonprorated payments under this section,**  
 18 **the percentage in the immediately preceding sentence must be**  
 19 **increased annually until it reaches 100%.** If a district has  
 20 combined state and local revenue per membership pupil under section  
 21 20 that is greater than the target foundation allowance under  
 22 section 20 for the current fiscal year, but for the ~~immediately~~  
 23 ~~preceding~~**2018-2019** fiscal year had combined state and local  
 24 revenue per membership pupil under section 20 that was less than  
 25 the basic foundation allowance under section 20 that was in effect  
 26 for the 2018-2019 fiscal year, the district shall receive an amount  
 27 per pupil equal to 11.5% of the statewide weighted average  
 28 foundation allowance, as applied under subsection (4), and before  
 29 any proration under subsection (14).



1 (3) For a district or public school academy to be eligible to  
 2 receive funding under this section, other than funding under  
 3 subsection (7) or (8), the district or public school academy, for  
 4 grades K to 12, ~~shall~~**must** comply with the requirements under  
 5 section 1280f of the revised school code, MCL 380.1280f, and shall  
 6 use resources to address early literacy and numeracy, and for at  
 7 least grades K to 12 or, if the district or public school academy  
 8 does not operate all of grades K to 12, for all of the grades it  
 9 operates, must implement a multi-tiered system of supports that is  
 10 an evidence based framework that uses data driven problem solving  
 11 to integrate academic and behavioral instruction and that uses  
 12 intervention delivered to all pupils in varying intensities based  
 13 on pupil needs. The multi-tiered system of supports described in  
 14 this subsection must provide at least all of the following  
 15 essential components:

- 16 (a) Team-based leadership.  
 17 (b) A tiered delivery system.  
 18 (c) Selection and implementation of instruction,  
 19 interventions, and supports.  
 20 (d) A comprehensive screening and assessment system.  
 21 (e) Continuous data-based decision making.

22 (4) From the funds allocated under subsection (1), there is  
 23 allocated for ~~2019-2020~~**2020-2021** an amount not to exceed  
 24 \$510,000,000.00 to continue a weighted foundation per pupil payment  
 25 for districts and public school academies enrolling economically  
 26 disadvantaged pupils. The department shall pay under this section  
 27 to each eligible district or eligible public school academy an  
 28 amount per pupil equal to 11.5% of the statewide weighted average  
 29 foundation allowance for the following, as applicable:



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

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

8 (ii) If the district or public school academy is in the  
 9 community eligibility program, the number of pupils determined to  
 10 be eligible based on the product of the identified student  
 11 percentage multiplied by the total number of ~~membership~~ pupils in  
 12 the district or public school academy, as reported to the center in  
 13 the form and manner prescribed by the center not later than the  
 14 fifth Wednesday after the pupil membership count day of the  
 15 immediately preceding fiscal year. **These calculations must be made**  
 16 **at the building level.** This subparagraph only applies to an  
 17 eligible district or eligible public school academy for the fiscal  
 18 year immediately following the first fiscal year in which it is in  
 19 the community eligibility program. As used in this subparagraph,  
 20 "identified student percentage" means the quotient of the number of  
 21 ~~membership~~ pupils in an eligible district or eligible public school  
 22 academy who are determined to be economically disadvantaged, as  
 23 reported to the center in a form and manner prescribed by the  
 24 center, not later than the fifth Wednesday after the pupil  
 25 membership count day in the fiscal year preceding the first fiscal  
 26 year in which the eligible district or eligible public school  
 27 academy is in the community eligibility program, divided by the  
 28 **total number of** pupils counted in ~~membership~~ in an eligible  
 29 district or eligible public school academy on the pupil membership



1 count day in the fiscal year preceding the first fiscal year in  
 2 which the eligible district or eligible public school academy is in  
 3 the community eligibility program.

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

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

20 (d) **If, for a particular fiscal year, the number of membership**  
 21 **pupils in a district or public school academy who are determined**  
 22 **under subdivision (a) to be economically disadvantaged or to be**  
 23 **eligible based on the identified student percentage varies by more**  
 24 **than 20 percentage points from the number of those pupils in the**  
 25 **district or public school academy as calculated under subdivision**  
 26 **(a) for the immediately preceding fiscal year caused by an**  
 27 **egregious reporting error by the district or public school academy,**  
 28 **the department may choose to have the calculations under**  
 29 **subdivision (a) instead be made using the number of membership**



1 pupils in the district or public school academy who are determined  
2 to be economically disadvantaged, as reported to the center in the  
3 form and manner prescribed by the center not later than the fifth  
4 Wednesday after the supplemental count day of the immediately  
5 preceding fiscal year.

6 (5) Except as otherwise provided in this section, a district  
7 or public school academy receiving funding under this section shall  
8 use that money only to provide instructional programs and direct  
9 noninstructional services, including, but not limited to, medical,  
10 mental health, or counseling services, for at-risk pupils; for  
11 school health clinics; and for the purposes of subsection (6), (7),  
12 or (8). In addition, a district that is a school district of the  
13 first class or a district or public school academy in which at  
14 least 50% of the pupils in membership were determined to be  
15 economically disadvantaged in the immediately preceding state  
16 fiscal year, as determined and reported as described in subsection  
17 (4), may use not more than 20% of the funds it receives under this  
18 section for school security that aligns to the needs assessment and  
19 the multi-tiered system of supports model. A district or public  
20 school academy shall not use any of that money for administrative  
21 costs. The instruction or direct noninstructional services provided  
22 under this section may be conducted before or after regular school  
23 hours or by adding extra school days to the school year.

24 (6) A district or public school academy that receives funds  
25 under this section and that operates a school breakfast program  
26 under section 1272a of the revised school code, MCL 380.1272a,  
27 shall use from the funds received under this section an amount, not  
28 to exceed \$10.00 per pupil for whom the district or public school  
29 academy receives funds under this section, necessary to pay for



1 costs associated with the operation of the school breakfast  
2 program.

3 (7) From the funds allocated under subsection (1), there is  
4 allocated for ~~2019-2020-2020-2021~~ an amount not to exceed  
5 \$8,000,000.00 to support primary health care services provided to  
6 children and adolescents up to age 21. These funds must be expended  
7 in a form and manner determined jointly by the department and the  
8 department of health and human services. If any funds allocated  
9 under this subsection are not used for the purposes of this  
10 subsection for the fiscal year in which they are allocated, those  
11 unused funds must be used that fiscal year to avoid or minimize any  
12 proration that would otherwise be required under subsection (14)  
13 for that fiscal year.

14 (8) From the funds allocated under subsection (1), there is  
15 allocated for ~~2019-2020-2020-2021~~ an amount not to exceed  
16 \$5,150,000.00 for the state portion of the hearing and vision  
17 screenings as described in section 9301 of the public health code,  
18 1978 PA 368, MCL 333.9301. A local public health department shall  
19 pay at least 50% of the total cost of the screenings. The frequency  
20 of the screenings must be as required under R 325.13091 to R  
21 325.13096 and R 325.3271 to R 325.3276 of the Michigan  
22 Administrative Code. Funds must be awarded in a form and manner  
23 approved jointly by the department and the department of health and  
24 human services. Notwithstanding section 17b, the department shall  
25 make payments to eligible entities under this subsection on a  
26 schedule determined by the department.

27 (9) Each district or public school academy receiving funds  
28 under this section shall submit to the department by July 15 of  
29 each fiscal year a report, in the form and manner prescribed by the





1 department, that includes a brief description of each program  
 2 conducted or services performed by the district or public school  
 3 academy using funds under this section, the amount of funds under  
 4 this section allocated to each of those programs or services, the  
 5 total number of at risk pupils served by each of those programs or  
 6 services, and the data necessary for the department and the  
 7 department of health and human services to verify matching funds  
 8 for the temporary assistance for needy families program. In  
 9 prescribing the form and manner of the report, the department shall  
 10 ensure that districts are allowed to expend funds received under  
 11 this section on any activities that are permissible under this  
 12 section. If a district or public school academy does not comply  
 13 with this subsection, the department shall withhold an amount equal  
 14 to the August payment due under this section until the district or  
 15 public school academy complies with this subsection. If the  
 16 district or public school academy does not comply with this  
 17 subsection by the end of the fiscal year, the withheld funds are  
 18 forfeited to the school aid fund.

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

25 (11) Subject to subsections (6), (7), and (8), for schools in  
 26 which more than 40% of pupils are identified as at-risk, a district  
 27 or public school academy may use the funds it receives under this  
 28 section to implement tier 1, evidence-based practices in schoolwide  
 29 reforms that are guided by the district's comprehensive needs



1 assessment and are included in the district improvement plan.  
2 Schoolwide reforms must include parent and community supports,  
3 activities, and services, that may include the pathways to  
4 potential program created by the department of health and human  
5 services or the communities in schools program. As used in this  
6 subsection, "tier 1, evidence-based practices" means research based  
7 instruction and classroom interventions that are available to all  
8 learners and effectively meet the needs of most pupils.

9 (12) A district or public school academy that receives funds  
10 under this section may use up to 7.5% of those funds to provide  
11 research based professional development and to implement a coaching  
12 model that supports the multi-tiered system of supports framework.  
13 Professional development may be provided to district and school  
14 leadership and teachers and must be aligned to professional  
15 learning standards; integrated into district, school building, and  
16 classroom practices; and solely related to the following:

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

20 (b) Implementing section 1280f of the revised school code, MCL  
21 380.1280f, as required under subsection (3), with fidelity.

22 (13) A district or public school academy that receives funds  
23 under this section may use funds received under this section to  
24 support instructional or behavioral coaches. Funds used for this  
25 purpose are not subject to the cap under subsection (12).

26 (14) If necessary, and before any proration required under  
27 section 296, the department shall prorate payments under this  
28 section, except payments under subsection (7), (8), or (16), by  
29 reducing the amount of the allocation as otherwise calculated under



1 this section by an equal percentage per district.

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

10 (16) From the funds allocated under subsection (1), there is  
 11 allocated for ~~2019-2020-2020-2021~~ an amount not to exceed  
 12 \$12,000,000.00 for payments to districts and public school  
 13 academies that otherwise received an allocation under this  
 14 subsection for ~~2018-2019-2019-2020~~ and whose allocation under this  
 15 section for ~~2018-2019, 2019-2020~~, excluding any payments under  
 16 subsection (7) or (8), would have been more than the district's or  
 17 public school academy's allocation under this section for ~~2019-2020~~  
 18 **2020-2021** as calculated under subsection (4) only and as adjusted  
 19 under subsection (14). The allocation for each district or public  
 20 school academy under this subsection is an amount equal to its  
 21 allocation under this section for ~~2018-2019-2019-2020~~ minus its  
 22 allocation as otherwise calculated under subsection (4) for ~~2019-~~  
 23 ~~2020, 2020-2021~~, as adjusted by subsection (14), using in those  
 24 calculations the ~~2017-2018-2018-2019~~ number of pupils determined to  
 25 be economically disadvantaged. However, if the allocation as  
 26 otherwise calculated under this subsection would have been less  
 27 than \$0.00, the allocation under this subsection is \$0.00. If  
 28 necessary, and before any proration required under section 296, the  
 29 department shall prorate payments under this subsection by reducing



1 the amount of the allocation as otherwise calculated under this  
2 subsection by an equal percentage per district or public school  
3 academy. **Any unexpended funds under this subsection are to be**  
4 **distributed through payments made under subsection (4) as provided**  
5 **under subsection (4), but those funds must not be factored into**  
6 **calculating payments under this subsection.**

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

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

16 (19) As used in this section:

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

20 (i) The pupil is economically disadvantaged.

21 (ii) The pupil is an English language learner.

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

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

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

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

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



1 (viii) The pupil did not complete high school in 4 years and is  
2 still continuing in school as identified in the Michigan cohort  
3 graduation and dropout report.

4 (ix) For pupils for whom the results of the state summative  
5 assessment have been received, is a pupil who did not achieve  
6 proficiency on the English language arts, mathematics, science, or  
7 social studies content area assessment.

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

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

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

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



1 pupils in membership.

2 Sec. 31d. (1) From the appropriations in section 11, there is  
3 allocated an amount not to exceed \$23,144,000.00 for ~~2019-2020~~  
4 **2020-2021** for the purpose of making payments to districts and other  
5 eligible entities under this section.

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

14 (3) The payments made under this section include all state  
15 payments made to districts so that each district receives at least  
16 6.0127% of the necessary costs of operating the state mandated  
17 portion of the ~~school-lunch~~ program in a fiscal year.

18 (4) The payments made under this section to districts and  
19 other eligible entities that are not required under section 1272a  
20 of the revised school code, MCL 380.1272a, to provide a ~~school~~  
21 lunch program must, **except for in 2020-2021**, be in an amount not to  
22 exceed \$10.00 per eligible pupil plus 5 cents for each free lunch  
23 and 2 cents for each reduced price lunch provided, as determined by  
24 the department. **For 2020-2021 only, the amount described in this**  
25 **subsection is not to exceed \$10.00 per eligible pupil plus 5 cents**  
26 **for each lunch provided, as determined by the department.**

27 (5) From the federal funds appropriated in section 11, there  
28 is allocated for ~~2019-2020-2020-2021~~ all available federal funding,  
29 estimated at ~~\$533,000,000.00~~ **\$545,000,000.00** for ~~the national~~



1 ~~school lunch program~~ **child nutrition programs** and all available  
2 federal funding, estimated at ~~\$4,200,000.00~~ **\$5,000,000.00** for the  
3 ~~emergency food assistance program~~ **food distribution programs**.

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

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

11 Sec. 31f. (1) From the appropriations in section 11, there is  
12 allocated an amount not to exceed \$4,500,000.00 for ~~2019-2020~~ **2020-**  
13 **2021** for the purpose of making payments to districts to reimburse  
14 for the cost of providing breakfast.

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

18 (a) The district participates in the federal school breakfast  
19 program and meets all standards as prescribed by 7 CFR parts **210**,  
20 **220**, **225**, **226**, and 245.

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

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



1 preceding school year.

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

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

9 Sec. 31j. (1) From the general fund money appropriated in  
10 section 11, there is allocated an amount not to exceed ~~\$575,000.00~~  
11 **\$200,000.00 and from the state school aid fund money appropriated**  
12 **in section 11, there is allocated an amount not to exceed**  
13 **\$1,800,000.00** for ~~2019-2020-2020-2021~~ for a ~~project~~**program** to  
14 support districts **and sponsors of child care centers** in the  
15 purchase of locally grown fruits and vegetables as described in  
16 this section.

17 (2) ~~The department shall provide funding in an amount equal to~~  
18 ~~\$125,000.00 per region to districts in prosperity regions 2, 4, 6,~~  
19 ~~and 9 for the project described under this section. In addition,~~  
20 ~~the department shall provide funding in an amount equal to~~  
21 ~~\$75,000.00 to districts in prosperity region 8 for the project~~  
22 ~~described under this section. From the funding to districts in~~  
23 ~~subsection (1), funding~~**Funding** retained by ~~prosperity regions~~  
24 **districts and the sponsors of child care centers** that administer  
25 the ~~project~~**program** must not exceed 10%, and funding retained by  
26 the department for administration must not exceed 6%. A ~~prosperity~~  
27 ~~region~~**district or the sponsor of a child care center** may enter  
28 into a memorandum of understanding with the department or another  
29 ~~prosperity region,~~**district or sponsor of a child care center,** or





1 both, to administer the ~~project~~-**program**. If the department  
 2 administers the ~~project~~-**program** for a ~~prosperity region~~,-**district**  
 3 **or the sponsor of a child care center**, the department may retain up  
 4 to 10% of that ~~prosperity region's~~-**district's or sponsor's** funding  
 5 for administration **or may distribute some or all of that 10% to**  
 6 **project partners as appropriate.**

7 (3) The department shall develop and implement a competitive  
 8 grant program for districts ~~within the identified prosperity~~  
 9 ~~regions~~-**and sponsors of child care centers** to assist in paying for  
 10 the costs incurred by the district **or the sponsor of the child care**  
 11 **center** to purchase or increase purchases of whole or minimally  
 12 processed fruits, vegetables, and legumes grown in this state. The  
 13 maximum amount that may be drawn down on a grant to a district ~~must~~  
 14 ~~be~~-**or the sponsor of a child care center is** based on the number of  
 15 meals served by the ~~school~~-district during the previous school year  
 16 under the Richard B. Russell national school lunch act, 42 USC 1751  
 17 to 1769j, **or meals served by the sponsor of the child care center**  
 18 **in the previous school year.** The department shall collaborate with  
 19 the Michigan department of agriculture and rural development to  
 20 provide training to newly participating schools **and sponsors of**  
 21 **child care centers** and electronic information on Michigan  
 22 agriculture.

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

27 (5) A district **or the sponsor of a child care center** that  
 28 receives a grant under this section shall use those funds for the  
 29 costs incurred by the ~~school~~-district **or the sponsor** to purchase



1 whole or minimally processed fruits, vegetables, and legumes that  
2 meet all of the following:

3 (a) Were purchased for the ~~2019-2020~~**2020-2021** fiscal year,  
4 including purchases to launch meals in August ~~2019-2020~~ and  
5 September ~~2019-2020~~.

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

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

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

16 (7) A district **or the sponsor of a child care center** that  
17 receives a grant for reimbursement under this section shall use the  
18 grant to purchase whole or minimally processed fruits, vegetables,  
19 and legumes that are grown in this state and, if minimally  
20 processed, are also processed in this state.

21 (8) In awarding grants under this section, the department  
22 shall work in conjunction with ~~prosperity region offices, districts~~  
23 **and sponsors of child care centers**, in consultation with Michigan-  
24 based farm to school resource organizations, to develop scoring  
25 criteria that assess an applicant's ability to procure Michigan-  
26 grown products, prepare and menu Michigan-grown products, promote  
27 and market Michigan-grown products, and submit letters of intent  
28 from districts **or the sponsors of child care centers** on plans for  
29 educational activities that promote the goals of the program.



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

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

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

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

19 (c) The existing or future collaboration opportunities between  
 20 more than 1 district ~~in a prosperity region~~ **or child care center**.

21 (11) **As a condition of receiving a grant under this section, a**  
 22 **district or the sponsor of a child care center shall provide or**  
 23 **direct its vendors to provide to the department copies of monthly**  
 24 **receipts that show the quantity of different Michigan-grown fruits,**  
 25 **vegetables, and legumes purchased, the amount of money spent on**  
 26 **each of these products, the name and Michigan location of the farm**  
 27 **that grew the products, and the methods or plans to market and**  
 28 **promote the program. The district or the sponsor of a child care**  
 29 **center also shall provide to the department monthly lunch numbers**



1 and lunch participation rates and calendars or monthly menus noting  
2 when and how Michigan-grown products were used in meals. The  
3 district or the sponsor of the child care center and school or  
4 child care center food service director or directors also shall  
5 agree to respond to brief online surveys and to provide a report  
6 that shows the percentage relationship of Michigan spending  
7 compared to total food spending. Not later than 60 days after the  
8 end of the school year in which funds under this section were  
9 received, each district or each sponsor of a child care center  
10 shall submit a report to the department on outcomes and related  
11 measurements for economic development and children's nutrition and  
12 readiness to learn. The report must include at least both of the  
13 following:

14 (a) The extent to which farmers and related businesses,  
15 including distributors and processors, saw an increase in market  
16 opportunities and income generation through sales of Michigan or  
17 local products to districts and sponsors of child care centers. All  
18 of the following apply for purposes of this subdivision:

19 (i) The data used to determine the amount of this increase are  
20 the total dollar amount of Michigan or local fruits, vegetables,  
21 and legumes purchased by schools and sponsors of child care  
22 centers, along with the number of different types of products  
23 purchased; school and child care center food purchasing trends  
24 identified along with products that are of new and growing interest  
25 among food service directors; the number of businesses impacted;  
26 and the percentage of total food budget spent on Michigan-grown  
27 fruits, vegetables, and legumes.

28 (ii) The district or the sponsor of a child care center shall  
29 use purchasing data collected for the program and surveys of school



1 and child care food service directors on the impact and success of  
 2 the program as the source for the data described in subparagraph  
 3 (i) .

4 (b) The ability to which pupils can access a variety of  
 5 healthy Michigan-grown foods through schools and child care centers  
 6 and increase their consumption of those foods. All of the following  
 7 apply for purposes of this subdivision:

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

14 (ii) The district or the sponsor of a child care center shall  
 15 use purchasing data collected for the project, meal count and  
 16 enrollment numbers, school menu calendars, and surveys of school  
 17 and child care food service directors as the source for the data  
 18 described in subparagraph (i) .

19 (12) The department shall compile the reports provided by  
 20 districts and sponsors of child care centers under subsection (11)  
 21 into 1 legislative report. The department shall provide this report  
 22 not later than November 1, 2021 to the house and senate  
 23 subcommittees responsible for state school aid, the house and  
 24 senate fiscal agencies, and the state budget director.

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

28 Sec. 31k. (1) From the state school aid fund money  
 29 appropriated in section 11, there is allocated for 2020-2021 only



1 an amount not to exceed \$1,000,000.00 for payments to eligible  
2 districts as described in this section.

3 (2) Subject to subsection (6), districts requesting funding  
4 under this section must apply in a form and manner prescribed by  
5 the department by not later than December 1, 2020. However,  
6 districts requesting funding under this section through a second  
7 application described in subsection (6) must apply in a form and  
8 manner prescribed by the department by not later than May 1, 2021.

9 (3) A district that demonstrates to the department that all  
10 outstanding student-meal debt has been forgiven is an eligible  
11 district under this section.

12 (4) Subject to subsection (9), the department shall provide  
13 payments to eligible districts in an amount necessary to reimburse  
14 the eligible districts for the cost of forgiving all outstanding  
15 student-meal debt.

16 (5) Notwithstanding section 17b, the department shall make  
17 reimbursement payments under subsection (4) to all eligible  
18 districts by not later than 60 days after December 1, 2020.

19 (6) Subject to subsection (9), if the amount paid to eligible  
20 districts under subsection (4) is less than the amount allocated  
21 under subsection (1), the department may distribute the remaining  
22 funds to eligible districts through a second application in an  
23 amount necessary to reimburse eligible districts for the cost of  
24 forgiving all outstanding student-meal debt. An eligible district  
25 receiving a reimbursement payment under subsection (4) is not  
26 eligible for a reimbursement payment through a second application  
27 under this subsection.

28 (7) Except as otherwise provided under subsection (6) and  
29 notwithstanding section 17b, the department shall make



1 reimbursement payments under subsection (6) as provided under  
2 subsection (6) to all eligible districts by not later than 60 days  
3 after May 1, 2021.

4 (8) An eligible district receiving payments under this section  
5 shall adopt policies to prevent public identification or  
6 stigmatization of pupils who cannot pay for a school meal. These  
7 policies must prohibit all of the following:

8 (a) Requiring pupils who cannot pay for a school meal or who  
9 owe a student-meal debt to wear a wristband or handstamp.

10 (b) Requiring pupils who cannot pay for a school meal or who  
11 owe a student-meal debt to perform chores or other work to pay for  
12 school meals.

13 (c) Requiring a pupil to dispose of a meal after it has been  
14 served because the pupil is unable to pay for the meal or owes a  
15 student-meal debt.

16 (d) Communicating directly with a pupil about a student-meal  
17 debt unless the district has attempted to contact, but has been  
18 unsuccessful in communicating with, a pupil's parent or legal  
19 guardian through telephone, mail, and electronic mail.

20 (e) Discussing a pupil's student-meal debt in the presence of  
21 other pupils.

22 (9) If the amount allocated under this section is insufficient  
23 to fully reimburse the cost of student-meal debt forgiveness for  
24 all eligible districts, the department shall prorate the  
25 reimbursement on an equal percentage per district.

26 Sec. 31n. (1) From the **state school aid fund** money  
27 appropriated in section 11, there is allocated for 2019-2020 for  
28 the purposes of this section an amount not to exceed \$30,000,000.00  
29 and from the general fund money appropriated in section 11, there



1 is allocated for 2019-2020 for the purposes of this section an  
 2 amount not to exceed \$1,300,000.00. **From the state school aid fund**  
 3 **money appropriated in section 11, there is allocated for 2020-2021**  
 4 **for the purposes of this section an amount not to exceed**  
 5 **\$35,600,000.00 and from the general fund money appropriated in**  
 6 **section 11, there is allocated for 2020-2021 for the purposes of**  
 7 **this section an amount not to exceed \$1,300,000.00.** The department  
 8 and the department of health and human services shall continue a  
 9 program to distribute this funding to add licensed behavioral  
 10 health providers for general education pupils, and shall continue  
 11 to seek federal Medicaid match funding for all eligible mental  
 12 health and support services.

13 (2) The department and the department of health and human  
 14 services shall maintain an advisory council for programs funded  
 15 under this section. The advisory council shall define goals for  
 16 implementation of programs funded under this section, and shall  
 17 provide feedback on that implementation. At a minimum, the advisory  
 18 council shall consist of representatives of state associations  
 19 representing school health, school mental health, school  
 20 counseling, education, health care, and other organizations,  
 21 representatives from the department and the department of health  
 22 and human services, and a representative from the school safety  
 23 task force created under Executive Order No. 2018-5. The department  
 24 and department of health and human services, working with the  
 25 advisory council, shall determine an approach to increase capacity  
 26 for mental health and support services in schools for general  
 27 education pupils, and shall determine where that increase in  
 28 capacity qualifies for federal Medicaid match funding.

29 (3) The advisory council shall develop a fiduciary agent





1 checklist for intermediate districts to facilitate development of a  
 2 plan to submit to the department and to the department of health  
 3 and human services. The department and department of health and  
 4 human services shall determine the requirements and format for  
 5 intermediate districts to submit a plan for possible funding under  
 6 subsection (5). The department shall make applications for funding  
 7 for this program available to districts and intermediate districts  
 8 not later than December 1, 2019, **for the 2019-2020 fiscal year and**  
 9 **December 1, 2020 for the 2020-2021 fiscal year** and shall award the  
 10 funding not later than February 1, 2020 **for the 2019-2020 fiscal**  
 11 **year and February 1, 2021 for the 2020-2021 fiscal year.**

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

22 (5) From the ~~fund~~**state school aid fund money** allocated under  
 23 subsection (1), there is allocated for 2019-2020 an amount not to  
 24 exceed \$6,500,000.00 **and there is allocated for 2020-2021 an amount**  
 25 **not to exceed \$9,300,000.00** to be distributed to the network of  
 26 child and adolescent health centers to place a licensed master's  
 27 level behavioral health provider in schools that do not currently  
 28 have services available to general education students. ~~Existing~~  
 29 ~~child~~**Child** and adolescent health centers ~~receiving funding under~~



1 ~~this subsection~~ **that are part of the network described in this**  
 2 **subsection** shall provide a commitment to maintain services and  
 3 implement all available federal Medicaid match methodologies. The  
 4 department of health and human services shall use all existing or  
 5 additional federal Medicaid match opportunities to maximize funding  
 6 allocated under this subsection. The department shall provide funds  
 7 under this subsection to ~~existing~~ child and adolescent health  
 8 centers **that are part of the network described in this subsection**  
 9 in the same proportion that funding under section 31a(7) is  
 10 provided to child and adolescent health centers **that are part of**  
 11 **the network described in this subsection and that are** located and  
 12 operating in those districts. **A payment from funding allocated**  
 13 **under this subsection must not be paid to an entity that is not**  
 14 **part of the network described in this subsection.**

15 (6) From the ~~funds~~ **state school aid fund money** allocated under  
 16 subsection (1), there is allocated for 2019-2020 an amount not to  
 17 exceed \$23,000,000.00 **and there is allocated for 2020-2021 an**  
 18 **amount not to exceed \$25,800,000.00** to be distributed to  
 19 intermediate districts for the provision of mental health and  
 20 support services to general education students. From the funds  
 21 allocated under this subsection, the department shall distribute  
 22 \$410,700.00 **for 2019-2020 and \$460,700.00 for 2020-2021** to each  
 23 intermediate district that submits a plan approved by the  
 24 department and the department of health and human services. The  
 25 department and department of health and human services shall work  
 26 cooperatively in providing oversight and assistance to intermediate  
 27 districts during the plan submission process and shall monitor the  
 28 program upon implementation. An intermediate district shall use  
 29 funds awarded under this subsection to provide funding to its



1 constituent districts, including public school academies that are  
 2 considered to be constituent districts under section 705(7) of the  
 3 revised school code, MCL 380.705, for the provision of mental  
 4 health and support services to general education students. In  
 5 addition to the criteria identified under subsection (7), an  
 6 intermediate district shall consider geography, cost, or other  
 7 challenges when awarding funding to its constituent districts. If  
 8 funding awarded to an intermediate district remains after funds are  
 9 provided by the intermediate district to its constituent districts,  
 10 the intermediate district may hire or contract for experts to  
 11 provide mental health and support services to general education  
 12 students residing within the boundaries of the intermediate  
 13 district, **including, but not limited to, expanding, hiring, or**  
 14 **contracting for staff and experts to provide those services**  
 15 **directly or to increase access to those services through**  
 16 **coordination with outside mental health agencies.**

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

27 (a) The district's commitment to maintain mental health and  
 28 support services delivered by licensed providers into future fiscal  
 29 years.



1 (b) The district's commitment to work with its intermediate  
2 district to use funding it receives under this section that is  
3 spent by the district for general education pupils toward  
4 participation in federal Medicaid match methodologies. A district  
5 must provide a local match of at least 20% of the funding allocated  
6 to the district under section 31n.

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

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

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

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

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

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

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

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

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

29 (8) Funding under this section, including any federal Medicaid



1 funds that are generated, must not be used to supplant existing  
2 services.

3 (9) Both of the following are allocated ~~for 2019-2020~~ to the  
4 department of health and human services from the general fund money  
5 allocated under subsection (1):

6 (a) ~~An~~ **For 2019-2020, an** amount not to exceed \$1,000,000.00  
7 **and for 2020-2021, an amount not to exceed \$1,000,000.00** for the  
8 purpose of upgrading technology and systems infrastructure and  
9 other administrative requirements to support the programs funded  
10 under this section.

11 (b) ~~An~~ **For 2019-2020, an** amount not to exceed \$300,000.00 **and**  
12 **for 2020-2021, an amount not to exceed \$300,000.00** for the purpose  
13 of administering the programs under this section and working on  
14 generating additional Medicaid funds as a result of programs funded  
15 under this section.

16 (10) From the ~~funds~~ **state school aid fund money** allocated  
17 under subsection (1), there is allocated for 2019-2020 an amount  
18 not to exceed \$500,000.00 **and there is allocated for 2020-2021 an**  
19 **amount not to exceed \$500,000.00** to intermediate districts on an  
20 equal per intermediate district basis for the purpose of  
21 administering programs funded under this section.

22 (11) The department and the department of health and human  
23 services shall work with the advisory council to develop proposed  
24 measurements of outcomes and performance. Those measurements ~~shall~~  
25 **must** include, at a minimum, the number of pupils served, the number  
26 of schools served, and where those pupils and schools were located.  
27 The department and the department of health and human services  
28 shall compile data necessary to measure outcomes and performance,  
29 and districts and intermediate districts receiving funding under



1 this section shall provide data requested by the department and  
 2 department of health and human services for the measurement of  
 3 outcomes and performance. The department and department of health  
 4 and human services shall provide ~~a~~**an annual** report not later than  
 5 ~~December 1, 2019 and by December 1 annually thereafter~~**of each year**  
 6 to the house and senate appropriations subcommittees on **state**  
 7 school aid and health and human services, ~~and~~ to the house and  
 8 senate fiscal agencies, **and to the state budget director**. At a  
 9 minimum, the report must include measurements of outcomes and  
 10 performance, proposals to increase efficacy and usefulness,  
 11 proposals to increase performance, and proposals to expand  
 12 coverage.

13 **(12) Beginning with 2018-2019, a district or intermediate**  
 14 **district that receives funding directly or indirectly under this**  
 15 **section may carry over any unexpended funds received under this**  
 16 **section for up to 2 fiscal years beyond the fiscal year in which**  
 17 **the funds were received.**

18 Sec. 32d. (1) From the funds appropriated in section 11, there  
 19 is allocated to eligible intermediate districts and consortia of  
 20 intermediate districts for great start readiness programs an amount  
 21 not to exceed \$249,600,000.00 for ~~2019-2020.~~**2020-2021**. An  
 22 intermediate district or consortium shall use funds allocated under  
 23 this section for great start readiness programs to provide part-  
 24 day, school-day, or GSRP/Head Start blended comprehensive free  
 25 compensatory classroom programs designed to improve the readiness  
 26 and subsequent achievement of educationally disadvantaged children  
 27 who meet the participant eligibility and prioritization guidelines  
 28 as defined by the department. For a child to be eligible to  
 29 participate in a program under this section, the child must be at



1 least 4, but less than 5, years of age as of September 1 of the  
 2 school year in which the program is offered and must meet those  
 3 eligibility and prioritization guidelines. A child who is not 4  
 4 years of age as of September 1, but who will be 4 years of age not  
 5 later than December 1, is eligible to participate if the child's  
 6 parent or legal guardian seeks a waiver from the September 1  
 7 eligibility date by submitting a request for enrollment in a  
 8 program to the responsible intermediate district, if the program  
 9 has capacity on or after September 1 of the school year, and if the  
 10 child meets eligibility and prioritization guidelines.

11 (2) From the funds allocated under subsection (1), an amount  
 12 not to exceed \$247,600,000.00 is allocated to intermediate  
 13 districts or consortia of intermediate districts based on the  
 14 formula in section 39. An intermediate district or consortium of  
 15 intermediate districts receiving funding under this section shall  
 16 act as the fiduciary for the great start readiness programs. In  
 17 order to be eligible to receive funds allocated under this  
 18 subsection from an intermediate district or consortium of  
 19 intermediate districts, a district, a consortium of districts, or a  
 20 public or private for-profit or nonprofit legal entity or agency  
 21 ~~shall~~**must** comply with this section and section 39.

22 (3) In addition to the allocation under subsection (1), from  
 23 the general fund money appropriated under section 11, there is  
 24 allocated an amount not to exceed \$350,000.00 for ~~2019-2020~~**2020-**  
 25 **2021** for a competitive grant to continue a longitudinal evaluation  
 26 of children who have participated in great start readiness  
 27 programs. This evaluation must include, **to the extent, for 2020-**  
 28 **2021, that data from the kindergarten readiness assessment are**  
 29 **available**, a comparative analysis of the relationship between great



1 start readiness programs and performance on the kindergarten  
 2 readiness assessment funded under section 104. The evaluation must  
 3 use children wait-listed under this section for comparison, must  
 4 include a determination of the specific great start readiness  
 5 program in which the kindergarten students were enrolled and  
 6 attended in the previous school year, and must, **to the extent, for**  
 7 **2020-2021, that data from the Michigan kindergarten entry**  
 8 **observation tool are available**, analyze Michigan kindergarten entry  
 9 observation tool scores for students taking the Michigan  
 10 kindergarten entry observation tool each year and produce a report  
 11 as required under section 104. ~~For 2019-2020, the performance data~~  
 12 ~~on the kindergarten readiness assessment must be submitted to the~~  
 13 ~~center at the same time as the spring Michigan student data system~~  
 14 ~~collection. Beginning in 2020-2021, the~~ **The** performance data on the  
 15 kindergarten readiness assessment must be submitted to the center  
 16 at the same time as the fall Michigan student data system  
 17 collection. The responsibility for the analysis required under this  
 18 subsection may be added to the requirements that the department  
 19 currently has with its competitively designated current grantee.

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

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

29 (b) An age-appropriate educational curriculum that is in





1 compliance with the early childhood standards of quality for  
2 prekindergarten children adopted by the state board, including, at  
3 least, the Connect4Learning curriculum.

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

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

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

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

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

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

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

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



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

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

6 (b) Except as otherwise provided in this subdivision **or**  
7 **section**, ensure that at least 90% of the children participating in  
8 an eligible great start readiness program for whom the intermediate  
9 district is receiving funds under this section are children who  
10 live with families with a household income that is equal to or less  
11 than 250% of the federal poverty guidelines. If the intermediate  
12 district determines that all eligible children are being served and  
13 that there are no children on the waiting list who live with  
14 families with a household income that is equal to or less than 250%  
15 of the federal poverty guidelines, the intermediate district may  
16 then enroll children who live with families with a household income  
17 that is equal to or less than 300% of the federal poverty  
18 guidelines. The enrollment process must consider income and risk  
19 factors, such that children determined with higher need are  
20 enrolled before children with lesser need. For purposes of this  
21 subdivision **and subsection (27)**, all age-eligible children served  
22 in foster care or who are experiencing homelessness or who have  
23 individualized education programs recommending placement in an  
24 inclusive preschool setting are considered to live with families  
25 with household income equal to or less than 250% of the federal  
26 poverty guidelines regardless of actual family income and are  
27 prioritized for enrollment within the lowest quintile.

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



1 (i) Teachers possessing proper training. A lead teacher must  
2 have a valid teaching certificate with an early childhood (ZA or  
3 ZS) endorsement or a bachelor's or higher degree in child  
4 development or early childhood education with specialization in  
5 preschool teaching. However, if an applicant demonstrates to the  
6 department that it is unable to fully comply with this subparagraph  
7 after making reasonable efforts to comply, teachers who have  
8 significant but incomplete training in early childhood education or  
9 child development may be used if the applicant provides to the  
10 department, and the department approves, a plan for each teacher to  
11 come into compliance with the standards in this subparagraph. A  
12 teacher's compliance plan must be completed within 2 years of the  
13 date of employment. Progress toward completion of the compliance  
14 plan consists of at least 2 courses per calendar year.

15 (ii) Paraprofessionals possessing proper training in early  
16 childhood education, including an associate's degree in early  
17 childhood education or child development or the equivalent, or a  
18 child development associate (CDA) credential. However, if an  
19 applicant demonstrates to the department that it is unable to fully  
20 comply with this subparagraph after making reasonable efforts to  
21 comply, the applicant may use paraprofessionals who have completed  
22 at least 1 course that earns college credit in early childhood  
23 education or child development if the applicant provides to the  
24 department, and the department approves, a plan for each  
25 paraprofessional to come into compliance with the standards in this  
26 subparagraph. A paraprofessional's compliance plan must be  
27 completed within 2 years of the date of employment. Progress toward  
28 completion of the compliance plan consists of at least 2 courses or  
29 60 clock hours of training per calendar year.



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

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

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

21 (8) An intermediate district or consortium of intermediate  
22 districts receiving a grant under this section shall designate an  
23 early childhood coordinator, and may provide services directly or  
24 may contract with 1 or more districts or public or private for-  
25 profit or nonprofit providers that, **except as otherwise provided in**  
26 **this section**, meet all requirements of subsections (4) and (5).

27 (9) An intermediate district or consortium of intermediate  
28 districts may retain for administrative services provided by the  
29 intermediate district or consortium of intermediate districts an



1 amount not to exceed 4% of the grant amount. Expenses incurred by  
2 subrecipients engaged by the intermediate district or consortium of  
3 intermediate districts for directly running portions of the program  
4 are considered program costs or a contracted program fee for  
5 service. Subrecipients operating with a federally approved indirect  
6 rate for other early childhood programs may include indirect costs,  
7 not to exceed the federal 10% de minimis.

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

11 (11) ~~Each~~ **Except as otherwise provided in this section, each**  
12 grant recipient shall enroll children identified under subsection  
13 (5)(b) according to how far the child's household income is below  
14 250% of the federal poverty guidelines by ranking each applicant  
15 child's household income from lowest to highest and dividing the  
16 applicant children into quintiles based on how far the child's  
17 household income is below 250% of the federal poverty guidelines,  
18 and then enrolling children in the quintile with the lowest  
19 household income before enrolling children in the quintile with the  
20 next lowest household income until slots are completely filled. If  
21 the grant recipient determines that all eligible children are being  
22 served and that there are no children on the waiting list who live  
23 with families with a household income that is equal to or less than  
24 250% of the federal poverty guidelines, the grant recipient may  
25 then enroll children who live with families with a household income  
26 that is equal to or less than 300% of the federal poverty  
27 guidelines. The enrollment process must consider income and risk  
28 factors, such that children determined with higher need are  
29 enrolled before children with lesser need. For purposes of this



1 subsection **and subsection (27)**, all age-eligible children served in  
2 foster care or who are experiencing homelessness or who have  
3 individualized education programs recommending placement in an  
4 inclusive preschool setting are considered to live with families  
5 with household income equal to or less than 250% of the federal  
6 poverty guidelines regardless of actual family income and are  
7 prioritized for enrollment within the lowest quintile.

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

15 (13) An intermediate district or consortium of intermediate  
16 districts receiving a grant under this section shall conduct a  
17 local process to contract with interested and eligible public and  
18 private for-profit and nonprofit community-based providers that  
19 meet all requirements of subsection (4) for at least 30% of its  
20 total allocation. For the purposes of this 30% allocation, an  
21 intermediate district or consortium of intermediate districts may  
22 count children served by a Head Start grantee or delegate in a  
23 blended Head Start and great start readiness school-day program.  
24 Children served in a program funded only through Head Start are not  
25 counted toward this 30% allocation. The intermediate district or  
26 consortium shall report to the department, in a manner prescribed  
27 by the department, a detailed list of community-based providers by  
28 provider type, including private for-profit, private nonprofit,  
29 community college or university, Head Start grantee or delegate,



1 and district or intermediate district, and the number and  
2 proportion of its total allocation allocated to each provider as  
3 subrecipient. If the intermediate district or consortium is not  
4 able to contract for at least 30% of its total allocation, the  
5 grant recipient shall notify the department and, if the department  
6 verifies that the intermediate district or consortium attempted to  
7 contract for at least 30% of its total allocation and was not able  
8 to do so, then the intermediate district or consortium may retain  
9 and use all of its allocation as provided under this section. To be  
10 able to use this exemption, the intermediate district or consortium  
11 shall demonstrate to the department that the intermediate district  
12 or consortium increased the percentage of its total allocation for  
13 which it contracts with a community-based provider and the  
14 intermediate district or consortium shall submit evidence  
15 satisfactory to the department, and the department must be able to  
16 verify this evidence, demonstrating that the intermediate district  
17 or consortium took measures to contract for at least 30% of its  
18 total allocation as required under this subsection, including, but  
19 not limited to, at least all of the following measures:

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

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



1 based providers.

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

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

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

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

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

28 (c) Ensure that all intermediate district, district, community  
29 college or university, Head Start grantee or delegate, private for-





1 profit, and private nonprofit providers are subject to a single  
 2 great start to quality rating system. The rating system must ensure  
 3 that regulators process all prospective providers at the same pace  
 4 on a first-come, first-served basis and must not allow 1 type of  
 5 provider to receive a great start to quality rating ahead of any  
 6 other type of provider.

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

16 (16) A recipient of funds under this section shall report to  
 17 the center in a form and manner prescribed by the center the  
 18 information necessary to derive the number of children  
 19 participating in the program who meet the program eligibility  
 20 criteria under subsection (5) (b), **subject to subsection (27)**, the  
 21 number of eligible children not participating in the program and on  
 22 a waitlist, and the total number of children participating in the  
 23 program by various demographic groups and eligibility factors  
 24 necessary to analyze equitable and priority access to services for  
 25 the purposes of subsection (3).

26 (17) As used in this section:

27 (a) "GSRP/Head Start blended program", **except as otherwise**  
 28 **provided in this section**, means a part-day program funded under  
 29 this section and a Head Start program, which are combined for a



1 school-day program.

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

6 (c) "Part-day program", **except as otherwise provided in this**  
7 **section**, means a program that operates at least 4 days per week, 30  
8 weeks per year, for at least 3 hours of teacher-child contact time  
9 per day but for fewer hours of teacher-child contact time per day  
10 than a school-day program.

11 (d) "School-day program", **except as otherwise provided in this**  
12 **section**, means a program that operates for at least the same length  
13 of day as a district's first grade program for a minimum of 4 days  
14 per week, 30 weeks per year. A classroom that offers a school-day  
15 program must enroll all children for the school day to be  
16 considered a school-day program.

17 (18) An intermediate district or consortium of intermediate  
18 districts receiving funds under this section shall establish and  
19 charge tuition according to a sliding scale of tuition rates based  
20 upon household income for children participating in an eligible  
21 great start readiness program who live with families with a  
22 household income that is more than 250%, **but, for 2020-2021 only,**  
23 **who live with families with a household income that is more than**  
24 **400%** of the federal poverty guidelines to be used by all of its  
25 providers, as approved by the department.

26 (19) From the amount allocated in subsection (2), there is  
27 allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed  
28 \$10,000,000.00 for reimbursement of transportation costs for  
29 children attending great start readiness programs funded under this



1 section. To receive reimbursement under this subsection, not later  
2 than November 1 ~~7~~ of each year, a program funded under this section  
3 that provides transportation shall submit to the intermediate  
4 district that is the fiscal agent for the program a projected  
5 transportation budget. The amount of the reimbursement for  
6 transportation under this subsection is no more than the projected  
7 transportation budget or \$300.00 multiplied by the number of  
8 children funded for the program under this section. If the amount  
9 allocated under this subsection is insufficient to fully reimburse  
10 the transportation costs for all programs that provide  
11 transportation and submit the required information, the department  
12 shall prorate the reimbursement in an equal amount per child  
13 funded. The department shall make payments to the intermediate  
14 district that is the fiscal agent for each program, and the  
15 intermediate district shall then reimburse the program provider for  
16 transportation costs as prescribed under this subsection.

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

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

28 (b) Financial documentation of actual transportation costs  
29 incurred by the program, including, but not limited to, receipts



1 and mileage reports, as determined by the department.

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

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

11 (22) An intermediate district that is a GSRP grantee may  
12 approve the use of a supplemental curriculum that aligns with and  
13 enhances the age-appropriate educational curriculum in the  
14 classroom. If the department objects to the use of a supplemental  
15 curriculum approved by an intermediate district, the superintendent  
16 shall establish a review committee independent of the department.  
17 The review committee shall meet within 60 days of the department  
18 registering its objection in writing and provide a final  
19 determination on the validity of the objection within 60 days of  
20 the review committee's first meeting.

21 (23) The department shall implement a process to evaluate and  
22 approve age-appropriate educational curricula that are in  
23 compliance with the early childhood standards of quality for  
24 prekindergarten children adopted by the state board.

25 (24) From the funds allocated under subsection (1), there is  
26 allocated for ~~2019-2020~~**2020-2021** an amount not to exceed  
27 \$2,000,000.00 for payments to intermediate districts or consortia  
28 of intermediate districts for professional development and training  
29 materials for educators in programs implementing new curricula.



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

5 (26) For the 2020-2021 program year only, the hours, days, and  
6 weeks specified within the definitions under subsection (17) (a),  
7 (c), and (d) do not apply to all grantees and subrecipients under  
8 this section. However, for the 2020-2021 fiscal year only, grantees  
9 and subrecipients shall, at a minimum, provide pandemic learning  
10 and programming on-site, at a different location, in-person,  
11 online, digitally, by other remote means, in a synchronous or  
12 asynchronous format, or through any combination therein that  
13 results in an amount of hours, days, and weeks necessary to deliver  
14 the educational or course content that would have been delivered in  
15 a year in which pandemic learning was not provided and that  
16 complies with requirements developed by the department. The  
17 department shall publish uniform guidance concerning requirements  
18 under this subsection for age-appropriate instruction that is  
19 provided online, digitally, or by other remote means as part of  
20 pandemic learning and programming provided under this subsection.  
21 As used in this subsection, "pandemic learning" means a mode of  
22 instruction provided as a result of the COVID-19 pandemic.

23 (27) For the 2020-2021 program year only, household income  
24 eligibility thresholds requiring household incomes that are equal  
25 to or less than 250% of the federal poverty guidelines under  
26 subsections (5) (b) and (11) do not apply for all grantees and  
27 subrecipients under this section. However, for the 2020-2021  
28 program year, all grantees and subrecipients must continue to  
29 enroll children in the quintile with the lowest household income



1 first before enrolling the next quintile and must implement the  
2 ranking process described in subsection (11) by first enrolling  
3 children from households with incomes that are equal to or less  
4 than 250% of the federal poverty guidelines, then enrolling  
5 children from households with incomes that are equal to an amount  
6 that is greater than 250% but less than or equal to 300% of the  
7 federal poverty guidelines, then enrolling children from households  
8 with incomes equal to an amount that is greater than 300% but less  
9 than or equal to 350% of the federal poverty guidelines, and then  
10 continuing enrollment in an order increasing in percentage from a  
11 percentage greater than 350% in relation to the federal poverty  
12 guidelines until all available slots are filled.

13 (28) For the 2020-2021 program year only, intermediate  
14 districts will be awarded funding based on the total allocation  
15 under subsection (1) and the funding must be allocated to  
16 intermediate districts as prescribed under section 39. To receive  
17 funding as described in this subsection, an intermediate district  
18 must complete the department's process for accepting funds and  
19 implement its existing local process for funding current  
20 subrecipients under this section, including, but not limited to,  
21 adding any necessary new subrecipients and implementation of the  
22 program. Intermediate districts described in this subsection must  
23 report the children served under this section to the center for  
24 data-tracking purposes. The data described in this subsection must  
25 not be used to determine funding for the 2020-2021 program year or  
26 hold harmless funding levels for 2021-2022. Hold harmless funding  
27 for 2021-2022 must be determined based on the 2019-2020 final  
28 allocations under this section. Both of the following apply for the  
29 2020-2021 program year:



1 (a) An intermediate district and its subrecipients under this  
 2 section must conform to typical expenditures related to the  
 3 operation of great start readiness programs to ensure the stability  
 4 of the programs, including, but not limited to, ongoing program and  
 5 staff costs.

6 (b) Funding remaining after serving all eligible children, in  
 7 accordance with subsections (5)(b) and (11), subject to subsection  
 8 (27), or remaining from other program savings due to pandemic  
 9 learning must be used for the betterment of the program under this  
 10 section and must be approved by the department. Intermediate  
 11 districts and subrecipients under this section may only spend in  
 12 accordance with the provisions of this subdivision if the  
 13 intermediate district or subrecipient has demonstrated to the  
 14 satisfaction of the department that no eligible children are on  
 15 waitlists for the programs operated by the intermediate district or  
 16 subrecipients under this section.

17 Sec. 32p. (1) From the appropriation in section 11, there is  
 18 allocated an amount not to exceed \$13,400,000.00 to intermediate  
 19 districts for ~~2019-2020-2020-2021~~ for the purpose of providing  
 20 early childhood funding to intermediate ~~school~~-districts to support  
 21 the ~~activities~~ **goals and outcomes** under subsection (2) and  
 22 subsection (4), and to provide early childhood programs for  
 23 children from birth through age 8. The funding provided to each  
 24 intermediate district under this section is determined by the  
 25 distribution formula established by the department's office of  
 26 great start to provide equitable funding statewide. In order to  
 27 receive funding under this section, each intermediate district  
 28 ~~shall~~ **must** provide an application to the office of great start not  
 29 later than September 15 of the immediately preceding fiscal year



1 indicating the ~~activities~~**strategies** planned to be provided.

2 (2) Each intermediate district or consortium of intermediate  
3 districts that receives funding under this section shall convene a  
4 local great start collaborative and a parent coalition. The goal of  
5 each great start collaborative and parent coalition is to ensure  
6 the coordination and expansion of local early childhood  
7 infrastructure and programs that allow every child in the community  
8 to achieve the following outcomes:

9 (a) Children born healthy.

10 (b) Children healthy, thriving, and developmentally on track  
11 from birth to third grade.

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

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

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

21 (a) Physical health.

22 (b) Social-emotional health.

23 (c) Family supports and basic needs.

24 (d) Parent education.

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

27 (4) From the funds allocated in subsection (1), at least  
28 \$2,500,000.00 must be used for the purpose of providing home visits  
29 to at-risk children and their families. The home visits must be





1 conducted as part of a locally coordinated, family-centered,  
 2 evidence-based, data-driven home visit strategic plan that is  
 3 approved by the department. The goals of the home visits funded  
 4 under this subsection are to improve school readiness using  
 5 evidence-based methods, including a focus on developmentally  
 6 appropriate outcomes for early literacy, ~~to reduce the number of~~  
 7 ~~pupils retained in grade level, to reduce the number of pupils~~  
 8 ~~requiring special education services,~~ to improve positive parenting  
 9 practices, and to improve family economic self-sufficiency while  
 10 reducing the impact of high-risk factors through community  
 11 resources and referrals. The department shall coordinate the goals  
 12 of the home visit strategic plans approved under this subsection  
 13 with other state agency home visit programs in a way that  
 14 strengthens Michigan's home visiting infrastructure and maximizes  
 15 federal funds available for the purposes of at-risk family home  
 16 visits. The coordination among departments and agencies is intended  
 17 to avoid duplication of state services and spending, and should  
 18 emphasize efficient service delivery of home visiting programs.

19 (5) Not later than December 1 of each year, each intermediate  
 20 district shall provide a report to the department detailing the  
 21 ~~activities~~ **strategies** actually ~~provided~~ **implemented** during the  
 22 immediately preceding school year and the families and children  
 23 actually served. At a minimum, the report must include an  
 24 evaluation of the services provided with additional funding under  
 25 subsection (4) for home visits, using the goals identified in  
 26 subsection (4) as the basis for the evaluation, including the  
 27 degree to which school readiness was improved, ~~any change in the~~  
 28 ~~number of pupils retained at grade level, any change in the number~~  
 29 ~~of pupils receiving special education services,~~ the degree to which



1 positive parenting practices were improved, the degree to which  
 2 there was improved family economic self-sufficiency, and the degree  
 3 to which community resources and referrals were utilized. The  
 4 department shall compile and summarize these reports and submit its  
 5 summary to the house and senate appropriations subcommittees on  
 6 school aid and to the house and senate fiscal agencies not later  
 7 than February 15 of each year.

8 (6) An intermediate district or consortium of intermediate  
 9 districts that receives funding under this section may carry over  
 10 any unexpended funds received under this section into the next  
 11 fiscal year and may expend those unused funds through June 30 of  
 12 the next fiscal year. **However, an intermediate district or**  
 13 **consortium of intermediate districts that receives funding for the**  
 14 **purposes described in subsection (2) in fiscal year 2020-2021 shall**  
 15 **not carry over into the next fiscal year any amount exceeding 30%**  
 16 **of the amount awarded to the intermediate district or consortium in**  
 17 **the 2020-2021 fiscal year. It is intended that the amount carried**  
 18 **over from funding awarded for the purposes described in subsection**  
 19 **(2) in fiscal year 2021-2022 not exceed 20% of the amount awarded**  
 20 **in that fiscal year and the amount carried over from funding**  
 21 **awarded for the purposes described in subsection (2) in fiscal year**  
 22 **2022-2023 not exceed 15% of the amount awarded in that fiscal year.**  
 23 A recipient of a grant shall return any unexpended grant funds to  
 24 the department in the manner prescribed by the department not later  
 25 than September 30 of the next fiscal year after the fiscal year in  
 26 which the funds are received.

27 Sec. 35a. (1) From the appropriations in section 11, there is  
 28 allocated for ~~2019-2020~~ **2020-2021** for the purposes of this section  
 29 an amount not to exceed ~~\$57,400,000.00~~ **\$55,400,000.00** from the



1 state school aid fund **and there is allocated for 2020-2021 for the**  
 2 **purposes of subsection (8) an amount not to exceed \$2,773,000.00**  
 3 **from the general fund.** The superintendent shall designate staff or  
 4 contracted employees funded under this section as critical  
 5 shortage. Programs funded under this section are intended to ensure  
 6 that this state will be a top 10 state in grade 4 reading  
 7 proficiency by 2025 according to the National Assessment of  
 8 Educational Progress (NAEP).

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

18 (3) A district that receives funds under subsection (5) may  
 19 use up to 5% of those funds to administer department-approved  
 20 screening and diagnostic tools to monitor the development of early  
 21 literacy and early reading skills of pupils in grades ~~K~~**pre-K** to 3  
 22 and to support research-based professional development for  
 23 educators in administering screening and diagnostic tools and in  
 24 data interpretation of the results obtained through the use of  
 25 those tools for the purpose of implementing a multi-tiered system  
 26 of support to improve reading proficiency among pupils in grades ~~K~~  
 27 **pre-K** to 3. A department-approved screening and diagnostic tool  
 28 administered by a district using funding under this section must  
 29 include all of the following components: phonemic awareness,



1 phonics, fluency, and comprehension. Further, all of the following  
2 sub-skills must be assessed within each of these components:

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

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

6 (c) Fluency - reading rate, accuracy, and expression.

7 (d) Comprehension - making meaning of text.

8 (4) From the allocation under subsection (1), there is  
9 allocated an amount not to exceed \$31,500,000.00 for ~~2019-2020~~  
10 **2020-2021** for the purpose of providing early literacy coaches at  
11 intermediate districts to assist teachers in developing and  
12 implementing instructional strategies for pupils in grades ~~K-pre-K~~  
13 to 3 so that pupils are reading at grade level by the end of grade  
14 3. All of the following apply to funding under this subsection:

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

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

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

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



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

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

8 (ii) After distribution of the grant funding under subparagraph  
 9 (i), the department shall distribute the remainder of grant funding  
 10 for additional early literacy coaches in an amount not to exceed  
 11 \$112,500.00 per early literacy coach. The number of funded early  
 12 literacy coaches for each intermediate district is based on the  
 13 percentage of the total statewide number of pupils in grades K to 3  
 14 who meet the income eligibility standards for the federal free and  
 15 reduced-price lunch programs who are enrolled in districts in the  
 16 intermediate district.

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

22 (5) From the allocation under subsection (1), there is  
 23 allocated an amount not to exceed \$19,900,000.00 for ~~2019-2020~~  
 24 **2020-2021** to districts that provide additional instructional time  
 25 to those pupils in grades ~~K-pre-K~~ to 3, **or, for 2020-2021 only,**  
 26 **those pupils in grades pre-K to 12,** who have been identified by  
 27 using department-approved screening and diagnostic tools as needing  
 28 additional supports and interventions in order to be reading at  
 29 grade level by the end of grade 3, **or, for 2020-2021 only, reading**



1 **at the applicable grade level.** Additional instructional time may be  
2 provided before, during, and after regular school hours or as part  
3 of a year-round balanced school calendar. All of the following  
4 apply to funding under this subsection:

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

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

- 15 (A) Team-based leadership.
- 16 (B) A tiered delivery system.
- 17 (C) Selection and implementation of instruction,  
18 interventions, and supports.
- 19 (D) A comprehensive screening and assessment system.
- 20 (E) Continuous data-based decision making.

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

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

28 (iv) Provided teachers of pupils in grades ~~K~~**pre-K** to 3 with  
29 research-based professional development in diagnostic data



1 interpretation.

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

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

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

11 (6) Not later than September 1 of each year, a district that  
12 receives funding under subsection ~~(4), (5), or (9)~~, in conjunction  
13 with the Michigan ~~data hub network~~, **student data system**, if  
14 possible, shall provide to the department a report that includes at  
15 least both of the following, in a form and manner prescribed by the  
16 department:

17 (a) For pupils in grades ~~K-pre-K to 3~~ **or pre-K to 12, as**  
18 **applicable**, the pupils, schools, and grades served with funds under  
19 this section and the categories of services provided.

20 (b) For pupils in grades ~~K-pre-K to 3~~ **or pre-K to 12, as**  
21 **applicable**, pupil proficiency and growth data that allows analysis  
22 both in the aggregate and by each of the following subgroups, as  
23 applicable:

24 (i) School.

25 (ii) Grade level.

26 (iii) Gender.

27 (iv) Race.

28 (v) Ethnicity.

29 (vi) Economically disadvantaged status.



1 (vii) Disability.

2 (viii) Pupils identified as having reading deficiencies.

3 (7) From the allocation under subsection (1), there is  
 4 allocated an amount not to exceed ~~\$1,000,000.00~~ **\$4,000,000.00** for  
 5 ~~2019-2020~~ **2020-2021** to an intermediate district in which the  
 6 combined total number of pupils in membership of all of its  
 7 constituent districts is the fewest among all intermediate  
 8 districts. All of the following apply to the funding under this  
 9 subsection:

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

14 (i) Literacy essentials teacher and principal training modules.

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

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

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





1 **provided under this subparagraph.**

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

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

18 (8) From the general fund money allocated in subsection (1),  
19 the department shall allocate the amount of \$2,773,000.00 for 2020-  
20 2021 to the Michigan Education Corps for the PreK Reading Corps,  
21 the K3 Reading Corps, and the Math Corps. All of the following  
22 apply to funding under this subsection:

23 (a) By September 1 of the current fiscal year, the Michigan  
24 Education Corps shall provide a report concerning its use of the  
25 funding to the senate and house appropriations subcommittees on  
26 state school aid, the senate and house fiscal agencies, and the  
27 senate and house caucus policy offices on outcomes and performance  
28 measures of the Michigan Education Corps, including, but not  
29 limited to, the degree to which the Michigan Education Corps'



1 replication of the PreK Reading Corps, the K3 Reading Corps, and  
2 the Math Corps programs is demonstrating sufficient efficacy and  
3 impact. The report must include data pertaining to at least all of  
4 the following:

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

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

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

17 (A) Growth rate by grade or age level, in comparison to  
18 targeted growth rate.

19 (B) Average linear growth rates.

20 (C) Exit rates.

21 (D) Percentage of children who exit who also meet or exceed  
22 spring benchmarks.

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

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



1 (c) The department may not reserve any portion of the  
 2 allocation provided under this subsection for an evaluation of the  
 3 Michigan Education Corps, the Michigan Education Corps' funding, or  
 4 the Michigan Education Corps' programming unless agreed to in  
 5 writing by the Michigan Education Corps. The department shall award  
 6 the entire \$2,773,000.00 allocated under this subsection to the  
 7 Michigan Education Corps and shall not condition the awarding of  
 8 this funding on the implementation of an independent evaluation.

9 (9) ~~(8)~~—If a district or intermediate district expends any  
 10 funding received under subsection (4) or (5) for professional  
 11 development in research-based effective reading instruction, the  
 12 district or intermediate district shall select a professional  
 13 development program from the list described under subdivision (a).  
 14 All of the following apply to the requirement under this  
 15 subsection:

16 (a) The department shall issue a request for proposals for  
 17 professional development programs in research-based effective  
 18 reading instruction to develop an initial approved list of  
 19 professional development programs in research-based effective  
 20 reading instruction. The department shall ~~complete and~~ make the  
 21 initial approved list public ~~not later than December 1, 2019. After~~  
 22 ~~December 1, 2019, the department~~ **and** shall determine if it will, on  
 23 a rolling basis, approve any new proposals submitted for addition  
 24 to its initial approved list.

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

29 (i) Understanding of phonemic awareness, phonics, fluency,



1 vocabulary, and comprehension.

2 (ii) Appropriate use of assessments and differentiated  
3 instruction.

4 (iii) Selection of appropriate instructional materials.

5 (iv) Application of research-based instructional practices.

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

9 ~~(9) From the allocation under subsection (1), there is  
10 allocated for 2019-2020 only an amount not to exceed \$5,000,000.00  
11 for a summer school reading program for grade 3 pupils who did not  
12 score at least proficient on the English language arts portion of  
13 the Michigan student test of educational progress (M-STEP) and for  
14 pupils in grades K to 2 who are not reading at grade level. All of  
15 the following apply to the funding allocated under this subsection:~~

16 ~~(a) To be eligible for funding under this subsection, a  
17 district must apply in a form and manner prescribed by the  
18 department by not later than January 15, 2020.~~

19 ~~(b) The department shall award funding under this subsection  
20 not later than March 15, 2020.~~

21 ~~(c) The amount of funding to each eligible district is equal  
22 to the product of the quotient of \$5,000,000.00 divided by the sum  
23 of the number of pupils determined by the department to have scored  
24 less than proficient on the English language arts portion of the  
25 2019 grade 3 Michigan student test of educational progress (M-STEP)  
26 among all of the districts that apply and are eligible for funding  
27 for a summer school reading program under this subsection,  
28 multiplied by the number of pupils in the eligible district  
29 determined by the department to have scored less than proficient on~~



1 ~~the English language arts portion of the 2019 grade 3 Michigan~~  
 2 ~~student test of educational progress (M-STEP).~~

3 ~~(d) A district that is awarded funding under this subsection~~  
 4 ~~must prioritize its summer school reading program toward grade 3~~  
 5 ~~pupils who scored less than proficient on the English language arts~~  
 6 ~~portion of the Michigan student test of educational progress (M-~~  
 7 ~~STEP), but may extend the program to any pupil in grades K to 2 who~~  
 8 ~~is not reading at grade level if the program has capacity.~~

9 (10) Notwithstanding section 17b, the department shall make  
 10 payments made under subsections (7) ~~and (9)~~ **and (8)** on a schedule  
 11 determined by the department.

12 Sec. 35b. (1) From the general fund money appropriated in  
 13 section 11, there is allocated for ~~2018-2019~~ **2020-2021** an amount  
 14 not to exceed \$250,000.00 for a grant to be distributed by the  
 15 department to the Children's Choice Initiative ~~to create a pilot~~  
 16 ~~program~~ **for a program** to use a multisensory structured language  
 17 education method to improve reading proficiency rates and to comply  
 18 with section 1280f of the revised school code, MCL 380.1280f.

19 (2) Grant funds awarded under this section must be expended  
 20 for the following purposes:

21 (a) Professional development including training staff and  
 22 tutors in a multisensory, sequential, systematic education  
 23 approach.

24 (b) Additional instructional time before, during, or after  
 25 school for pupils in grades K to 3 identified as having an early  
 26 literacy delay or reading deficiency using a multisensory,  
 27 sequential, systematic education approach.

28 (3) Not later than December 1, ~~2020,~~ **2021**, an entity that  
 29 receives grant funds under this section shall report to the house



1 and senate appropriations subcommittees on school aid, the house  
2 and senate fiscal agencies, and the state budget director on all of  
3 the following for the grant funds awarded under this section:

- 4 (a) The number of staff and tutors trained.
- 5 (b) The number of pupils in grades K to 3 identified as having  
6 an early literacy delay or reading deficiency served.
- 7 (c) The number of hours of added instructional time provided  
8 to pupils served.
- 9 (d) Pupil reading proficiency and growth data of pupils served  
10 necessary to evaluate the effectiveness of the program.

11 **Sec. 35d. (1) From the general fund money appropriated under**  
12 **section 11, for 2020-2021, there is allocated an amount not to**  
13 **exceed \$500,000.00 for the department to provide grants to**  
14 **districts and intermediate districts for the purchase of 1 or more**  
15 **components or trainings through an eligible 1-on-1 tutoring program**  
16 **for children with dyslexia from a provider of an eligible 1-on-1**  
17 **tutoring program for children with dyslexia as provided under this**  
18 **section.**

19 (2) A provider that provides programming that meets all of the  
20 following is considered to be a provider of an eligible 1-on-1  
21 tutoring program for purposes of this section:

- 22 (a) Allows teachers to incorporate the 5 components essential  
23 to an effective reading program into their daily lessons. The 5  
24 components described in this subdivision are phonemic awareness,  
25 phonics, vocabulary, fluency, and comprehension.
- 26 (b) Trains educators to teach reading using a proven,  
27 multisensory approach.
- 28 (c) Educates teachers on how to explicitly and effectively  
29 teach reading to beginning readers.



1 (d) Breaks reading and spelling down into smaller skills  
2 involving letters and sounds, and then builds on these skills over  
3 time.

4 (e) Uses multisensory teaching strategies to teach reading by  
5 using sight, hearing, touch, and movement to help students connect  
6 and learn the concepts being taught.

7 (3) Districts and intermediate districts may apply to the  
8 department for grants to purchase components or training through an  
9 eligible 1-on-1 tutoring program from a provider of an eligible 1-  
10 on-1 tutoring program, and, upon receiving an application but  
11 except as otherwise provided in this subsection, the department  
12 shall make payments to districts and intermediate districts for  
13 those purchases. The department shall make payments under this  
14 section on a first-come, first-served basis until funds are  
15 depleted.

16 Sec. 35e. (1) From the general fund money appropriated under  
17 section 11, there is allocated an amount not to exceed  
18 \$1,000,000.00 for 2020-2021 for a grant to be distributed by the  
19 department to an organization to provide early literacy and  
20 academic support to at-need youth in this state.

21 (2) To qualify for a grant under this section, an organization  
22 must be exempt from federal income tax under section 501(c)(3) of  
23 the internal revenue code, 26 USC 501, and must be affiliated and  
24 in good standing with a national congressionally chartered  
25 organization's standards under 36 USC 20101 to 240112, and must  
26 meet both of the following:

27 (a) Is facility-based and provides proven and tested  
28 recreational, educational, and character building programs for  
29 children ages 6 to 18.



1 (b) Provides after-school and summer programs in at least 25  
2 communities statewide, with youth development services available at  
3 least 20 hours per week during the school year and 30 hours per  
4 week during summer programming.

5 (3) A grant recipient under this section shall administer an  
6 early learning literacy program targeted at students in grades K-3.  
7 At least 60% of the participants in the program must qualify for  
8 free or reduced-priced lunch. Each entity receiving funds to  
9 implement the program shall report to the department on the number  
10 of children served, the types of services, and the outcome of those  
11 services.

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

15 Sec. 35f. From the general fund money appropriated in section  
16 11, there is allocated for 2020-2021 an amount not to exceed  
17 \$500,000.00 for the department to award to the Chaldean community  
18 foundation. The Chaldean community foundation shall use funds  
19 received under this section to support and expand early childhood  
20 learning opportunities, improve early literacy achievement,  
21 increase high school graduation rates for new Americans, and assist  
22 with diploma acquisition, skills training, and postsecondary  
23 education.

24 Sec. 39. (1) An eligible applicant receiving funds under  
25 section 32d shall submit an application, in a form and manner  
26 prescribed by the department, by a date specified by the department  
27 in the immediately preceding fiscal year. An eligible applicant is  
28 not required to amend the applicant's current accounting cycle or  
29 adopt this state's fiscal year accounting cycle in accounting for





1 financial transactions under this section. The application must  
2 include all of the following:

3 (a) The estimated total number of children in the community  
4 who meet the criteria of section 32d, as provided to the applicant  
5 by the department utilizing the most recent population data  
6 available from the American Community Survey conducted by the  
7 United States Census Bureau. The department shall ensure that it  
8 provides updated American Community Survey population data at least  
9 once every 3 years.

10 (b) The estimated number of children in the community who meet  
11 the criteria of section 32d and are being served exclusively by  
12 Head Start programs operating in the community.

13 (c) The number of children whom the applicant has the capacity  
14 to serve who meet the criteria of section 32d including a  
15 verification of physical facility and staff resources capacity.

16 (2) After notification of funding allocations, an applicant  
17 receiving funds under section 32d shall also submit an  
18 implementation plan for approval, in a form and manner prescribed  
19 by the department, by a date specified by the department, that  
20 details how the applicant complies with the program components  
21 established by the department pursuant to section 32d.

22 (3) The initial allocation to each eligible applicant under  
23 section 32d is the lesser of the following:

24 (a) The sum of the number of children served in a school-day  
25 program in the preceding school year multiplied by \$7,250.00 and  
26 the number of children served in a GSRP/Head Start blended program  
27 or a part-day program in the preceding school year multiplied by  
28 \$3,625.00.

29 (b) The sum of the number of children the applicant has the



1 capacity to serve in the current school year in a school-day  
 2 program multiplied by \$7,250.00 and the number of children served  
 3 in a GSRP/Head Start blended program or a part-day program the  
 4 applicant has the capacity to serve in the current school year  
 5 multiplied by \$3,625.00.

6 (4) If funds remain after the allocations under subsection  
 7 (3), the department shall distribute the remaining funds to each  
 8 intermediate district or consortium of intermediate districts that  
 9 serves less than the state percentage benchmark determined under  
 10 subsection (5). The department shall distribute these remaining  
 11 funds to each eligible applicant based upon each applicant's  
 12 proportionate share of the remaining unserved children necessary to  
 13 meet the statewide percentage benchmark in intermediate districts  
 14 or consortia of intermediate districts serving less than the  
 15 statewide percentage benchmark. When all applicants have been given  
 16 the opportunity to reach the statewide percentage benchmark, the  
 17 statewide percentage benchmark may be reset, as determined by the  
 18 department, until greater equity of opportunity to serve eligible  
 19 children across all intermediate school districts has been  
 20 achieved.

21 (5) For the purposes of subsection (4), the department shall  
 22 calculate a percentage of children served by each intermediate  
 23 district or consortium of intermediate districts by ~~dividing~~**adding**  
 24 the number of children served in the immediately preceding year by  
 25 that intermediate district or consortium **with the number of**  
 26 **eligible children under section 32d served exclusively by head**  
 27 **start, as reported in a form and manner prescribed by the**  
 28 **department, within the intermediate district or consortia service**  
 29 **area and dividing that total** by the total number of children within



1 the intermediate district or consortium of intermediate districts  
 2 who meet the criteria of section 32d as determined by the  
 3 department utilizing the most recent population data available from  
 4 the American Community Survey conducted by the United States Census  
 5 Bureau. The department shall compare the resulting percentage of  
 6 eligible children served to a statewide percentage benchmark to  
 7 determine if the intermediate district or consortium is eligible  
 8 for additional funds under subsection (4). The statewide percentage  
 9 benchmark is 60%.

10 (6) If, taking into account the total amount to be allocated  
 11 to the applicant as calculated under this section, an applicant  
 12 determines that it is able to include additional eligible children  
 13 in the great start readiness program without additional funds under  
 14 section 32d, the applicant may include additional eligible children  
 15 but does not receive additional funding under section 32d for those  
 16 children.

17 (7) The department shall review the program components under  
 18 section 32d and under this section at least biennially. The  
 19 department also shall convene a committee of internal and external  
 20 stakeholders at least once every 5 years to ensure that the funding  
 21 structure under this section reflects current system needs under  
 22 section 32d.

23 (8) As used in this section, **"GSRP/Head Start blended**  
 24 **program", "part-day program", and "school-day program"** ~~,"GSRP/Head~~  
 25 ~~Start blended program", and "part-day program"~~ mean those terms as  
 26 defined in section 32d **as, for 2020-2021, impacted by section**  
 27 **32d(26) .**

28 Sec. 39a. (1) From the federal funds appropriated in section  
 29 11, there is allocated for ~~2019-2020~~ **2020-2021** to districts,



1 intermediate districts, and other eligible entities all available  
 2 federal funding, estimated at ~~\$725,600,000.00~~ **\$749,200,000.00** for  
 3 the federal programs under the no child left behind act of 2001,  
 4 Public Law 107-110, or the every student succeeds act, Public Law  
 5 114-95. These funds are allocated as follows:

6 (a) An amount estimated at \$1,200,000.00 for ~~2019-2020-2020-~~  
 7 **2021** to provide students with drug- and violence-prevention  
 8 programs and to implement strategies to improve school safety,  
 9 funded from DED-OESE, drug-free schools and communities funds.

10 (b) An amount estimated at \$100,000,000.00 for ~~2019-2020-2020-~~  
 11 **2021** for the purpose of preparing, training, and recruiting high-  
 12 quality teachers and class size reduction, funded from DED-OESE,  
 13 improving teacher quality funds.

14 (c) An amount estimated at \$11,000,000.00 for ~~2019-2020-2020-~~  
 15 **2021** for programs to teach English to limited English proficient  
 16 (LEP) children, funded from DED-OESE, language acquisition state  
 17 grant funds.

18 (d) An amount estimated at \$2,800,000.00 for ~~2019-2020-2020-~~  
 19 **2021** for rural and low income schools, funded from DED-OESE, rural  
 20 and low income school funds.

21 (e) An amount estimated at \$535,000,000.00 for ~~2019-2020-2020-~~  
 22 **2021** to provide supplemental programs to enable educationally  
 23 disadvantaged children to meet challenging academic standards,  
 24 funded from DED-OESE, title I, disadvantaged children funds.

25 (f) An amount estimated at \$9,200,000.00 for ~~2019-2020-2020-~~  
 26 **2021** for the purpose of identifying and serving migrant children,  
 27 funded from DED-OESE, title I, migrant education funds.

28 (g) An amount estimated at \$39,000,000.00 for ~~2019-2020-2020-~~  
 29 **2021** for the purpose of providing high-quality extended learning



1 opportunities, after school and during the summer, for children in  
2 low-performing schools, funded from DED-OESE, twenty-first century  
3 community learning center funds.

4 (h) An amount estimated at ~~\$12,000,000.00~~ **\$14,000,000.00** for  
5 ~~2019-2020~~ **2020-2021** to help support local school improvement  
6 efforts, funded from DED-OESE, title I, local school improvement  
7 grants.

8 (i) An amount estimated at ~~\$15,400,000.00~~ **\$35,000,000.00** for  
9 ~~2019-2020~~ **2020-2021** to improve the academic achievement of  
10 students, funded from DED-OESE, title IV, student support and  
11 academic enrichment grants.

12 (2) From the federal funds appropriated in section 11, there  
13 is allocated ~~for 2019-2020~~ to districts, intermediate districts,  
14 and other eligible entities all available federal funding,  
15 estimated at ~~\$49,100,000.00~~ **\$55,000,000.00** for ~~2019-2020~~ **2020-2021**  
16 for the following programs that are funded by federal grants:

17 ~~(a) An amount estimated at \$100,000.00 for 2019-2020 for~~  
18 ~~acquired immunodeficiency syndrome education grants, funded from~~  
19 ~~HHS - Centers for Disease Control and Prevention, AIDS funding.~~

20 **(a)** ~~(b)~~ An amount estimated at ~~\$1,900,000.00~~ **\$3,000,000.00** for  
21 ~~2019-2020~~ **2020-2021** to provide services to homeless children and  
22 youth, funded from DED-OVAE, homeless children and youth funds.

23 ~~(c) An amount estimated at \$4,000,000.00 for 2019-2020 to~~  
24 ~~provide mental health, substance abuse, or violence prevention~~  
25 ~~services to students, funded from HHS-SAMHSA.~~

26 **(b)** ~~(d)~~ An amount estimated at \$24,000,000.00 for ~~2019-~~  
27 ~~2020~~ **2020-2021** for providing career and technical education services  
28 to pupils, funded from DED-OVAE, basic grants to states.

29 **(c)** ~~(e)~~ An amount estimated at \$14,000,000.00 for ~~2019-2020~~



1 **2020-2021** for the Michigan charter school subgrant program, funded  
2 from DED-OII, public charter schools program funds.

3 (d) ~~(f)~~—An amount estimated at ~~\$5,100,000.00~~ **\$14,000,000.00**  
4 for ~~2019-2020~~ **2020-2021** for the purpose of promoting and expanding  
5 high-quality preschool services, funded from HHS-OCC, preschool  
6 development funds.

7 (3) The department shall distribute all federal funds  
8 allocated under this section in accordance with federal law and  
9 with flexibility provisions outlined in Public Law 107-116, and in  
10 the education flexibility partnership act of 1999, Public Law 106-  
11 25. Notwithstanding section 17b, the department shall make payments  
12 of federal funds to districts, intermediate districts, and other  
13 eligible entities under this section on a schedule determined by  
14 the department.

15 (4) For the purposes of applying for federal grants  
16 appropriated under this article, the department shall allow an  
17 intermediate district to submit a consortium application on behalf  
18 of 2 or more districts with the agreement of those districts as  
19 appropriate according to federal rules and guidelines.

20 (5) For the purposes of funding federal title I grants under  
21 this article, in addition to any other federal grants for which the  
22 strict discipline academy is eligible, the department shall  
23 allocate to a strict discipline academy out of title I, part A an  
24 amount equal to what the strict discipline academy would have  
25 received if included and calculated under title I, part D, or what  
26 it would receive under the formula allocation under title I, part  
27 A, whichever is greater.

28 (6) As used in this section:

29 (a) "DED" means the United States Department of Education.



1 (b) "DED-OESE" means the DED Office of Elementary and  
2 Secondary Education.

3 (c) "DED-OII" means the DED Office of Innovation and  
4 Improvement.

5 (d) "DED-OVAE" means the DED Office of Vocational and Adult  
6 Education.

7 (e) "HHS" means the United States Department of Health and  
8 Human Services.

9 (f) "HHS-OCC" means the HHS Office of Child Care.

10 ~~(g) "HHS-SAMHSA" means the HHS Substance Abuse and Mental  
11 Health Services Administration.~~

12 Sec. 41. (1) For a district ~~or public school academy~~ to be  
13 eligible to receive funding under this section, the district ~~or~~  
14 ~~public school academy~~ must administer to English language learners  
15 the English language proficiency assessment known as the "WIDA  
16 ACCESS for English language learners" or the "WIDA Alternate  
17 ACCESS". From the appropriation in section 11, there is allocated  
18 an amount not to exceed \$13,000,000.00 for ~~2019-2020~~ **2020-2021** for  
19 payments to eligible districts ~~and eligible public school academies~~  
20 for services for English language learners who have been  
21 administered the WIDA ACCESS for English language learners.

22 (2) The department shall distribute funding allocated under  
23 subsection (1) to eligible districts ~~and eligible public school~~  
24 ~~academies~~ based on the number of full-time equivalent English  
25 language learners as follows:

26 (a) \$900.00 per full-time equivalent English language learner  
27 who has been assessed under the WIDA ACCESS for English language  
28 learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA  
29 Alternate ACCESS composite score between 1.0 and 1.9, or less, as



1 applicable to each assessment.

2 (b) \$620.00 per full-time equivalent English language learner  
3 who has been assessed under the WIDA ACCESS for English language  
4 learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA  
5 Alternate ACCESS composite score between 2.0 and 2.9, or less, as  
6 applicable to each assessment.

7 (c) \$100.00 per full-time equivalent English language learner  
8 who has been assessed under the WIDA ACCESS for English language  
9 learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA  
10 Alternate ACCESS composite score between 3.0 and 3.9, or less, as  
11 applicable to each assessment.

12 (3) If funds allocated under subsection (1) are insufficient  
13 to fully fund the payments as prescribed under subsection (2), the  
14 department shall prorate payments on an equal percentage basis,  
15 with the same percentage proration applied to all funding  
16 categories.

17 (4) Each district ~~or public school academy~~ receiving funds  
18 under subsection (1) shall submit to the department by July 15 of  
19 each fiscal year a report, not to exceed 10 pages, on the usage by  
20 the district ~~or public school academy~~ of funds under subsection (1)  
21 in a form and manner determined by the department, including a  
22 brief description of each program conducted or services performed  
23 by the district ~~or public school academy~~ using funds under  
24 subsection (1) and the amount of funds under subsection (1)  
25 allocated to each of those programs or services. If a district ~~or~~  
26 ~~public school academy~~ does not comply with this subsection, the  
27 department shall withhold an amount equal to the August payment due  
28 under this section until the district ~~or public school academy~~  
29 complies with this subsection. If the district ~~or public school~~





1 ~~academy~~ does not comply with this subsection by the end of the  
2 ~~state~~ fiscal year, the withheld funds are forfeited to the school  
3 aid fund.

4 (5) In order to receive funds under ~~this~~ subsection (1), a  
5 district ~~or public school academy shall~~ **must** allow access for the  
6 department or the department's designee to audit all records  
7 related to the program for which it receives those funds. The  
8 district ~~or public school academy~~ shall reimburse this state for  
9 all disallowances found in the audit.

10 (6) Beginning July 1, 2020, and every 3 years thereafter, the  
11 department shall review the per-pupil distribution under subsection  
12 (2), to ensure that funding levels are appropriate and make  
13 recommendations for adjustments to the members of the senate and  
14 house subcommittees on K-12 school aid appropriations.

15 Sec. 51a. (1) From the appropriation in section 11, there is  
16 allocated an amount not to exceed \$1,023,996,100.00 for 2019-2020  
17 **and there is allocated an amount not to exceed \$1,079,296,100.00**  
18 **for 2020-2021** from state sources and all available federal funding  
19 under sections 611 to 619 of part B of the individuals with  
20 disabilities education act, 20 USC 1411 to 1419, estimated at  
21 \$370,000,000.00 for 2019-2020 **and \$375,000,000.00 for 2020-2021,**  
22 plus any carryover federal funds from previous year appropriations.  
23 The allocations under this subsection are for the purpose of  
24 reimbursing districts and intermediate districts for special  
25 education programs, services, and special education personnel as  
26 prescribed in article 3 of the revised school code, MCL 380.1701 to  
27 380.1761; net tuition payments made by intermediate districts to  
28 the Michigan Schools for the Deaf and Blind; and special education  
29 programs and services for pupils who are eligible for special



1 education programs and services according to statute or rule. For  
 2 meeting the costs of special education programs and services not  
 3 reimbursed under this article, a district or intermediate district  
 4 may use money in general funds or special education funds, not  
 5 otherwise restricted, or contributions from districts to  
 6 intermediate districts, tuition payments, gifts and contributions  
 7 from individuals or other entities, or federal funds that may be  
 8 available for this purpose, as determined by the intermediate  
 9 district plan prepared under article 3 of the revised school code,  
 10 MCL 380.1701 to 380.1761. Notwithstanding section 17b, the  
 11 department shall make payments of federal funds to districts,  
 12 intermediate districts, and other eligible entities under this  
 13 section on a schedule determined by the department.

14 (2) From the funds allocated under subsection (1), there is  
 15 allocated the amount necessary, estimated at \$286,900,000.00 for  
 16 2019-2020 **and estimated at \$307,500,000.00 for 2020-2021**, for  
 17 payments toward reimbursing districts and intermediate districts  
 18 for 28.6138% of total approved costs of special education,  
 19 excluding costs reimbursed under section 53a, and 70.4165% of total  
 20 approved costs of special education transportation. Allocations  
 21 under this subsection are made as follows:

22 (a) The department shall calculate the initial amount  
 23 allocated to a district under this subsection toward fulfilling the  
 24 specified percentages by multiplying the district's special  
 25 education pupil membership, excluding pupils described in  
 26 subsection (11), times the foundation allowance under section 20 of  
 27 the pupil's district of residence, not to exceed the target  
 28 foundation allowance for the current fiscal year, or, for a special  
 29 education pupil in membership in a district that is a public school



1 academy, times an amount equal to the amount per membership pupil  
2 calculated under section 20(6). For an intermediate district, the  
3 amount allocated under this subdivision toward fulfilling the  
4 specified percentages is an amount per special education membership  
5 pupil, excluding pupils described in subsection (11), and is  
6 calculated in the same manner as for a district, using the  
7 foundation allowance under section 20 of the pupil's district of  
8 residence, not to exceed the target foundation allowance for the  
9 current fiscal year.

10 (b) After the allocations under subdivision (a), the  
11 department shall pay a district or intermediate district for which  
12 the payments calculated under subdivision (a) do not fulfill the  
13 specified percentages the amount necessary to achieve the specified  
14 percentages for the district or intermediate district.

15 (3) From the funds allocated under subsection (1), there is  
16 allocated for 2019-2020 an amount not to exceed \$1,000,000.00 **and**  
17 **there is allocated for 2020-2021 an amount not to exceed**  
18 **\$1,000,000.00** to make payments to districts and intermediate  
19 districts under this subsection. If the amount allocated to a  
20 district or intermediate district for a fiscal year under  
21 subsection (2)(b) is less than the sum of the amounts allocated to  
22 the district or intermediate district for 1996-97 under sections 52  
23 and 58, there is allocated to the district or intermediate district  
24 for the fiscal year an amount equal to that difference, adjusted by  
25 applying the same proration factor that was used in the  
26 distribution of funds under section 52 in 1996-97 as adjusted to  
27 the district's or intermediate district's necessary costs of  
28 special education used in calculations for the fiscal year. This  
29 adjustment is to reflect reductions in special education program



1 operations or services between 1996-97 and subsequent fiscal years.  
 2 The department shall make adjustments for reductions in special  
 3 education program operations or services in a manner determined by  
 4 the department and shall include adjustments for program or service  
 5 shifts.

6 (4) If the department determines that the sum of the amounts  
 7 allocated for a fiscal year to a district or intermediate district  
 8 under subsection (2) (a) and (b) is not sufficient to fulfill the  
 9 specified percentages in subsection (2), then the department shall  
 10 pay the shortfall to the district or intermediate district during  
 11 the fiscal year beginning on the October 1 following the  
 12 determination and shall adjust payments under subsection (3) as  
 13 necessary. If the department determines that the sum of the amounts  
 14 allocated for a fiscal year to a district or intermediate district  
 15 under subsection (2) (a) and (b) exceeds the sum of the amount  
 16 necessary to fulfill the specified percentages in subsection (2),  
 17 then the department shall deduct the amount of the excess from the  
 18 district's or intermediate district's payments under this article  
 19 for the fiscal year beginning on the October 1 following the  
 20 determination and shall adjust payments under subsection (3) as  
 21 necessary. However, if the amount allocated under subsection (2) (a)  
 22 in itself exceeds the amount necessary to fulfill the specified  
 23 percentages in subsection (2), there is no deduction under this  
 24 subsection.

25 (5) State funds are allocated on a total approved cost basis.  
 26 Federal funds are allocated under applicable federal requirements.  
 27 ~~, except that an amount not to exceed \$3,500,000.00 may be~~  
 28 ~~allocated by the department for 2019-2020 to districts,~~  
 29 ~~intermediate districts, or other eligible entities on a competitive~~



1 ~~grant basis for programs, equipment, and services that the~~  
2 ~~department determines to be designed to benefit or improve special~~  
3 ~~education on a statewide scale.~~

4 (6) From the amount allocated in subsection (1), there is  
5 allocated an amount not to exceed \$2,200,000.00 for 2019-2020 **and**  
6 **there is allocated an amount not to exceed \$2,200,000.00 for 2020-**  
7 **2021** to reimburse 100% of the net increase in necessary costs  
8 incurred by a district or intermediate district in implementing the  
9 revisions in the administrative rules for special education that  
10 became effective on July 1, 1987. As used in this subsection, "net  
11 increase in necessary costs" means the necessary additional costs  
12 incurred solely because of new or revised requirements in the  
13 administrative rules minus cost savings permitted in implementing  
14 the revised rules. The department shall determine net increase in  
15 necessary costs in a manner specified by the department.

16 (7) For purposes of sections 51a to 58, all of the following  
17 apply:

18 (a) "Total approved costs of special education" are determined  
19 in a manner specified by the department and may include indirect  
20 costs, but must not exceed 115% of approved direct costs for  
21 section 52 and section 53a programs. The total approved costs  
22 include salary and other compensation for all approved special  
23 education personnel for the program, including payments for Social  
24 Security and Medicare and public school employee retirement system  
25 contributions. The total approved costs do not include salaries or  
26 other compensation paid to administrative personnel who are not  
27 special education personnel as that term is defined in section 6 of  
28 the revised school code, MCL 380.6. Costs reimbursed by federal  
29 funds, other than those federal funds included in the allocation



1 made under this article, are not included. Special education  
2 approved personnel not utilized full time in the evaluation of  
3 students or in the delivery of special education programs,  
4 ancillary, and other related services are reimbursed under this  
5 section only for that portion of time actually spent providing  
6 these programs and services, with the exception of special  
7 education programs and services provided to youth placed in child  
8 caring institutions or juvenile detention programs approved by the  
9 department to provide an on-grounds education program.

10 (b) Beginning with the 2004-2005 fiscal year, a district or  
11 intermediate district that employed special education support  
12 services staff to provide special education support services in  
13 2003-2004 or in a subsequent fiscal year and that in a fiscal year  
14 after 2003-2004 receives the same type of support services from  
15 another district or intermediate district shall report the cost of  
16 those support services for special education reimbursement purposes  
17 under this article. This subdivision does not prohibit the transfer  
18 of special education classroom teachers and special education  
19 classroom aides if the pupils counted in membership associated with  
20 those special education classroom teachers and special education  
21 classroom aides are transferred and counted in membership in the  
22 other district or intermediate district in conjunction with the  
23 transfer of those teachers and aides.

24 (c) If the department determines before bookclosing for a  
25 fiscal year that the amounts allocated for that fiscal year under  
26 subsections (2), (3), (6), and (11) and sections 53a, 54, and 56  
27 will exceed expenditures for that fiscal year under subsections  
28 (2), (3), (6), and (11) and sections 53a, 54, and 56, then for a  
29 district or intermediate district whose reimbursement for that



1 fiscal year would otherwise be affected by subdivision (b),  
 2 subdivision (b) does not apply to the calculation of the  
 3 reimbursement for that district or intermediate district and the  
 4 department shall calculate reimbursement for that district or  
 5 intermediate district in the same manner as it was for 2003-2004.  
 6 If the amount of the excess allocations under subsections (2), (3),  
 7 (6), and (11) and sections 53a, 54, and 56 is not sufficient to  
 8 fully fund the calculation of reimbursement to those districts and  
 9 intermediate districts under this subdivision, then the department  
 10 shall prorate calculations and resulting reimbursement under this  
 11 subdivision on an equal percentage basis. Beginning in 2015-2016,  
 12 the amount of reimbursement under this subdivision for a fiscal  
 13 year must not exceed \$2,000,000.00 for any district or intermediate  
 14 district.

15 (d) Reimbursement for ancillary and other related services, as  
 16 defined by R 340.1701c of the Michigan Administrative Code, is not  
 17 provided when those services are covered by and available through  
 18 private group health insurance carriers or federal reimbursed  
 19 program sources unless the department and district or intermediate  
 20 district agree otherwise and that agreement is approved by the  
 21 state budget director. Expenses, other than the incidental expense  
 22 of filing, must not be borne by the parent. In addition, the filing  
 23 of claims must not delay the education of a pupil. A district or  
 24 intermediate district is responsible for payment of a deductible  
 25 amount and for an advance payment required until the time a claim  
 26 is paid.

27 (e) Beginning with calculations for 2004-2005, if an  
 28 intermediate district purchases a special education pupil  
 29 transportation service from a constituent district that was



1 previously purchased from a private entity; if the purchase from  
2 the constituent district is at a lower cost, adjusted for changes  
3 in fuel costs; and if the cost shift from the intermediate district  
4 to the constituent does not result in any net change in the revenue  
5 the constituent district receives from payments under sections 22b  
6 and 51c, then upon application by the intermediate district, the  
7 department shall direct the intermediate district to continue to  
8 report the cost associated with the specific identified special  
9 education pupil transportation service and shall adjust the costs  
10 reported by the constituent district to remove the cost associated  
11 with that specific service.

12 (8) A pupil who is enrolled in a full-time special education  
13 program conducted or administered by an intermediate district or a  
14 pupil who is enrolled in the Michigan ~~schools for the deaf and~~  
15 ~~blind~~ **Schools for the Deaf and Blind** is not included in the  
16 membership count of a district, but is counted in membership in the  
17 intermediate district of residence.

18 (9) Special education personnel transferred from 1 district to  
19 another to implement the revised school code are entitled to the  
20 rights, benefits, and tenure to which the person would otherwise be  
21 entitled had that person been employed by the receiving district  
22 originally.

23 (10) If a district or intermediate district uses money  
24 received under this section for a purpose other than the purpose or  
25 purposes for which the money is allocated, the department may  
26 require the district or intermediate district to refund the amount  
27 of money received. The department shall deposit money that is  
28 refunded in the state treasury to the credit of the state school  
29 aid fund.





1 (11) From the funds allocated in subsection (1), there is  
2 allocated the amount necessary, estimated at \$3,100,000.00 for  
3 2019-2020 **and estimated at \$3,000,000.00 for 2020-2021**, to pay the  
4 foundation allowances for pupils described in this subsection. The  
5 department shall calculate the allocation to a district under this  
6 subsection by multiplying the number of pupils described in this  
7 subsection who are counted in membership in the district times the  
8 sum of the foundation allowance under section 20 of the pupil's  
9 district of residence not to exceed the target foundation allowance  
10 for the current fiscal year, or, for a pupil described in this  
11 subsection who is counted in membership in a district that is a  
12 public school academy, times an amount equal to the amount per  
13 membership pupil under section 20(6). The department shall  
14 calculate the allocation to an intermediate district under this  
15 subsection in the same manner as for a district, using the  
16 foundation allowance under section 20 of the pupil's district of  
17 residence not to exceed the target foundation allowance for the  
18 current fiscal year. This subsection applies to all of the  
19 following pupils:

20 (a) Pupils described in section 53a.

21 (b) Pupils counted in membership in an intermediate district  
22 who are not special education pupils and are served by the  
23 intermediate district in a juvenile detention or child caring  
24 facility.

25 (c) Pupils with an emotional impairment counted in membership  
26 by an intermediate district and provided educational services by  
27 the department of health and human services.

28 (12) If it is determined that funds allocated under subsection  
29 (2) or (11) or under section 51c will not be expended, funds up to



1 the amount necessary and available may be used to supplement the  
2 allocations under subsection (2) or (11) or under section 51c in  
3 order to fully fund those allocations. After payments under  
4 subsections (2) and (11) and section 51c, the department shall  
5 expend the remaining funds from the allocation in subsection (1) in  
6 the following order:

7 (a) 100% of the reimbursement required under section 53a.

8 (b) 100% of the reimbursement required under subsection (6).

9 (c) 100% of the payment required under section 54.

10 (d) 100% of the payment required under subsection (3).

11 (e) 100% of the payments under section 56.

12 (13) The allocations under subsections (2), (3), and (11) are  
13 allocations to intermediate districts only and are not allocations  
14 to districts, but instead are calculations used only to determine  
15 the state payments under section 22b.

16 (14) If a public school academy that is not a cyber school, as  
17 that term is defined in section 551 of the revised school code, MCL  
18 380.551, enrolls under this section a pupil who resides outside of  
19 the intermediate district in which the public school academy is  
20 located and who is eligible for special education programs and  
21 services according to statute or rule, or who is a child with  
22 disabilities, as defined under the individuals with disabilities  
23 education act, Public Law 108-446, the intermediate district in  
24 which the public school academy is located and the public school  
25 academy shall enter into a written agreement with the intermediate  
26 district in which the pupil resides for the purpose of providing  
27 the pupil with a free appropriate public education, and the written  
28 agreement must include at least an agreement on the responsibility  
29 for the payment of the added costs of special education programs



1 and services for the pupil. If the public school academy that  
2 enrolls the pupil does not enter into an agreement under this  
3 subsection, the public school academy shall not charge the pupil's  
4 resident intermediate district or the intermediate district in  
5 which the public school academy is located the added costs of  
6 special education programs and services for the pupil, and the  
7 public school academy is not eligible for any payouts based on the  
8 funding formula outlined in the resident or nonresident  
9 intermediate district's plan. If a pupil is not enrolled in a  
10 public school academy under this subsection, the provision of  
11 special education programs and services and the payment of the  
12 added costs of special education programs and services for a pupil  
13 described in this subsection are the responsibility of the district  
14 and intermediate district in which the pupil resides.

15 (15) For the purpose of receiving its federal allocation under  
16 part B of the individuals with disabilities education act, Public  
17 Law 108-446, a public school academy that is a cyber school, as  
18 that term is defined in section 551 of the revised school code, MCL  
19 380.551, and is in compliance with section 553a of the revised  
20 school code, MCL 380.553a, directly receives the federal allocation  
21 under part B of the individuals with disabilities education act,  
22 Public Law 108-446, from the intermediate district in which the  
23 cyber school is located, as the subrecipient. If the intermediate  
24 district does not distribute the funds described in this subsection  
25 to the cyber school by the part B application due date of July 1,  
26 the department may distribute the funds described in this  
27 subsection directly to the cyber school according to the formula  
28 prescribed in 34 CFR 300.705 and 34 CFR 300.816.

29 (16) For a public school academy that is a cyber school, as



1 that term is defined in section 551 of the revised school code, MCL  
2 380.551, and is in compliance with section 553a of the revised  
3 school code, MCL 380.553a, that enrolls a pupil under this section,  
4 the intermediate district in which the cyber school is located  
5 shall ensure that the cyber school complies with sections 1701a,  
6 1703, 1704, 1751, 1752, 1756, and 1757 of the revised school code,  
7 MCL 380.1701a, 380.1703, 380.1704, 380.1751, 380.1752, 380.1756,  
8 and 380.1757; applicable rules; and the individuals with  
9 disabilities education act, Public Law 108-446.

10 (17) For the purposes of this section, the department or the  
11 center shall only require a district or intermediate district to  
12 report information that is not already available from the financial  
13 information database maintained by the center.

14 Sec. 51c. As required by the court in the consolidated cases  
15 known as *Durant v State of Michigan*, 456 Mich 175 (1997), from the  
16 allocation under section 51a(1), there is allocated for 2019-2020  
17 **and for 2020-2021**, the amount necessary, estimated at  
18 \$678,600,000.00 for 2019-2020 **and \$713,400,000.00 for 2020-2021**,  
19 for payments to reimburse districts for 28.6138% of total approved  
20 costs of special education excluding costs reimbursed under section  
21 53a, and 70.4165% of total approved costs of special education  
22 transportation. **Funds allocated under this section that are not**  
23 **expended in the fiscal year for which they were allocated, as**  
24 **determined by the department, may be used to supplement the**  
25 **allocations under sections 22a and 22b to fully fund those**  
26 **allocations for the same fiscal year. For each fund transfer as**  
27 **described in the immediately preceding sentence that occurs, the**  
28 **state budget director shall send notification of the transfer to**  
29 **the house and senate appropriations subcommittees on state school**



1 aid and the house and senate fiscal agencies by not later than 14  
2 calendar days after the transfer occurs.

3 Sec. 51d. (1) From the federal funds appropriated in section  
4 11, there is allocated for ~~2019-2020-2020-2021~~ all available  
5 federal funding, estimated at ~~\$61,000,000.00, \$71,000,000.00~~ for  
6 special education programs and services that are funded by federal  
7 grants. The department shall distribute all federal funds allocated  
8 under this section in accordance with federal law. Notwithstanding  
9 section 17b, the department shall make payments of federal funds to  
10 districts, intermediate districts, and other eligible entities  
11 under this section on a schedule determined by the department.

12 (2) From the federal funds allocated under subsection (1), the  
13 following amounts are allocated for ~~2019-2020-2020-2021~~:

14 (a) An amount estimated at \$14,000,000.00 for handicapped  
15 infants and toddlers, funded from DED-OSERS, handicapped infants  
16 and toddlers funds.

17 (b) An amount estimated at ~~\$12,000,000.00~~ **\$14,000,000.00** for  
18 preschool grants (Public Law 94-142), funded from DED-OSERS,  
19 handicapped preschool incentive funds.

20 (c) An amount estimated at ~~\$35,000,000.00~~ **\$43,000,000.00** for  
21 special education programs funded by DED-OSERS, handicapped  
22 program, individuals with disabilities act funds.

23 (3) As used in this section, "DED-OSERS" means the United  
24 States Department of Education Office of Special Education and  
25 Rehabilitative Services.

26 Sec. 51f. (1) From the funds appropriated under section 11,  
27 there is allocated for ~~2019-2020-2020-2021~~ an amount not to exceed  
28 \$60,207,000.00 for payments to districts and intermediate districts  
29 to increase the level of reimbursement of costs associated with



1 providing special education services required under state and  
2 federal law.

3 (2) A district's or intermediate district's allocation under  
4 this section is equal to the level percentage multiplied by each  
5 district's or intermediate district's costs reported to the center  
6 on the special education actual cost report, known as "SE-4096" as  
7 referred to under section 18(6), as approved by the department.

8 (3) The total reimbursement under this section and under  
9 section 51c must not exceed the total reported costs for a district  
10 or intermediate district.

11 (4) For ~~2019-2020,~~ **2020-2021**, the level percentage is  
12 estimated at 2.0%.

13 (5) For the purposes of this section, "level percentage" means  
14 the percentage calculated by dividing the allocation in subsection  
15 (1) by the total of costs reported to the center on the special  
16 education actual cost report, known as "SE-4096" as referred to  
17 under section 18(6), as approved by the department.

18 Sec. 53a. (1) For districts, reimbursement for pupils  
19 described in subsection (2) is 100% of the total approved costs of  
20 operating special education programs and services approved by the  
21 department and included in the intermediate district plan adopted  
22 ~~pursuant to~~ **under** article 3 of the revised school code, MCL  
23 380.1701 to 380.1761, minus the district's foundation allowance  
24 calculated under section 20. For intermediate districts, the  
25 department shall calculate reimbursement for pupils described in  
26 subsection (2) in the same manner as for a district, using the  
27 foundation allowance under section 20 of the pupil's district of  
28 residence, not to exceed the target foundation allowance under  
29 section 20 for the current fiscal year.



1 (2) Reimbursement under subsection (1) is for the following  
2 special education pupils:

3 (a) Pupils assigned to a district or intermediate district  
4 through the community placement program of the courts or a state  
5 agency, if the pupil was a resident of another intermediate  
6 district at the time the pupil came under the jurisdiction of the  
7 court or a state agency.

8 (b) Pupils who are residents of institutions operated by the  
9 department of health and human services.

10 (c) Pupils who are former residents of department of community  
11 health institutions for the developmentally disabled who are placed  
12 in community settings other than the pupil's home.

13 (d) Pupils enrolled in a department-approved on-grounds  
14 educational program longer than 180 days, but not longer than 233  
15 days, at a residential child care institution, if the child care  
16 institution offered in 1991-92 an on-grounds educational program  
17 longer than 180 days but not longer than 233 days.

18 (e) Pupils placed in a district by a parent for the purpose of  
19 seeking a suitable home, if the parent does not reside in the same  
20 intermediate district as the district in which the pupil is placed.

21 (3) Only those costs that are clearly and directly  
22 attributable to educational programs for pupils described in  
23 subsection (2), and that would not have been incurred if the pupils  
24 were not being educated in a district or intermediate district, are  
25 reimbursable under this section.

26 (4) The costs of transportation are funded under this section  
27 and are not reimbursed under section 58.

28 (5) The department shall not allocate more than \$10,500,000.00  
29 of the allocation for ~~2019-2020~~**2020-2021** in section 51a(1) under



1 this section.

2       Sec. 54. Each intermediate district receives an amount per-  
3 pupil for each pupil in attendance at the Michigan ~~schools for the~~  
4 ~~deaf and blind.~~ **Schools for the Deaf and Blind.** The amount is  
5 proportionate to the total instructional cost at each school. The  
6 department shall not allocate more than \$1,688,000.00 of the  
7 allocation for ~~2019-2020-2020-2021~~ in section 51a(1) under this  
8 section.

9       Sec. 54b. (1) From the general fund ~~appropriation money~~  
10 **appropriated** in section 11, there is allocated an amount not to  
11 exceed \$1,600,000.00 for ~~2019-2020-2020-2021~~ to continue the  
12 implementation of the recommendations of the special education  
13 reform task force published in January 2016.

14       (2) The department shall use funds allocated under this  
15 section for the purpose of piloting statewide implementation of the  
16 Michigan Integrated Behavior and Learning Support Initiative  
17 (MiBLSI), a nationally recognized program that includes positive  
18 behavioral intervention and supports and provides a statewide  
19 structure to support local initiatives for an integrated behavior  
20 and reading program. With the assistance of the intermediate  
21 districts involved in MiBLSI, the department shall identify a  
22 number of intermediate districts to participate in the pilot that  
23 is sufficient to ensure that MiBLSI can be implemented statewide  
24 with fidelity and sustainability. In addition, the department shall  
25 identify an intermediate district to act as a fiscal agent for  
26 these funds.

27       Sec. 54d. (1) From the appropriations in section 11, there is  
28 allocated an amount not to exceed \$7,150,000.00 for ~~2019-2020-2020-~~  
29 **2021** to intermediate districts for the purpose of providing state





1 early on services ~~pilot~~-programs for children from birth to 3 years  
2 of age with a developmental delay or a disability, or both, and  
3 their families, as described in the early on Michigan state plan,  
4 as approved by the department.

5 (2) To be eligible to receive grant funding under this  
6 section, each intermediate district ~~shall~~**must** apply in a form and  
7 manner determined by the department.

8 (3) The grant funding allocated under this section must be  
9 used to increase early on services and resources available to  
10 children that demonstrate developmental delays to help prepare them  
11 for success as they enter school. State early on services include  
12 evaluating and providing early intervention services for eligible  
13 infants and toddlers and their families to address developmental  
14 delays, including those affecting physical, cognitive,  
15 communication, adaptive, social, or emotional development. Grant  
16 funds must not be used to supplant existing services that are  
17 currently being provided.

18 (4) The department shall distribute the funds allocated under  
19 subsection (1) to intermediate districts according to the  
20 department's early on funding formula utilized to distribute the  
21 federal award to Michigan under part C of the individuals with  
22 disabilities education act. Funds received under this section must  
23 not supplant existing funds or resources allocated for early on  
24 early intervention services. An intermediate district receiving  
25 funds under this section shall maximize the capture of Medicaid  
26 funds to support early on early intervention services to the extent  
27 possible.

28 (5) Each intermediate district that receives funds under this  
29 section shall report data and other information to the department



1 in a form, manner, and frequency prescribed by the department to  
 2 allow for monitoring and evaluation of the ~~pilot projects~~ **program**  
 3 and to ensure that the children described in subsection (1)  
 4 received appropriate levels and types of services delivered by  
 5 qualified personnel, based on the individual needs of the children  
 6 and their families.

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

10 Sec. 55. (1) From the general fund money appropriated in  
 11 section 11, there is allocated an amount not to exceed \$250,000.00  
 12 for ~~2018-2019-2020-2021~~ to the Conductive Learning Center located  
 13 at Aquinas College. This funding must be used to support the  
 14 operational costs of the conductive education model taught at the  
 15 Conductive Learning Center to maximize the independence and  
 16 mobility of children and adults with neuromotor disabilities. The  
 17 conductive education model funded under this section must be based  
 18 on the concept of neuroplasticity and the ability of people to  
 19 learn and improve when they are motivated, regardless of the  
 20 severity of their disability.

21 (2) Notwithstanding section 17b, the department shall  
 22 distribute the funding allocated under this section to the  
 23 Conductive Learning Center not later than December 1, ~~2018-2020~~.

24 Sec. 56. (1) For the purposes of this section:

25 (a) "Membership" means for a particular fiscal year the total  
 26 membership for the immediately preceding fiscal year of the  
 27 intermediate district and the districts constituent to the  
 28 intermediate district.

29 (b) "Millage levied" means the millage levied for special



1 education ~~pursuant to~~**under** part 30 of the revised school code, MCL  
 2 380.1711 to 380.1741, including a levy for debt service  
 3 obligations.

4 (c) "Taxable value" means the total taxable value of the  
 5 districts constituent to an intermediate district, except that if a  
 6 district has elected not to come under part 30 of the revised  
 7 school code, MCL 380.1711 to 380.1741, membership and taxable value  
 8 of the district are not included in the membership and taxable  
 9 value of the intermediate district.

10 (2) From the allocation under section 51a(1), there is  
 11 allocated \$40,008,100.00 for ~~2018-2019~~**2019-2020** and an amount not  
 12 to exceed \$40,008,100.00 for ~~2019-2020~~**2020-2021** to reimburse  
 13 intermediate districts levying millages for special education  
 14 ~~pursuant to~~**under** part 30 of the revised school code, MCL 380.1711  
 15 to 380.1741. The purpose, use, and expenditure of the reimbursement  
 16 are limited as if the funds were generated by these millages and  
 17 governed by the intermediate district plan adopted ~~pursuant to~~  
 18 **under** article 3 of the revised school code, MCL 380.1701 to  
 19 380.1761. As a condition of receiving funds under this section, an  
 20 intermediate district distributing any portion of special education  
 21 millage funds to its constituent districts ~~shall~~**must** submit for  
 22 departmental approval and implement a distribution plan.

23 (3) Except as otherwise provided in this subsection,  
 24 reimbursement for those millages levied in ~~2017-2018~~**2018-2019** is  
 25 made in ~~2018-2019~~**2019-2020** at an amount per ~~2017-2018~~**2018-2019**  
 26 membership pupil computed by subtracting from \$193,900.00  
 27 **\$201,700.00** the ~~2017-2018~~**2018-2019** taxable value behind each  
 28 membership pupil and multiplying the resulting difference by the  
 29 ~~2017-2018~~**2018-2019** millage levied, and then subtracting from that



1 amount the ~~2017-2018~~**2018-2019** local community stabilization share  
 2 revenue for special education purposes behind each membership pupil  
 3 for reimbursement of personal property exemption loss under the  
 4 local community stabilization authority act, 2014 PA 86, MCL  
 5 123.1341 to 123.1362. Reimbursement in ~~2018-2019~~**2019-2020** for an  
 6 intermediate district whose 2017-2018 allocation was affected by  
 7 the operation of subsection (5) is an amount equal to 102.5% of the  
 8 2017-2018 allocation to that intermediate district.

9 (4) Except as otherwise provided in this subsection,  
 10 reimbursement for those millages levied in ~~2018-2019~~**2019-2020** is  
 11 made in ~~2019-2020~~**2020-2021** at an amount per ~~2018-2019~~**2019-2020**  
 12 membership pupil computed by subtracting from ~~\$201,800.00~~  
 13 **\$209,000.00** the ~~2018-2019~~**2019-2020** taxable value behind each  
 14 membership pupil and multiplying the resulting difference by the  
 15 ~~2018-2019~~**2019-2020** millage levied, and then subtracting from that  
 16 amount the ~~2018-2019~~**2019-2020** local community stabilization share  
 17 revenue for special education purposes behind each membership pupil  
 18 for reimbursement of personal property exemption loss under the  
 19 local community stabilization authority act, 2014 PA 86, MCL  
 20 123.1341 to 123.1362. Reimbursement in ~~2019-2020~~**2020-2021** for an  
 21 intermediate district whose 2017-2018 allocation was affected by  
 22 the operation of subsection (5) is an amount equal to 102.5% of the  
 23 2017-2018 allocation to that intermediate district.

24 (5) The department shall ensure that the amount paid to a  
 25 single intermediate district under this section does not exceed  
 26 62.9% of the total amount allocated under subsection (2).

27 (6) The department shall ensure that the amount paid to a  
 28 single intermediate district under this section is not less than  
 29 75% of the amount allocated to the intermediate district under this



1 section for the immediately preceding fiscal year.

2       Sec. 61a. (1) From the state school aid fund money  
 3 appropriated in section 11, there is allocated an amount not to  
 4 exceed ~~\$27,893,500.00~~ **\$37,611,300.00** for ~~2019-2020,~~ **2020-2021** and  
 5 ~~from the talent investment fund money appropriated in section 11,~~  
 6 ~~there is allocated an amount not to exceed \$9,717,800.00 for 2019-~~  
 7 ~~2020,~~ to reimburse on an added cost basis districts, except for a  
 8 district that served as the fiscal agent for a vocational education  
 9 consortium in the 1993-94 school year and that has a foundation  
 10 allowance as calculated under section 20 greater than the minimum  
 11 foundation allowance under that section, and secondary area  
 12 vocational-technical education centers for secondary-level career  
 13 and technical education programs according to rules approved by the  
 14 superintendent. Applications for participation in the programs must  
 15 be submitted in the form prescribed by the department. The  
 16 department shall determine the added cost for each career and  
 17 technical education program area. The department shall prioritize  
 18 the allocation of added cost funds based on the capital and program  
 19 expenditures needed to operate the career and technical education  
 20 programs provided; the number of pupils enrolled; the advancement  
 21 of pupils through the instructional program; the existence of an  
 22 articulation agreement with at least 1 postsecondary institution  
 23 that provides pupils with opportunities to earn postsecondary  
 24 credit during the pupil's participation in the career and technical  
 25 education program and transfers those credits to the postsecondary  
 26 institution upon completion of the career and technical education  
 27 program; and the program rank in student placement, job openings,  
 28 and wages, and shall ensure that the allocation does not exceed 75%  
 29 of the added cost of any program. Notwithstanding any rule or



1 department determination to the contrary, when determining a  
2 district's allocation or the formula for making allocations under  
3 this section, the department shall include the participation of  
4 pupils in grade 9 in all of those determinations and in all  
5 portions of the formula. With the approval of the department, the  
6 board of a district maintaining a secondary career and technical  
7 education program may offer the program for the period from the  
8 close of the school year until September 1. The program shall use  
9 existing facilities and must be operated as prescribed by rules  
10 promulgated by the superintendent.

11 (2) Except for a district that served as the fiscal agent for  
12 a vocational education consortium in the 1993-94 school year, the  
13 department shall reimburse districts and intermediate districts for  
14 local career and technical education administration, shared time  
15 career and technical education administration, and career education  
16 planning district career and technical education administration.  
17 The superintendent shall adopt guidelines for the definition of  
18 what constitutes administration and shall make reimbursement  
19 pursuant to those guidelines. The department shall not distribute  
20 more than \$800,000.00 of the allocation in subsection (1) under  
21 this subsection.

22 (3) A career and technical education program funded under this  
23 section may provide an opportunity for participants who are  
24 eligible to be funded under section 107 to enroll in the career and  
25 technical education program funded under this section if the  
26 participation does not occur during regular school hours.

27 Sec. 61b. (1) From the funds appropriated under section 11,  
28 there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed  
29 \$8,000,000.00 from the state school aid fund appropriation for CTE



1 early/middle college and CTE dual enrollment programs authorized  
 2 under this section and for planning grants for the development or  
 3 expansion of CTE early/middle college programs. The purpose of  
 4 these programs is to increase the number of Michigan residents with  
 5 high-quality degrees or credentials, and to increase the number of  
 6 students who are college and career ready upon high school  
 7 graduation.

8 (2) From the funds allocated under subsection (1), the  
 9 department shall allocate an amount as determined under this  
 10 subsection to each intermediate district serving as a fiscal agent  
 11 for state-approved CTE early/middle college and CTE dual enrollment  
 12 programs in each of the ~~prosperity regions and subregions~~ **career**  
 13 **education planning districts** identified by the department. An  
 14 intermediate district shall not use more than 5% of the funds  
 15 allocated under this subsection for administrative costs for  
 16 serving as the fiscal agent.

17 (3) To be an eligible fiscal agent, an intermediate district  
 18 must agree to do all of the following in a form and manner  
 19 determined by the department:

20 (a) Distribute funds to eligible CTE early/middle college and  
 21 CTE dual enrollment programs in a ~~prosperity region or subregion~~  
 22 **career education planning district** as described in this section.

23 (b) Collaborate with the career and educational advisory  
 24 council ~~that is located in the prosperity region or subregion~~ **in**  
 25 **the workforce development board service delivery area** to develop a  
 26 1 regional strategic plan under subsection (4) that aligns CTE  
 27 programs and services into an efficient and effective delivery  
 28 system for high school students. **The department will align career**  
 29 **education planning districts, workforce development board service**



1 **delivery areas, and intermediate districts for the purpose of**  
 2 **creating 1 regional strategic plan for each workforce development**  
 3 **board service delivery area.**

4 (c) Implement a regional process to rank career clusters in  
 5 the ~~prosperity region or subregion~~ **workforce development board**  
 6 **service delivery area** as described under subsection (4). Regional  
 7 processes must be approved by the department before the ranking of  
 8 career clusters.

9 (d) Report CTE early/middle college and CTE dual enrollment  
 10 program and student data and information as prescribed by the  
 11 department and the center.

12 (4) A regional strategic plan must be approved by the career  
 13 and educational advisory council before submission to the  
 14 department. A regional strategic plan must include, but is not  
 15 limited to, the following:

16 (a) An identification of regional employer need based on a  
 17 ranking of all career clusters in the ~~prosperity region or~~  
 18 ~~subregion~~ **workforce development board service delivery area** ranked  
 19 by 10-year job openings projections and median wage for each  
 20 standard occupational code in each career cluster as obtained from  
 21 the United States Bureau of Labor Statistics. Standard occupational  
 22 codes within high-ranking clusters also may be further ranked by  
 23 median wage. The career and educational advisory council located in  
 24 the ~~prosperity region or subregion~~ **workforce development board**  
 25 **service delivery area** shall review the rankings and modify them if  
 26 necessary to accurately reflect employer demand for talent in the  
 27 ~~prosperity region or subregion.~~ **workforce development board service**  
 28 **delivery area.** A career and educational advisory council shall  
 29 document that it has conducted this review and certify that it is





1 accurate. These career cluster rankings must be determined and  
2 updated once every 4 years.

3 (b) An identification of educational entities in the  
4 ~~prosperity region or subregion~~ **workforce development board service**  
5 **delivery area** that will provide eligible CTE early/middle college  
6 and CTE dual enrollment programs including districts, intermediate  
7 districts, postsecondary institutions, and noncredit occupational  
8 training programs leading to an industry-recognized credential.

9 (c) A strategy to inform parents and students of CTE  
10 early/middle college and CTE dual enrollment programs in the  
11 ~~prosperity region or subregion~~ **workforce development board service**  
12 **delivery area.**

13 (d) Any other requirements as defined by the department.

14 (5) An eligible CTE program is a program that meets all of the  
15 following:

16 (a) Has been identified in the highest 5 career cluster  
17 rankings in any of the ~~10 regional~~ **16 workforce development board**  
18 **service delivery area** strategic plans jointly approved by the  
19 ~~Michigan talent investment agency in the~~ department of labor and  
20 economic opportunity and the department.

21 (b) Has a coherent sequence of courses that will allow a  
22 student to earn a high school diploma and achieve at least 1 of the  
23 following in a specific career cluster:

24 (i) An associate degree.

25 (ii) An industry-recognized technical certification approved by  
26 ~~the Michigan talent investment agency in the~~ department of labor  
27 and economic opportunity.

28 (iii) Up to 60 transferable college credits.

29 (iv) Participation in a registered apprenticeship, pre-



1 apprenticeship, or apprentice readiness program.

2 (c) Is aligned with the Michigan merit curriculum.

3 (d) Has an articulation agreement with at least 1  
4 postsecondary institution that provides students with opportunities  
5 to receive postsecondary credits during the student's participation  
6 in the CTE early/middle college or CTE dual enrollment program and  
7 transfers those credits to the postsecondary institution upon  
8 completion of the CTE early/middle college or CTE dual enrollment  
9 program.

10 (e) Provides instruction that is supervised, directed, or  
11 coordinated by an appropriately certificated CTE teacher or, for  
12 concurrent enrollment courses, a postsecondary faculty member.

13 (f) Provides for highly integrated student support services  
14 that include at least the following:

15 (i) Teachers as academic advisors.

16 (ii) Supervised course selection.

17 (iii) Monitoring of student progress and completion.

18 (iv) Career planning services provided by a local one-stop  
19 service center as described in the Michigan ~~Works!~~**works** one-stop  
20 service center system act, 2006 PA 491, MCL 408.111 to 408.135, or  
21 by a high school counselor or advisor.

22 (g) Has courses that are taught on a college campus, are  
23 college courses offered at the high school and taught by college  
24 faculty, or are courses taught in combination with online  
25 instruction.

26 (6) The department shall distribute funds to eligible CTE  
27 early/middle college and CTE dual enrollment programs as follows:

28 (a) The department shall determine statewide average CTE costs  
29 per pupil for each CIP code program by calculating statewide



1 average costs for each CIP code program for the 3 most recent  
2 fiscal years.

3 (b) The distribution to each eligible CTE early/middle college  
4 or CTE dual enrollment program is the product of 50% of CTE costs  
5 per pupil times the ~~current year~~ pupil enrollment of each eligible  
6 CTE early/middle college or CTE dual enrollment program **in the**  
7 **immediately preceding school year.**

8 (7) In order to receive funds under this section, a CTE  
9 early/middle college or CTE dual enrollment program shall furnish  
10 to the intermediate district that is the fiscal agent identified in  
11 subsection (2), in a form and manner determined by the department,  
12 all information needed to administer this program and meet federal  
13 reporting requirements; shall allow the department or the  
14 department's designee to review all records related to the program  
15 for which it receives funds; and shall reimburse the state for all  
16 disallowances found in the review, as determined by the department.

17 (8) There is allocated for ~~2019-2020~~ **2020-2021** from the funds  
18 under subsection (1) an amount not to exceed \$500,000.00 from the  
19 state school aid fund allocation for grants to intermediate  
20 districts or consortia of intermediate districts for the purpose of  
21 planning for new or expanded early/middle college programs.  
22 Applications for grants must be submitted in a form and manner  
23 determined by the department. The amount of a grant under this  
24 subsection must not exceed ~~\$150,000.00~~ **\$50,000.00**. To be eligible  
25 for a grant under this subsection, an intermediate district or  
26 consortia of intermediate districts must provide matching funds  
27 equal to the grant received under this subsection. Notwithstanding  
28 section 17b, the department shall make payments under this  
29 subsection in the manner determined by the department.



1 (9) Funds distributed under this section may be used to fund  
 2 program expenditures that would otherwise be paid from foundation  
 3 allowances. A program receiving funding under section 61a may  
 4 receive funding under this section for allowable costs that exceed  
 5 the reimbursement the program received under section 61a. The  
 6 combined payments received by a program under section 61a and this  
 7 section must not exceed the total allowable costs of the program. A  
 8 program provider shall not use more than 5% of the funds allocated  
 9 under this section to the program for administrative costs.

10 (10) If the allocation under subsection (1) is insufficient to  
 11 fully fund payments as otherwise calculated under this section, the  
 12 department shall prorate payments under this section on an equal  
 13 percentage basis.

14 (11) If pupils enrolled in a career cluster in an eligible CTE  
 15 early/middle college or CTE dual enrollment program qualify to be  
 16 reimbursed under this section, those pupils continue to qualify for  
 17 reimbursement until graduation, even if the career cluster is no  
 18 longer identified as being in the highest 5 career cluster  
 19 rankings.

20 (12) As used in this section:

21 (a) "Allowable costs" means those costs directly attributable  
 22 to the program as jointly determined by the ~~Michigan talent~~  
 23 ~~investment agency~~ **department of labor and economic opportunity** and  
 24 the department.

25 (b) "Career and educational advisory council" means an  
 26 advisory council to the local workforce development boards located  
 27 in a ~~prosperity region~~ **workforce development board service delivery**  
 28 **area** consisting of educational, employer, labor, and parent  
 29 representatives.



1 (c) "CIP" means classification of instructional programs.

2 (d) "CTE" means career and technical education programs.

3 (e) "CTE dual enrollment program" means a 4-year high school  
4 program of postsecondary courses offered by eligible postsecondary  
5 educational institutions that leads to an industry-recognized  
6 certification or degree.

7 (f) "Early/middle college program" means a 5-year high school  
8 program.

9 (g) "Eligible postsecondary educational institution" means  
10 that term as defined in section 3 of the career and technical  
11 preparation act, 2000 PA 258, MCL 388.1903.

12 ~~(13) The funds allocated under subsection (8) for 2019-2020~~  
13 ~~are a work project appropriation, and any unexpended funds for~~  
14 ~~2019-2020 are carried forward into 2020-2021. The purpose of the~~  
15 ~~work project is to continue providing CTE opportunities described~~  
16 ~~in subsection (8). The estimated completion date of the work~~  
17 ~~project is September 30, 2021.~~

18 Sec. 61d. (1) From the appropriation in section 11, there is  
19 allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed  
20 \$5,000,000.00 from the state school aid fund for additional  
21 payments to districts for career and technical education programs  
22 for the purpose of increasing the number of Michigan residents with  
23 high-quality degrees or credentials, and to increase the number of  
24 pupils who are college- and career-ready upon high school  
25 graduation.

26 (2) The department shall calculate payments to districts under  
27 this section in the following manner:

28 (a) A payment of ~~\$50.00~~ **\$35.00** multiplied by the number of  
29 pupils in grades 9 to 12 who are counted in membership in the



1 district and are enrolled in at least 1 career and technical  
2 education program.

3 (b) An additional payment of ~~\$50.00~~**\$35.00** multiplied by the  
4 number of pupils in grades 9 to 12 who are counted in membership in  
5 the district and are enrolled in at least 1 career and technical  
6 education program that provides instruction in critical skills and  
7 high-demand career fields.

8 (3) If the allocation under subsection (1) is insufficient to  
9 fully fund payments under subsection (2), the department shall  
10 prorate payments under this section on an equal per-pupil basis.

11 (4) As used in this section:

12 (a) "Career and technical education program" means a state-  
13 approved career and technical education program, as determined by  
14 the department.

15 (b) "Career and technical education program that provides  
16 instruction in critical skills and high-demand career field" means  
17 a career and technical education program classified under any of  
18 the following 2-digit classification of instructional programs  
19 (CIP) codes:

20 (i) 01, which refers to "agriculture, agriculture operations,  
21 and related sciences".

22 (ii) 03, which refers to "natural resources and conservation".

23 (iii) 10 through 11, which refers to "communications  
24 technologies/technicians and support services" and "computer and  
25 information sciences and support services".

26 (iv) 14 through 15, which refers to "engineering" and  
27 "engineering technologies and engineering-related fields".

28 (v) 26, which refers to "biological and biomedical sciences".

29 (vi) 46 through 48, which refers to "construction trades",



1 "mechanic and repair technologies/technicians", and "precision  
2 production".

3 (vii) 51, which refers to "health professions and related  
4 programs".

5 Sec. 62. (1) For the purposes of this section:

6 (a) "Membership" means for a particular fiscal year the total  
7 membership for the immediately preceding fiscal year of the  
8 intermediate district and the districts constituent to the  
9 intermediate district or the total membership for the immediately  
10 preceding fiscal year of the area vocational-technical program.

11 (b) "Millage levied" means the millage levied for area  
12 vocational-technical education ~~pursuant to~~**under** sections 681 to  
13 690 of the revised school code, MCL 380.681 to 380.690, including a  
14 levy for debt service obligations incurred as the result of  
15 borrowing for capital outlay projects and in meeting capital  
16 projects fund requirements of area vocational-technical education.

17 (c) "Taxable value" means the total taxable value of the  
18 districts constituent to an intermediate district or area  
19 vocational-technical education program, except that if a district  
20 has elected not to come under sections 681 to 690 of the revised  
21 school code, MCL 380.681 to 380.690, the membership and taxable  
22 value of that district are not included in the membership and  
23 taxable value of the intermediate district. However, the membership  
24 and taxable value of a district that has elected not to come under  
25 sections 681 to 690 of the revised school code, MCL 380.681 to  
26 380.690, are included in the membership and taxable value of the  
27 intermediate district if the district meets both of the following:

28 (i) The district operates the area vocational-technical  
29 education program pursuant to a contract with the intermediate



1 district.

2 (ii) The district contributes an annual amount to the operation  
3 of the program that is commensurate with the revenue that would  
4 have been raised for operation of the program if millage were  
5 levied in the district for the program under sections 681 to 690 of  
6 the revised school code, MCL 380.681 to 380.690.

7 (2) From the appropriation in section 11, there is allocated  
8 an amount not to exceed \$9,190,000.00 each fiscal year for ~~2018-~~  
9 ~~2019 and for 2019-2020~~ **and for 2020-2021** to reimburse intermediate  
10 districts and area vocational-technical education programs  
11 established under section 690(3) of the revised school code, MCL  
12 380.690, levying millages for area vocational-technical education  
13 ~~pursuant to~~ **under** sections 681 to 690 of the revised school code,  
14 MCL 380.681 to 380.690. The purpose, use, and expenditure of the  
15 reimbursement are limited as if the funds were generated by those  
16 millages.

17 (3) Reimbursement for those millages levied in ~~2017-2018-2018-~~  
18 ~~2019~~ is made in ~~2018-2019-2019-2020~~ at an amount per ~~2017-2018~~  
19 ~~2018-2019~~ membership pupil computed by subtracting from ~~\$205,700.00~~  
20 **\$210,800.00** the ~~2017-2018-2018-2019~~ taxable value behind each  
21 membership pupil and multiplying the resulting difference by the  
22 ~~2017-2018-2018-2019~~ millage levied, and then subtracting from that  
23 amount the ~~2017-2018-2018-2019~~ local community stabilization share  
24 revenue for area vocational technical education behind each  
25 membership pupil for reimbursement of personal property exemption  
26 loss under the local community stabilization authority act, 2014 PA  
27 86, MCL 123.1341 to 123.1362.

28 (4) Reimbursement for those millages levied in ~~2018-2019-2019-~~  
29 ~~2020~~ is made in ~~2019-2020-2020-2021~~ at an amount per ~~2018-2019~~





1 ~~2019-2020~~ membership pupil computed by subtracting from ~~\$211,000.00~~  
 2 **\$218,800.00** the ~~2018-2019-2019-2020~~ taxable value behind each  
 3 membership pupil and multiplying the resulting difference by the  
 4 ~~2018-2019-2019-2020~~ millage levied, and then subtracting from that  
 5 amount the ~~2018-2019-2019-2020~~ local community stabilization share  
 6 revenue for area vocational technical education behind each  
 7 membership pupil for reimbursement of personal property exemption  
 8 loss under the local community stabilization authority act, 2014 PA  
 9 86, MCL 123.1341 to 123.1362.

10 (5) The department shall ensure that the amount paid to a  
 11 single intermediate district under this section does not exceed  
 12 38.4% of the total amount allocated under subsection (2).

13 (6) The department shall ensure that the amount paid to a  
 14 single intermediate district under this section is not less than  
 15 75% of the amount allocated to the intermediate district under this  
 16 section for the immediately preceding fiscal year.

17 Sec. 65. (1) From the appropriation under section 11, there is  
 18 allocated an amount not to exceed \$400,000.00 for ~~2019-2020-2020-~~  
 19 **2021** for a pre-college engineering K-12 educational program that is  
 20 focused on the development of a diverse future Michigan workforce,  
 21 that serves multiple communities within southeast Michigan, that  
 22 enrolls pupils from multiple districts, and that received funds  
 23 appropriated for this purpose in the appropriations act that  
 24 provided the Michigan strategic fund budget for 2014-2015.

25 (2) To be eligible for funding under this section, a program  
 26 must have the ability to expose pupils to, and motivate and prepare  
 27 pupils for, science, technology, engineering, and mathematics  
 28 careers and postsecondary education with special attention given to  
 29 groups of pupils who are at-risk and underrepresented in technical



1 professions and careers.

2       Sec. 67. (1) From the general fund ~~amount~~**money** appropriated  
3 in section 11, there is allocated an amount not to exceed  
4 \$3,000,000.00 for ~~2019-2020~~**2020-2021** for college access programs.  
5 The programs funded under this section are intended to inform  
6 students of college and career options and to provide resources  
7 intended to increase the number of pupils who are adequately  
8 prepared with the information needed to make informed decisions on  
9 college and career. The funds appropriated under this section are  
10 intended to be used to increase the number of Michigan residents  
11 with high-quality degrees or credentials. Funds appropriated under  
12 this section must not be used to supplant funding for counselors  
13 already funded by districts.

14       (2) The ~~talent investment agency of the~~ department of labor  
15 and economic opportunity shall administer funds allocated under  
16 this section in collaboration with the Michigan college access  
17 network. These funds may be used for any of the following purposes:

18       (a) Michigan college access network operations, programming,  
19 and services to local college access networks.

20       (b) Local college access networks, which are community-based  
21 college access/success partnerships committed to increasing the  
22 college participation and completion rates within geographically  
23 defined communities through a coordinated strategy.

24       (c) The Michigan college advising program, a program intended  
25 to place trained, recently graduated college advisors in high  
26 schools that serve significant numbers of low-income and first-  
27 generation college-going pupils. State funds used for this purpose  
28 may not exceed 33% of the total funds available under this  
29 subsection.



1 (d) Subgrants of up to \$5,000.00 to districts with  
 2 comprehensive high schools that establish a college access team and  
 3 implement specific strategies to create a college-going culture in  
 4 a high school in a form and manner approved by the Michigan college  
 5 access network and the ~~Michigan talent investment agency~~**department**  
 6 **of labor and economic opportunity.**

7 (e) The Michigan college access portal, an online one-stop  
 8 portal to help pupils and families plan and apply for college.

9 (f) Public awareness and outreach campaigns to encourage low-  
 10 income and first-generation college-going pupils to take necessary  
 11 steps toward college and to assist pupils and families in  
 12 completing a timely and accurate free application for federal  
 13 student aid.

14 (g) Subgrants to postsecondary institutions to recruit, hire,  
 15 and train college student mentors and college advisors to assist  
 16 high school pupils in navigating the postsecondary planning and  
 17 enrollment process.

18 (3) For the purposes of this section, "college" means any  
 19 postsecondary educational opportunity that leads to a career,  
 20 including, but not limited to, a postsecondary degree, industry-  
 21 recognized technical certification, or registered apprenticeship.

22 **Sec. 67a. (1) From the general fund money appropriated under**  
 23 **section 11, there is allocated an amount not to exceed \$50,000.00**  
 24 **for 2020-2021 for a grant to be distributed by the department to an**  
 25 **organization to provide industrial and technological education and**  
 26 **workforce preparation for students and professional development**  
 27 **opportunities and support for teachers.**

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



1 **department.**

2       Sec. 74. (1) From the amount appropriated in section 11, there  
3 is allocated an amount not to exceed ~~\$3,772,900.00~~ **\$3,814,500.00**  
4 for ~~2019-2020~~ **2020-2021** for the purposes of this section.

5       (2) From the allocation in subsection (1), there is allocated  
6 for ~~each fiscal year~~ **2020-2021** the amount necessary for payments to  
7 state supported colleges or universities and intermediate districts  
8 providing school bus driver safety instruction under section 51 of  
9 the pupil transportation act, 1990 PA 187, MCL 257.1851. The  
10 department shall make payments in an amount determined by the  
11 department not to exceed the actual cost of instruction and driver  
12 compensation for each public or nonpublic school bus driver  
13 attending a course of instruction. For the purpose of computing  
14 compensation, the hourly rate allowed each school bus driver must  
15 not exceed the hourly rate received for driving a school bus. The  
16 department shall make reimbursement compensating the driver during  
17 the course of instruction to the college or university or  
18 intermediate district providing the course of instruction.

19       (3) From the allocation in subsection (1), there is allocated  
20 for ~~2019-2020~~ **2020-2021** the amount necessary to pay the reasonable  
21 costs of nonspecial education auxiliary services transportation  
22 provided under section 1323 of the revised school code, MCL  
23 380.1323. Districts funded under this subsection do not receive  
24 funding under any other section of this article for nonspecial  
25 education auxiliary services transportation.

26       (4) From the funds allocated in subsection (1), there is  
27 allocated an amount not to exceed ~~\$1,747,900.00~~ **\$1,789,500.00** for  
28 ~~2019-2020~~ **2020-2021** for reimbursement to districts and intermediate  
29 districts for costs associated with the inspection of school buses



1 and pupil transportation vehicles by the department of state police  
 2 as required under section 715a of the Michigan vehicle code, 1949  
 3 PA 300, MCL 257.715a, and section 39 of the pupil transportation  
 4 act, 1990 PA 187, MCL 257.1839. The department of state police  
 5 shall prepare a statement of costs attributable to each district  
 6 for which bus inspections are provided and submit it to the  
 7 department and to an intermediate district serving as fiduciary in  
 8 a time and manner determined jointly by the department and the  
 9 department of state police. Upon review and approval of the  
 10 statement of cost, the department shall forward to the designated  
 11 intermediate district serving as fiduciary the amount of the  
 12 reimbursement on behalf of each district and intermediate district  
 13 for costs detailed on the statement within 45 days after receipt of  
 14 the statement. The designated intermediate district shall make  
 15 payment in the amount specified on the statement to the department  
 16 of state police within 45 days after receipt of the statement. The  
 17 total reimbursement of costs under this subsection must not exceed  
 18 the amount allocated under this subsection. Notwithstanding section  
 19 17b, the department shall make payments to eligible entities under  
 20 this subsection on a schedule prescribed by the department.

21 Sec. 81. (1) From the appropriation in section 11, there is  
 22 allocated for ~~2019-2020~~**2020-2021** to the intermediate districts the  
 23 sum necessary, but not to exceed \$69,138,000.00, to provide state  
 24 aid to intermediate districts under this section.

25 (2) The amount allocated under this section to each  
 26 intermediate district is an amount equal to ~~101%~~**100%** of the amount  
 27 allocated to the intermediate district under this section for ~~2018-~~  
 28 ~~2019.~~**2019-2020**. An intermediate district shall use funding  
 29 provided under this section to comply with requirements of this



1 article and the revised school code that are applicable to  
 2 intermediate districts, and for which funding is not provided  
 3 elsewhere in this article, and to provide technical assistance to  
 4 districts as authorized by the intermediate school board.

5 (3) Intermediate districts receiving funds under this section  
 6 shall collaborate with the department to develop expanded  
 7 professional development opportunities for teachers to update and  
 8 expand their knowledge and skills needed to support the Michigan  
 9 merit curriculum.

10 (4) From the allocation in subsection (1), there is allocated  
 11 to an intermediate district, formed by the consolidation or  
 12 annexation of 2 or more intermediate districts or the attachment of  
 13 a total intermediate district to another intermediate ~~school~~  
 14 district or the annexation of all of the constituent K-12 districts  
 15 of a previously existing intermediate ~~school~~-district which has  
 16 disorganized, an additional allotment of \$3,500.00 each fiscal year  
 17 for each intermediate district included in the new intermediate  
 18 district for 3 years following consolidation, annexation, or  
 19 attachment.

20 (5) In order to receive funding under this section, an  
 21 intermediate district shall do all of the following:

22 (a) Demonstrate to the satisfaction of the department that the  
 23 intermediate district employs at least 1 person who is trained in  
 24 pupil accounting and auditing procedures, rules, and regulations.

25 (b) Demonstrate to the satisfaction of the department that the  
 26 intermediate district employs at least 1 person who is trained in  
 27 rules, regulations, and district reporting procedures for the  
 28 individual-level student data that serves as the basis for the  
 29 calculation of the district and high school graduation and dropout



1 rates.

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

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

7 (e) Comply with section 1230g of the revised school code, MCL  
8 380.1230g.

9 Sec. 94. (1) From the general fund ~~appropriation~~ **money**  
10 **appropriated** in section 11, there is allocated to the department  
11 for ~~2019-2020-2020-2021~~ an amount not to exceed ~~\$1,000,000.00~~  
12 **\$1,200,000.00** for efforts to increase the number of pupils who  
13 participate and succeed in advanced placement and international  
14 baccalaureate programs, and to support the college-level  
15 examination program (CLEP).

16 (2) From the funds allocated under this section, the  
17 department shall award funds to cover all or part of the costs of  
18 advanced placement test fees or international baccalaureate test  
19 fees and international baccalaureate registration fees for low-  
20 income pupils who take an advanced placement or an international  
21 baccalaureate test and CLEP fees for low-income pupils who take a  
22 CLEP test.

23 (3) The department shall only award funds under this section  
24 if the department determines that all of the following criteria are  
25 met:

26 (a) Each pupil for whom payment is made meets eligibility  
27 requirements of the federal advanced placement test fee program  
28 under section 1701 of the no child left behind act of 2001, Public  
29 Law 107-110, or under a corresponding provision of the every



1 student succeeds act, Public Law 114-95.

2 (b) The tests are administered by the college board, the  
3 international baccalaureate organization, or another test provider  
4 approved by the department.

5 (c) The pupil for whom payment is made pays at least \$5.00  
6 toward the cost of each test for which payment is made.

7 (4) The department shall establish procedures for awarding  
8 funds under this section.

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

12 Sec. 94a. (1) There is created within the state budget office  
13 in the department of technology, management, and budget the center  
14 for educational performance and information. The center shall do  
15 all of the following:

16 (a) Coordinate the collection of all data required by state  
17 and federal law from districts, intermediate districts, and  
18 postsecondary institutions.

19 (b) Create, maintain, and enhance this state's P-20  
20 longitudinal data system and ensure that it meets the requirements  
21 of subsection (4).

22 (c) Collect data in the most efficient manner possible in  
23 order to reduce the administrative burden on reporting entities,  
24 including, but not limited to, electronic transcript services.

25 (d) Create, maintain, and enhance this state's web-based  
26 educational portal to provide information to school leaders,  
27 teachers, researchers, and the public in compliance with all  
28 federal and state privacy laws. Data must include, but are not  
29 limited to, all of the following:





1 (i) Data sets that link teachers to student information,  
 2 allowing districts to assess individual teacher impact on student  
 3 performance and consider student growth factors in teacher and  
 4 principal evaluation systems.

5 (ii) Data access or, if practical, data sets, provided for  
 6 regional data hubs that, in combination with local data, can  
 7 improve teaching and learning in the classroom.

8 (iii) Research-ready data sets for researchers to perform  
 9 research that advances this state's educational performance.

10 (e) Provide data in a useful manner to allow state and local  
 11 policymakers to make informed policy decisions.

12 (f) Provide public reports to the residents of this state to  
 13 allow them to assess allocation of resources and the return on  
 14 their investment in the education system of this state.

15 (g) Other functions as assigned by the state budget director.

16 (2) Each state department, officer, or agency that collects  
 17 information from districts, intermediate districts, or  
 18 postsecondary institutions as required under state or federal law  
 19 shall make arrangements with the center to ensure that the state  
 20 department, officer, or agency is in compliance with subsection  
 21 (1). This subsection does not apply to information collected by the  
 22 department of treasury under the uniform budgeting and accounting  
 23 act, 1968 PA 2, MCL 141.421 to 141.440a; the revised municipal  
 24 finance act, 2001 PA 34, MCL 141.2101 to 141.2821; the school bond  
 25 qualification, approval, and loan act, 2005 PA 92, MCL 388.1921 to  
 26 388.1939; or section 1351a of the revised school code, MCL  
 27 380.1351a.

28 (3) The center may enter into any interlocal agreements  
 29 necessary to fulfill its functions.



1 (4) The center shall ensure that the P-20 longitudinal data  
2 system required under subsection (1) (b) meets all of the following:

3 (a) Includes data at the individual student level from  
4 preschool through postsecondary education and into the workforce.

5 (b) Supports interoperability by using standard data  
6 structures, data formats, and data definitions to ensure linkage  
7 and connectivity in a manner that facilitates the exchange of data  
8 among agencies and institutions within the state and between  
9 states.

10 (c) Enables the matching of individual teacher and student  
11 records so that an individual student may be matched with those  
12 teachers providing instruction to that student.

13 (d) Enables the matching of individual teachers with  
14 information about their certification and the institutions that  
15 prepared and recommended those teachers for state certification.

16 (e) Enables data to be easily generated for continuous  
17 improvement and decision-making, including timely reporting to  
18 parents, teachers, and school leaders on student achievement.

19 (f) Ensures the reasonable quality, validity, and reliability  
20 of data contained in the system.

21 (g) Provides this state with the ability to meet federal and  
22 state reporting requirements.

23 (h) For data elements related to preschool through grade 12  
24 and postsecondary, meets all of the following:

25 (i) Contains a unique statewide student identifier that does  
26 not permit a student to be individually identified by users of the  
27 system, except as allowed by federal and state law.

28 (ii) Contains student-level enrollment, demographic, and  
29 program participation information.



1 (iii) Contains student-level information about the points at  
 2 which students exit, transfer in, transfer out, drop out, or  
 3 complete education programs.

4 (iv) Has the capacity to communicate with higher education data  
 5 systems.

6 (i) For data elements related to preschool through grade 12  
 7 only, meets all of the following:

8 (i) Contains yearly test records of individual students for  
 9 assessments approved by DED-OESE for accountability purposes under  
 10 section 1111(b) of the elementary and secondary education act of  
 11 1965, 20 USC 6311, including information on individual students not  
 12 tested, by grade and subject.

13 (ii) Contains student-level transcript information, including  
 14 information on courses completed and grades earned.

15 (iii) Contains student-level college readiness test scores.

16 (j) For data elements related to postsecondary education only:

17 (i) Contains data that provide information regarding the extent  
 18 to which individual students transition successfully from secondary  
 19 school to postsecondary education, including, but not limited to,  
 20 all of the following:

21 (A) Enrollment in remedial coursework.

22 (B) Completion of 1 year's worth of college credit applicable  
 23 to a degree within 2 years of enrollment.

24 (ii) Contains data that provide other information determined  
 25 necessary to address alignment and adequate preparation for success  
 26 in postsecondary education.

27 (5) From the general fund ~~appropriation~~ **money appropriated** in  
 28 section 11, there is allocated an amount not to exceed  
 29 ~~\$16,045,800.00~~ **\$16,848,900.00** for ~~2019-2020~~ **2020-2021** to the



1 department of technology, management, and budget to support the  
2 operations of the center. In addition, from the federal funds  
3 appropriated in section 11, there is allocated for ~~2019-2020-2020-~~  
4 **2021** the amount necessary, estimated at \$193,500.00, to support the  
5 operations of the center and to establish a P-20 longitudinal data  
6 system necessary for state and federal reporting purposes. The  
7 center shall cooperate with the department to ensure that this  
8 state is in compliance with federal law and is maximizing  
9 opportunities for increased federal funding to improve education in  
10 this state.

11 (6) From the funds allocated in subsection (5), the center may  
12 use an amount determined by the center for competitive grants for  
13 ~~2019-2020-2020-2021~~ to support collaborative efforts on the P-20  
14 longitudinal data system. All of the following apply to grants  
15 awarded under this subsection:

16 (a) The center shall award competitive grants to eligible  
17 intermediate districts or a consortium of intermediate districts  
18 based on criteria established by the center.

19 (b) Activities funded under the grant must support the P-20  
20 longitudinal data system portal and may include portal hosting,  
21 hardware and software acquisition, maintenance, enhancements, user  
22 support and related materials, and professional learning tools and  
23 activities aimed at improving the utility of the P-20 longitudinal  
24 data system.

25 (c) An applicant that received a grant under this subsection  
26 for the immediately preceding fiscal year has priority for funding  
27 under this section. However, after 3 fiscal years of continuous  
28 funding, an applicant is required to compete openly with new  
29 applicants.



1 (7) Funds allocated under this section that are not expended  
2 in the fiscal year in which they were allocated may be carried  
3 forward to a subsequent fiscal year and are appropriated for the  
4 purposes for which the funds were originally allocated.

5 (8) The center may bill departments as necessary in order to  
6 fulfill reporting requirements of state and federal law. The center  
7 may also enter into agreements to supply custom data, analysis, and  
8 reporting to other principal executive departments, state agencies,  
9 local units of government, and other individuals and organizations.  
10 The center may receive and expend funds in addition to those  
11 authorized in subsection (5) to cover the costs associated with  
12 salaries, benefits, supplies, materials, and equipment necessary to  
13 provide such data, analysis, and reporting services.

14 (9) As used in this section:

15 (a) "DED-OESE" means the United States Department of Education  
16 Office of Elementary and Secondary Education.

17 (b) "State education agency" means the department.

18 **Sec. 94b. From the general fund money appropriated in section**  
19 **11, there is allocated an amount not to exceed \$100.00 for 2020-**  
20 **2021 to the connecting information in education committee created**  
21 **in this section. The connecting information in education committee**  
22 **is created for 2020-2021. Both of the following apply to the**  
23 **committee described in this section:**

24 (a) The committee shall provide recommendations concerning, at  
25 a minimum, all of the following to the legislature and the  
26 governor:

27 (i) How to lead the replication and scaling of best practices  
28 in instruction, administration, and student support to enable this  
29 state to be among the fastest improving states in the nation in



1 academic gains for all student groups.

2 (ii) How to close the educational achievement gap based on  
3 income, race, geography, language, gender, and student needs.

4 (iii) How to prepare every student for success after high  
5 school.

6 (b) The committee shall work in consultation with the  
7 department, the center, the executive branch, the legislature,  
8 education stakeholders, and other nongovernmental organizations, to  
9 provide recommendations based on research to school leaders and  
10 educators as they implement best practices proven to improve  
11 student performance.

12 Sec. 95b. (1) From the general fund money appropriated under  
13 section 11, there is allocated an amount not to exceed  
14 \$2,000,000.00 for the model value-added growth and projection  
15 analytics system. The department shall continue the model value-  
16 added growth and projection analytics system and incorporate that  
17 model into its reporting requirements under the every student  
18 succeeds act, Public Law 114-95. It is the intent of the  
19 legislature to fund the model under this section for 2021-2022 only  
20 if at least 50% of districts that are not public school academies  
21 opt in to student-teacher linkages provided by the model value-  
22 added growth and projection analytics system and there is  
23 verification that the value-added reporting platform continued  
24 hosting and delivery of historical reporting as determined based on  
25 the report under subsection (5). The model described in this  
26 subsection must do at least all of the following:

27 (a) Utilize existing assessments and any future assessments  
28 that are suitable for measuring student growth.

29 (b) Report student growth measures at the district, school,



1 teacher, and subgroup levels.

2 (c) Recognize the growth of tested students, including those  
3 who may have missing assessment data.

4 (d) Include all available prior standardized assessment data  
5 that meet inclusion criteria across grades, subjects, and state and  
6 local assessments.

7 (e) Allow student growth results to be disaggregated.

8 (f) Provide individual student projections showing the  
9 probability of a student reaching specific performance levels on  
10 future assessments. Given school closures and extended  
11 cancellations related to COVID-19, the data under this subdivision  
12 may be used to inform decisions about student placement or students  
13 that could benefit from additional supports or interventions.

14 (g) Demonstrate any prior success with this state's  
15 assessments through the Michigan council of educator effectiveness  
16 teacher evaluation pilot.

17 (h) Demonstrate prior statewide implementation in at least 2  
18 other states for at least 10 years.

19 (i) Have a native roster verification system built into the  
20 value-added reporting platform that has been implemented statewide  
21 in at least 2 other states.

22 (j) Have a ~~"Help/Contact Us"~~ **"help/contact us"** ticketing  
23 system built into the value-added reporting platform.

24 (k) Given school closures that have occurred pursuant to an  
25 executive order issued by the governor, the value-added reporting  
26 platform must provide continued hosting and delivery of reporting  
27 and offer the department additional supports in the areas of  
28 research, analysis, web reporting, and training.

29 (l) The department and the platform vendor shall provide



1 statewide training for educators to understand the reporting that  
2 details the impact to student learning and growth.

3 (2) The department shall provide internet-based electronic  
4 student growth and projection reporting based on the model under  
5 subsection (1) to educators at the school, district, and state  
6 levels. The model must include role-based permissions that allow  
7 educators to access information about the performance of the  
8 students within their immediate responsibility in accordance with  
9 applicable privacy laws.

10 (3) The model under subsection (1) must not be a mandatory  
11 part of teacher evaluation or educator pay-for-performance systems.

12 (4) The model under subsection (1) must be a model that  
13 received funding under this section in 2018-2019.

14 (5) By March 31, 2021, the department shall work with the  
15 center to provide a report to the senate and house appropriations  
16 subcommittees on state school aid and the senate and house fiscal  
17 agencies regarding the number of districts that are not public  
18 school academies that opted in to student-teacher linkages in their  
19 use of the model value-added growth and projection analytics system  
20 under this section. The report under this subsection must also  
21 include verification that the value-added reporting platform  
22 continued hosting and delivery of historical reporting and specify  
23 any additional research and analysis offered to the department.

24 Sec. 98. (1) From the general fund money appropriated in  
25 section 11, there is allocated an amount not to exceed  
26 ~~\$6,312,500.00~~ **\$7,500,000.00** for ~~2019-2020~~ **2020-2021** for the  
27 purposes described in this section. The Michigan Virtual University  
28 shall provide a report to the legislature not later than November 1  
29 of each year that includes its mission, its plans, and proposed





1 benchmarks it must meet, including a plan to achieve the  
2 organizational priorities identified in this section, in order to  
3 receive full funding for ~~2020-2021.~~ **2021-2022.** Not later than March  
4 1 of each year, the Michigan Virtual University shall provide an  
5 update to the house and senate appropriations subcommittees on  
6 school aid to show the progress being made to meet the benchmarks  
7 identified.

8 (2) The Michigan Virtual University shall operate the Michigan  
9 Virtual Learning Research Institute. The Michigan Virtual Learning  
10 Research Institute shall do all of the following:

11 (a) Support and accelerate innovation in education through the  
12 following activities:

13 (i) Test, evaluate, and recommend as appropriate new  
14 technology-based instructional tools and resources.

15 (ii) Research, design, and recommend virtual education delivery  
16 models for use by pupils and teachers that include age-appropriate  
17 multimedia instructional content.

18 (iii) Research, develop, and recommend annually to the  
19 department criteria by which cyber schools and virtual course  
20 providers should be monitored and evaluated to ensure a quality  
21 education for their pupils.

22 (iv) Based on pupil completion and performance data reported to  
23 the department or the center from cyber schools and other virtual  
24 course providers operating in this state, analyze the effectiveness  
25 of virtual learning delivery models in preparing pupils to be  
26 college- and career-ready and publish a report that highlights  
27 enrollment totals, completion rates, and the overall impact on  
28 pupils. The Michigan Virtual Learning Research Institute shall  
29 submit the report to the house and senate appropriations



1 subcommittees on state school aid, the state budget director, the  
2 house and senate fiscal agencies, the department, districts, and  
3 intermediate districts not later than March 31 of each year.

4 (v) Provide an extensive professional development program to  
5 at least 30,000 educational personnel, including teachers, school  
6 administrators, and school board members, that focuses on the  
7 effective integration of virtual learning into curricula and  
8 instruction. The Michigan Virtual Learning Research Institute is  
9 encouraged to work with the MiSTEM advisory council created under  
10 section 99s to coordinate professional development of teachers in  
11 applicable fields. In addition, the Michigan Virtual Learning  
12 Research Institute and external stakeholders are encouraged to  
13 coordinate with the department for professional development in this  
14 state. Not later than December 1 of each year, the Michigan Virtual  
15 Learning Research Institute shall submit a report to the house and  
16 senate appropriations subcommittees on state school aid, the state  
17 budget director, the house and senate fiscal agencies, and the  
18 department on the number of teachers, school administrators, and  
19 school board members who have received professional development  
20 services from the Michigan Virtual University. The report must also  
21 identify barriers and other opportunities to encourage the adoption  
22 of virtual learning in the public education system.

23 (vi) Identify and share best practices for planning,  
24 implementing, and evaluating virtual and blended education delivery  
25 models with intermediate districts, districts, and public school  
26 academies to accelerate the adoption of innovative education  
27 delivery models statewide.

28 (b) Provide leadership for this state's system of virtual  
29 learning education by doing the following activities:



1           (i) Develop and report policy recommendations to the governor  
2 and the legislature that accelerate the expansion of effective  
3 virtual learning in this state's schools.

4           (ii) Provide a clearinghouse for research reports, academic  
5 studies, evaluations, and other information related to virtual  
6 learning.

7           (iii) Promote and distribute the most current instructional  
8 design standards and guidelines for virtual teaching.

9           (iv) In collaboration with the department and interested  
10 colleges and universities in this state, support implementation and  
11 improvements related to effective virtual learning instruction.

12           (v) Pursue public/private partnerships that include districts  
13 to study and implement competency-based technology-rich virtual  
14 learning models.

15           (vi) Create a statewide network of school-based mentors serving  
16 as liaisons between pupils, virtual instructors, parents, and  
17 school staff, as provided by the department or the center, and  
18 provide mentors with research-based training and technical  
19 assistance designed to help more pupils be successful virtual  
20 learners.

21           (vii) Convene focus groups and conduct annual surveys of  
22 teachers, administrators, pupils, parents, and others to identify  
23 barriers and opportunities related to virtual learning.

24           (viii) Produce an annual consumer awareness report for schools  
25 and parents about effective virtual education providers and  
26 education delivery models, performance data, cost structures, and  
27 research trends.

28           (ix) Provide an internet-based platform that educators can use



1 to create student-centric learning tools and resources for sharing  
2 in the state's open educational resource repository and facilitate  
3 a user network that assists educators in using the content creation  
4 platform and state repository for open educational resources. As  
5 part of this initiative, the Michigan Virtual University shall work  
6 collaboratively with districts and intermediate districts to  
7 establish a plan to make available virtual resources that align to  
8 Michigan's K-12 curriculum standards for use by students,  
9 educators, and parents.

10 (x) Create and maintain a public statewide catalog of virtual  
11 learning courses being offered by all public schools and community  
12 colleges in this state. The Michigan Virtual Learning Research  
13 Institute shall identify and develop a list of nationally  
14 recognized best practices for virtual learning and use this list to  
15 support reviews of virtual course vendors, courses, and  
16 instructional practices. The Michigan Virtual Learning Research  
17 Institute shall also provide a mechanism for intermediate districts  
18 to use the identified best practices to review content offered by  
19 constituent districts. The Michigan Virtual Learning Research  
20 Institute shall review the virtual course offerings of the Michigan  
21 Virtual University, and make the results from these reviews  
22 available to the public as part of the statewide catalog. The  
23 Michigan Virtual Learning Research Institute shall ensure that the  
24 statewide catalog is made available to the public on the Michigan  
25 Virtual University website and shall allow the ability to link it  
26 to each district's website as provided for in section 21f. The  
27 statewide catalog must also contain all of the following:

28 (A) The number of enrollments in each virtual course in the  
29 immediately preceding school year.



1 (B) The number of enrollments that earned 60% or more of the  
2 total course points for each virtual course in the immediately  
3 preceding school year.

4 (C) The pass rate for each virtual course.

5 (xi) Support registration, payment services, and transcript  
6 functionality for the statewide catalog and train key stakeholders  
7 on how to use new features.

8 (xii) Collaborate with key stakeholders to examine district  
9 level accountability and teacher effectiveness issues related to  
10 virtual learning under section 21f and make findings and  
11 recommendations publicly available.

12 (xiii) Provide a report on the activities of the Michigan  
13 Virtual Learning Research Institute.

14 (3) To further enhance its expertise and leadership in virtual  
15 learning, the Michigan Virtual University shall continue to operate  
16 the Michigan Virtual School as a statewide laboratory and quality  
17 model of instruction by implementing virtual and blended learning  
18 solutions for Michigan schools in accordance with the following  
19 parameters:

20 (a) The Michigan Virtual School must maintain its  
21 accreditation status from recognized national and international  
22 accrediting entities.

23 (b) The Michigan Virtual University shall use no more than  
24 \$1,000,000.00 of the amount allocated under this section to  
25 subsidize the cost paid by districts for virtual courses.

26 (c) In providing educators responsible for the teaching of  
27 virtual courses as provided for in this section, the Michigan  
28 Virtual School shall follow the requirements to request and assess,  
29 and the department of state police shall provide, a criminal



1 history check and criminal records check under sections 1230 and  
2 1230a of the revised school code, MCL 380.1230 and 380.1230a, in  
3 the same manner as if the Michigan Virtual School were a school  
4 district under those sections.

5 (4) From the funds allocated under subsection (1), the  
6 Michigan Virtual University shall allocate up to \$500,000.00 to  
7 support the expansion of new online and blended educator  
8 professional development programs.

9 (5) If the course offerings are included in the statewide  
10 catalog of virtual courses under subsection (2)(b)(x), the Michigan  
11 Virtual School operated by the Michigan Virtual University may  
12 offer virtual course offerings, including, but not limited to, all  
13 of the following:

14 (a) Information technology courses.

15 (b) College level equivalent courses, as defined in section  
16 1471 of the revised school code, MCL 380.1471.

17 (c) Courses and dual enrollment opportunities.

18 (d) Programs and services for at-risk pupils.

19 (e) High school equivalency test preparation courses for  
20 adjudicated youth.

21 (f) Special interest courses.

22 (g) Professional development programs for teachers, school  
23 administrators, other school employees, and school board members.

24 (6) If a home-schooled or nonpublic school student is a  
25 resident of a district that subscribes to services provided by the  
26 Michigan Virtual School, the student may use the services provided  
27 by the Michigan Virtual School to the district without charge to  
28 the student beyond what is charged to a district pupil using the  
29 same services.



1 (7) Not later than December 1 of each fiscal year, the  
2 Michigan Virtual University shall provide a report to the house and  
3 senate appropriations subcommittees on state school aid, the state  
4 budget director, the house and senate fiscal agencies, and the  
5 department that includes at least all of the following information  
6 related to the Michigan Virtual School for the preceding state  
7 fiscal year:

8 (a) A list of the districts served by the Michigan Virtual  
9 School.

10 (b) A list of virtual course titles available to districts.

11 (c) The total number of virtual course enrollments and  
12 information on registrations and completions by course.

13 (d) The overall course completion rate percentage.

14 (8) In addition to the information listed in subsection (7),  
15 the report under subsection (7) must also include a plan to serve  
16 at least 600 schools with courses from the Michigan Virtual School  
17 or with content available through the internet-based platform  
18 identified in subsection (2) (b) (ix).

19 (9) The governor may appoint an advisory group for the  
20 Michigan Virtual Learning Research Institute established under  
21 subsection (2). The members of the advisory group serve at the  
22 pleasure of the governor and without compensation. The purpose of  
23 the advisory group is to make recommendations to the governor, the  
24 legislature, and the president and board of the Michigan Virtual  
25 University that will accelerate innovation in this state's  
26 education system in a manner that will prepare elementary and  
27 secondary students to be career and college ready and that will  
28 promote the goal of increasing the percentage of residents of this  
29 state with high-quality degrees and credentials to at least 60% by



1 2025.

2 (10) Not later than November 1 of each year, the Michigan  
3 Virtual University shall submit to the house and senate  
4 appropriations subcommittees on state school aid, the state budget  
5 director, and the house and senate fiscal agencies a detailed  
6 budget for that fiscal year that includes a breakdown on its  
7 projected costs to deliver virtual educational services to  
8 districts and a summary of the anticipated fees to be paid by  
9 districts for those services. Not later than March 1 each year, the  
10 Michigan Virtual University shall submit to the house and senate  
11 appropriations subcommittees on state school aid, the state budget  
12 director, and the house and senate fiscal agencies a breakdown on  
13 its actual costs to deliver virtual educational services to  
14 districts and a summary of the actual fees paid by districts for  
15 those services based on audited financial statements for the  
16 immediately preceding fiscal year.

17 (11) As used in this section:

18 (a) "Blended learning" means a hybrid instructional delivery  
19 model where pupils are provided content, instruction, and  
20 assessment, in part at a supervised educational facility away from  
21 home where the pupil and a teacher with a valid Michigan teaching  
22 certificate are in the same physical location and in part through  
23 internet-connected learning environments with some degree of pupil  
24 control over time, location, and pace of instruction.

25 (b) "Cyber school" means a full-time instructional program of  
26 virtual courses for pupils that may or may not require attendance  
27 at a physical school location.

28 (c) "Virtual course" means a course of study that is capable  
29 of generating a credit or a grade and that is provided in an





1 interactive learning environment in which the majority of the  
2 curriculum is delivered using the internet and in which pupils are  
3 separated from their instructor or teacher of record by time or  
4 location, or both.

5 ~~(12) It is the intent of the legislature not to allocate an~~  
6 ~~amount greater than \$6,342,500.00 for 2020-2021 for the purposes of~~  
7 ~~this section.~~

8 Sec. 98a. (1) In order to receive state aid under this article  
9 for 2020-2021, a district must provide, for the 2020-2021 school  
10 year, instruction under an extended COVID-19 learning plan that has  
11 been approved by an intermediate district or authorizing body, as  
12 applicable, under subsection (2). It is the intent of the  
13 legislature that extended COVID-19 learning plans described in this  
14 subsection provide districts with maximum flexibility to adapt  
15 their educational programs for some or all pupils at some or all of  
16 the schools operated by the district to respond to the COVID-19  
17 pandemic. An extended COVID-19 learning plan described in this  
18 subsection must include all of the following elements:

19 (a) A statement indicating why an extended COVID-19 learning  
20 plan is necessary to increase pupil engagement and achievement for  
21 the 2020-2021 school year.

22 (b) The educational goals expected to be achieved for the  
23 2020-2021 school year. The educational goals described in this  
24 subdivision must not be utilized to determine state policy. The  
25 district must establish all of its goals under this subdivision by  
26 not later than September 15, 2020. An extended COVID-19 learning  
27 plan described in this subsection must specify which educational  
28 goals described in this subdivision are expected to be achieved by  
29 the middle of the school year and which goals are expected to be



1 achieved by the end of the school year. All of the following apply  
2 to the educational goals described in this subdivision:

3 (i) The goals must include increased pupil achievement or, if  
4 growth can be validly and reliably measured using a benchmark  
5 assessment or benchmark assessments, growth on a benchmark  
6 assessment or benchmark assessments described in subparagraph (ii)  
7 in the aggregate and for all subgroups of pupils.

8 (ii) The goals must include an assurance that the district  
9 shall select a benchmark assessment or benchmark assessments that  
10 are aligned to state standards and an assurance that the district  
11 shall administer the benchmark assessment or benchmark assessments  
12 to all pupils as prescribed under section 104 to determine whether  
13 pupils are making meaningful progress toward mastery of these  
14 standards.

15 (iii) The goals must be measurable through a benchmark  
16 assessment or benchmark assessments described in subparagraph (ii).

17 (c) A description of how instruction will be delivered during  
18 the 2020-2021 school year. Instruction, as described in this  
19 subdivision, may be delivered at school or at a different location,  
20 in person, online, digitally, by other remote means, in a  
21 synchronous or asynchronous format, or any combination thereof,  
22 but, except as otherwise provided in this subdivision, must be  
23 delivered as included in the description. If the description of  
24 instructional delivery under this subdivision differs from the  
25 delivery of instruction re-confirmed under this subdivision, then  
26 instruction must be delivered as re-confirmed. Thirty days after  
27 the approval of the plan under subsection (2), and ~~every 30 days~~  
28 **each month** thereafter, the district must, at a meeting of the board  
29 or board of directors, as applicable, of the district, re-confirm



1 how instruction is going to be delivered during the 2020-2021  
2 school year. Public comment must be solicited from the parents or  
3 legal guardians of the pupils enrolled in the district during a  
4 meeting described in this subdivision. **For each reconfirmation**  
5 **described in this subdivision, the district shall report to the**  
6 **center, in a form and manner prescribed by the center, the**  
7 **instructional delivery method that was reconfirmed; how that**  
8 **instruction will be delivered for each grade level offered by the**  
9 **district, including pre-kindergarten, as applicable; and whether or**  
10 **not, as determined by the department in consultation with the**  
11 **center, the district is offering higher levels of in-person**  
12 **instruction for English language learners, special education**  
13 **students, or other special populations.**

14 (d) A description of how instruction for core academic areas  
15 provided under the extended COVID-19 learning plan will expose each  
16 pupil to the academic standards that apply for each pupil's grade  
17 level or courses in the same scope and sequence as the district had  
18 planned for that exposure to occur for in-person instruction, as  
19 applicable, and a description of how pupil progress toward mastery  
20 of the standards described in this subdivision will be graded or  
21 otherwise reported to the pupil and the pupil's parent or legal  
22 guardian.

23 (e) If the district is delivering pupil instruction virtually,  
24 an assurance and description of how pupils will be provided with  
25 equitable access to technology and the internet necessary to  
26 participate in instruction. This subdivision does not prohibit a  
27 district from providing pupil instruction through nonvirtual  
28 educational materials.

29 (f) A description of how the district will ensure that



1 students with disabilities will be provided with equitable access  
2 to instruction accommodation in accordance with applicable state  
3 and federal laws, rules, and regulations.

4 (g) A requirement that the district, in consultation with a  
5 local health department, as that term is defined in section 1105 of  
6 the public health code, **1978 PA 368**, MCL 333.1105, and district  
7 employees, develop districtwide guidelines concerning appropriate  
8 methods for delivering pupil instruction for the 2020-2021 school  
9 year that are based on local data that are based on key metrics.  
10 However, regardless of the guidelines developed under this  
11 subdivision, a determination concerning the method for delivering  
12 pupil instruction remains with the district. As used in this  
13 subdivision, "key metrics" means, at a minimum, all of the  
14 following:

15 (i) The trend of COVID-19 cases or positive COVID-19 tests,  
16 hospitalizations due to COVID-19, and the number of deaths  
17 resulting from COVID-19 over a 14-day period.

18 (ii) COVID-19 cases for each day for every 1 million  
19 individuals.

20 (iii) The percentage of positive COVID-19 tests over a 4-week  
21 period.

22 (iv) Health care capacity strength.

23 (v) Testing, tracing, and containment infrastructure with  
24 regard to COVID-19.

25 (h) A provision that, if the district determines that it is  
26 safe to provide in-person pupil instruction to pupils, the district  
27 shall prioritize providing in-person pupil instruction to pupils in  
28 grades K to 5 who are enrolled in the district.

29 (i) A requirement that the district shall ensure that 2 2-way



1 interactions occur between a pupil enrolled in the district and the  
 2 pupil's teacher or at least 1 of the pupil's teachers **or another**  
 3 **district employee who has responsibility for the pupil's learning,**  
 4 **grade progression, or academic progress** during each week of the  
 5 school year for at least 75% of pupils enrolled in the district. A  
 6 district may utilize 2-way interactions that occur under this  
 7 subdivision toward meeting the requirement under section 101(3)(h).  
 8 The district shall publicly announce its weekly interaction rates  
 9 under this subdivision at each reconfirmation meeting described in  
 10 subdivision (c) and make those rates accessible through the  
 11 transparency reporting link located on the district's website each  
 12 month. As used in this subdivision, "2-way interaction" means a  
 13 communication that occurs between a pupil and the pupil's teacher  
 14 or at least 1 of the pupil's teachers **or another district employee**  
 15 **who has responsibility for the pupil's learning, grade progression,**  
 16 **or academic progress,** where 1 party initiates communication and a  
 17 response from the other party follows that communication, and that  
 18 is relevant to course progress or course content for at least 1 of  
 19 the courses in which the pupil is enrolled **or relevant to the**  
 20 **pupil's overall academic progress or grade progression.** Responses,  
 21 as described in this subdivision, must be to ~~the~~ communication  
 22 initiated by the teacher, **by another district employee who has**  
 23 **responsibility for the pupil's learning, grade progression, or**  
 24 **academic progress, or by the pupil,** and not some other action  
 25 taken. The communication described in this subdivision may occur  
 26 through, but is not limited to, any of the following means:  
 27 (i) Electronic mail.  
 28 (ii) Telephone.  
 29 (iii) Instant messaging.



1 (iv) Face-to-face conversation.

2 (2) A district that is not a public school academy that  
 3 intends to provide instruction under an extended COVID-19 learning  
 4 plan shall submit its extended COVID-19 learning plan described in  
 5 subsection (1) to the intermediate district in which the district  
 6 is located by not later than October 1, 2020, and, **except as**  
 7 **otherwise provided in this subsection**, a district that is a public  
 8 school academy that intends to provide instruction under an  
 9 extended COVID-19 learning plan shall submit its extended COVID-19  
 10 learning plan described in subsection (1) to its authorizing body  
 11 by not later than October 1, 2020, for approval. **A district that is**  
 12 **a public school academy that, by agreement, provides educational**  
 13 **services for the residents of a district that is not a public**  
 14 **school academy and that does not directly provide public**  
 15 **educational services to its residents that intends to provide**  
 16 **instruction under an extended COVID-19 learning plan shall submit**  
 17 **its extended COVID-19 learning plan described in subsection (1) to**  
 18 **the intermediate district in which it is located not later than**  
 19 **October 1, 2020 for approval.** An intermediate district or  
 20 authorizing body, as applicable, shall approve an extended COVID-19  
 21 learning plan submitted for approval under this subsection **by not**  
 22 **later than October 9, 2020** if the plan includes all of the elements  
 23 required for inclusion in the plan under subsection (1). If an  
 24 intermediate district or authorizing body, as applicable, approves  
 25 of a district's extended COVID-19 learning plan under this  
 26 subsection, the intermediate district or authorizing body, as  
 27 applicable, shall transmit copies of the approved plan to the  
 28 superintendent of public instruction and the state treasurer.

29 (3) An extended COVID-19 learning plan described in subsection



1 (1) and approved under subsection (2) must be made accessible  
2 through the transparency reporting link located on the district's  
3 website by not later than October ~~1~~, **12**, 2020.

4 (4) ~~Both~~ **All** of the following apply to a district that is  
5 providing instruction under an extended COVID-19 learning plan  
6 approved under this section:

7 (a) **By not later than January 15, 2021, the district shall**  
8 **create a report that includes information regarding both of the**  
9 **following and shall ensure that the report under this subdivision**  
10 **can be accessed through the transparency reporting link located on**  
11 **the district's website:**

12 (i) **The amount and type of training provided during the current**  
13 **school year as of the date of the report to teachers of the**  
14 **district through professional development that focuses on how to**  
15 **deliver virtual content.**

16 (ii) **The amount and type of training provided during the**  
17 **current school year as of the date of the report to the parents and**  
18 **legal guardians of pupils and to pupils on how to access and use**  
19 **virtual content provided by the district.**

20 (b) ~~(a)~~ **By not later than February 1, 2021, the district shall**  
21 **create a report concerning progress made in meeting the educational**  
22 **goals described in subsection (1) that the district expected would**  
23 **be achieved by the middle of the school year and shall ensure that**  
24 **the report under this subdivision can be accessed through the**  
25 **transparency reporting link located on the district's website.**

26 (c) ~~(b)~~ **By not later than the last day of the 2020-2021 school**  
27 **year, the district shall create a report concerning progress made**  
28 **in meeting the educational goals described in subsection (1) that**  
29 **the district expected would be achieved by the end of the school**



1 year and shall ensure that the report under this subdivision can be  
 2 accessed through the transparency reporting link located on the  
 3 district's website.

4 (5) This section does not apply to a district that operates as  
 5 a cyber school, as that term is defined in section 551 of the  
 6 revised school code, MCL 380.551.

7 **Sec. 98d. (1) From the state school aid fund money**  
 8 **appropriated under section 11, there is allocated for 2020-2021 an**  
 9 **amount not to exceed \$2,000,000.00 to Northern Michigan University**  
 10 **to support the MLC as described in this section. Northern Michigan**  
 11 **University shall not retain any portion of the funding received**  
 12 **under this section for administrative purposes and shall provide**  
 13 **funding to support the MLC. All of the following apply to the MLC:**

14 (a) The MLC must be created to help bridge equity gaps in K to  
 15 12 education linked to a student's ability to engage in distance  
 16 learning because of inadequate internet access or a lack of devices  
 17 in the home.

18 (b) The MLC shall provide over-the-air broadcasts 24 hours  
 19 each day for 7 days each week of quality instructional content that  
 20 is aligned with this state's K to 12 educational standards. Over-  
 21 the-air broadcasts as described in this subdivision must be  
 22 streamed live and must be archived for on-demand viewing on a  
 23 companion website, along with additional learning materials  
 24 relevant to lessons.

25 (c) The MLC must be managed and operated by DPTV, and DPTV  
 26 shall assume all risk, liability, and responsibility for the MLC in  
 27 accordance with regulations by the U.S. Federal Communications  
 28 Commission, PBS broadcast standards, and standard nonprofit  
 29 business standards. DPTV shall serve as the fiduciary agent and





1 service manager for the MLC. The MLC shall originate from a central  
2 operations center that is responsible for providing the  
3 infrastructure, content, and engagement of the MLC in partnership  
4 with this state's educational leadership organizations.

5 (d) The MLC shall require that DPTV provide technology,  
6 funding, staff training, and central management of the MLC to  
7 station partners to insert additional channels into each station's  
8 broadcast streams and to support staffing and engagement as  
9 outlined in a memorandum of understanding among the stations.

10 (e) The MLC shall require that DPTV partner with at least 5  
11 other Michigan public television stations including, but not  
12 limited to, WKAR, WGVU, WDCQ, WCMU, and WNMU, to deliver the over-  
13 the-air MLC broadcasts described in this section and to support  
14 engagement with local educators. Stations described in this  
15 subdivision must be able to use the infrastructure provided by the  
16 MLC to develop their own local content that best serves their  
17 communities.

18 (f) The MLC shall not use the funds received from Northern  
19 Michigan University under this section in support of the MLC for  
20 any purposes fully funded by the governor's emergency education  
21 relief fund grant.

22 (2) Not later than February 1, 2021, the MLC shall provide a  
23 report to the house and senate appropriations subcommittees  
24 responsible for state school aid, the house and senate fiscal  
25 agencies, and the state budget director detailing the MLC's  
26 compliance with ensuring that conditions listed under subsection  
27 (1) were met.

28 (3) Notwithstanding section 17b, the department shall make  
29 payments under this section not later than December 1, 2020.



1 (4) As used in this section:

2 (a) "DPTV" means Detroit public television.

3 (b) "MLC" means the Michigan learning channel.

4 Sec. 99h. (1) From the state school aid fund money  
 5 appropriated in section 11, there is allocated an amount not to  
 6 exceed ~~\$3,900,000.00~~ **\$4,400,000.00** for ~~2019-2020-2020-2021~~ for  
 7 competitive grants to districts and intermediate districts, **and**  
 8 **from the general fund money appropriated in section 11, there is**  
 9 **allocated \$300,000.00 for 2020-2021 for competitive grants to**  
 10 **nonpublic schools**, that provide pupils in grades ~~K~~**pre-K** to 12 with  
 11 expanded opportunities to improve mathematics, science, and  
 12 technology skills by participating in events hosted by a science  
 13 and technology development program known as FIRST (for inspiration  
 14 and recognition of science and technology) Robotics, including JR  
 15 FIRST Lego League, FIRST Lego League, FIRST Tech challenge, and  
 16 FIRST Robotics competition, or other competitive robotics programs,  
 17 including VEX and those hosted by the Robotics Education and  
 18 Competition (REC) Foundation. Programs funded under this section  
 19 are intended to increase the number of pupils demonstrating  
 20 proficiency in science and mathematics on the state assessments and  
 21 to increase the number of pupils who are college- and career-ready  
 22 upon high school graduation. Notwithstanding section 17b, the  
 23 department shall make grant payments to districts, **nonpublic**  
 24 **schools**, and intermediate districts under this section on a  
 25 schedule determined by the department. The department shall set  
 26 maximum grant awards for each different level of **programming and**  
 27 competition in a manner that both maximizes the number of teams  
 28 that will be able to receive funds and expands the geographical  
 29 distribution of teams.



1 (2) A district, **nonpublic school**, or intermediate district  
 2 applying for a grant under this section shall submit an application  
 3 in a form and manner prescribed by the department. To be eligible  
 4 for a grant, a district, **nonpublic school**, or intermediate district  
 5 ~~shall~~**must** demonstrate in its application that the district,  
 6 **nonpublic school**, or intermediate district has established a  
 7 partnership for the purposes of the robotics program with at least  
 8 1 sponsor, business entity, higher education institution, or  
 9 technical school, shall submit a spending plan, and shall ~~pay~~  
 10 **provide a local in-kind or cash match from other private or local**  
 11 **funds of** at least 25% of the cost of the robotics program **award**.

12 (3) The department shall distribute the grant funding under  
 13 this section for the following purposes:

14 (a) Grants to districts, **nonpublic schools**, or intermediate  
 15 districts to pay for stipends not to exceed ~~\$1,500.00 for 1 coach~~  
 16 ~~per team.~~**\$1,500.00 per building for coaching**.

17 (b) Grants to districts, **nonpublic schools**, or intermediate  
 18 districts for event registrations, materials, travel costs, and  
 19 other expenses associated with the preparation for and attendance  
 20 at robotics events and competitions. ~~Each grant recipient shall~~  
 21 ~~provide a local match from other private or local funds for the~~  
 22 ~~funds received under this subdivision equal to at least 50% of the~~  
 23 ~~costs of participating in an event.~~

24 (c) Grants to districts, **nonpublic schools**, or intermediate  
 25 districts for awards to teams that advance to the ~~state and world~~  
 26 ~~championship competitions.~~**next levels of competition as determined**  
 27 **by the department**. The department shall determine an equal amount  
 28 per team for those teams that advance. ~~to the state championship~~  
 29 ~~and a second equal award amount to those teams that advance to the~~



1 ~~world championship.~~

2 (4) The funds allocated under this section for ~~2019-2020-2020-~~  
 3 **2021** are a work project appropriation, and any unexpended funds for  
 4 ~~2019-2020-2020-2021~~ are carried forward into ~~2020-2021.~~ **2021-2022.**  
 5 The purpose of the work project is to continue support of FIRST  
 6 Robotics and must not be used to support other robotics  
 7 competitions. The estimated completion date of the work project is  
 8 September 30, ~~2022-2023.~~

9 (5) **A nonpublic school that receives a grant under this**  
 10 **section may use the funds for either robotics or Science Olympiad**  
 11 **programs.**

12 (6) **To be eligible to receive funds under this section, a**  
 13 **nonpublic school must be a nonpublic school registered with the**  
 14 **department and must meet all applicable state reporting**  
 15 **requirements for nonpublic schools.**

16 **Sec. 99i. From the general fund money appropriated in section**  
 17 **11, there is allocated for 2020-2021 an amount not to exceed**  
 18 **\$150,000.00 to support the Michigan council of women in technology**  
 19 **foundation. The funds awarded under this section must be used to**  
 20 **support the girls-exploring-together-information-technology clubs**  
 21 **for middle and high school girls that provide structured hands-on**  
 22 **learning activities through a comprehensive technology-focused**  
 23 **curriculum.**

24 **Sec. 99s. (1) From the funds appropriated under section 11,**  
 25 **there is allocated for ~~2019-2020-2020-2021~~ an amount not to exceed**  
 26 **\$7,634,300.00 from the state school aid fund appropriation and an**  
 27 **amount not to exceed \$300,000.00 from the general fund**  
 28 **appropriation for Michigan science, technology, engineering, and**  
 29 **mathematics (MiSTEM) programs. In addition, from the federal funds**



1 appropriated in section 11, there is allocated **to the department**  
 2 for ~~2019-2020~~**2020-2021** an amount estimated at \$235,000.00 from  
 3 DED-OESE, title II, mathematics and science partnership grants. The  
 4 MiSTEM network may receive funds from private sources. If the  
 5 MiSTEM network receives funds from private sources, the MiSTEM  
 6 network shall expend those funds in alignment with the statewide  
 7 STEM strategy. Programs funded under this section are intended to  
 8 increase the number of pupils demonstrating proficiency in science  
 9 and mathematics on the state assessments, ~~and~~ to increase the  
 10 number of pupils who are college- and career-ready upon high school  
 11 graduation, **and to promote certificate and degree attainment in**  
 12 **STEM fields**. Notwithstanding section 17b, the department shall make  
 13 payments under this section on a schedule determined by the  
 14 department.

15 (2) All of the following apply to the MiSTEM advisory council:

16 (a) The MiSTEM advisory council is created. The MiSTEM  
 17 advisory council shall provide to the governor, legislature,  
 18 department of labor and economic opportunity, and department  
 19 recommendations designed to improve and promote innovation in STEM  
 20 education and to prepare students for careers in science,  
 21 technology, engineering, and mathematics.

22 (b) The MiSTEM advisory council created under subdivision (a)  
 23 consists of the following members:

24 (i) The governor shall appoint 11 voting members who are  
 25 representative of business sectors that are important to Michigan's  
 26 economy and rely on a STEM-educated workforce, nonprofit  
 27 organizations and associations that promote STEM education, K-12  
 28 and postsecondary education entities involved in STEM-related  
 29 career education, or other sectors as considered appropriate by the



1 governor. Each of these members serves at the pleasure of the  
2 governor and for a term determined by the governor.

3 (ii) The senate majority leader shall appoint 2 members of the  
4 senate to serve as nonvoting, ex-officio members of the MiSTEM  
5 advisory council, including 1 majority party member and 1 minority  
6 party member.

7 (iii) The speaker of the house of representatives shall appoint  
8 2 members of the house of representatives to serve as nonvoting,  
9 ex-officio members of the MiSTEM advisory council, including 1  
10 majority party member and 1 minority party member.

11 (iv) The governor shall appoint 1 state officer or employee to  
12 serve as a nonvoting, ex-officio member of the MiSTEM advisory  
13 council.

14 (c) Each member of the MiSTEM advisory council serves without  
15 compensation.

16 (d) The MiSTEM advisory council annually shall review and make  
17 recommendations to the governor, the legislature, and the  
18 department concerning changes to the statewide strategy adopted by  
19 the council for delivering STEM education-related opportunities to  
20 pupils. The MiSTEM advisory council shall use funds received under  
21 this subsection to ensure that its members or their designees are  
22 trained in the Change the Equation STEMworks rating system program  
23 for the purpose of rating STEM programs.

24 (3) ~~(e)~~—The MiSTEM advisory council shall make specific  
25 funding recommendations for the funds allocated under subsection  
26 ~~(3)~~ **(4)** by December 15 of each fiscal year. Each specific funding  
27 recommendation must be for a program approved by the MiSTEM  
28 advisory council. **All of the following apply:**

29 (a) To be eligible for MiSTEM advisory council approval **as**



1 **described in this subsection,** a program must satisfy all of the  
2 following:

- 3 (i) Align with this state's academic standards.
- 4 (ii) Have STEMworks certification.
- 5 (iii) Provide project-based experiential learning, student  
6 programming, or educator professional learning experiences.
- 7 (iv) Focus predominantly on classroom-based STEM experiences or  
8 professional learning experiences.

9 **(b)** ~~(f)~~—The MiSTEM advisory council shall approve programs  
10 that represent all network regions and include a diverse array of  
11 options for students and educators and at least 1 program in each  
12 of the following areas:

- 13 (i) Robotics.
- 14 (ii) Computer science or coding.
- 15 (iii) Engineering or bioscience.

16 **(c)** ~~(g)~~—The MiSTEM advisory council is encouraged to work with  
17 the MiSTEM network to develop locally and regionally developed  
18 programs and professional learning experiences for the programs on  
19 the list of approved programs.

20 **(d)** ~~(h)~~—If the MiSTEM advisory council is unable to make  
21 specific funding recommendations by December 15 of a fiscal year,  
22 the department shall award and distribute the funds allocated under  
23 subsection ~~(3)~~ **(4)** on a competitive grant basis that at least  
24 follows the statewide STEM strategy plan and rating system  
25 recommended by the MiSTEM advisory council. Each grant must provide  
26 STEM education-related opportunities for pupils.

27 **(e)** ~~(i)~~—The MiSTEM advisory council shall work with the  
28 executive director of the MiSTEM network to implement the statewide  
29 STEM strategy adopted by the MiSTEM advisory council.



1           (4) ~~(3)~~—From the state school aid fund money allocated under  
 2 subsection (1), there is allocated for ~~2019–2020–2020–2021~~ an  
 3 amount not to exceed \$3,050,000.00 for the purpose of funding  
 4 programs under this section for ~~2019–2020,–2020–2021~~ as recommended  
 5 by the MiSTEM advisory council.

6           (5) ~~(4)~~—From the **state** school aid fund ~~allocation—money~~  
 7 **allocated** under subsection (1), there is allocated an amount not to  
 8 exceed \$3,834,300.00 for ~~2019–2020–2020–2021~~ to support the  
 9 activities and programs of the MiSTEM network regions. In addition,  
 10 from the federal funds allocated under subsection (1), there is  
 11 allocated for ~~2019–2020–2020–2021~~ an amount estimated at  
 12 \$235,000.00 from DED-OESE, title II, mathematics and science  
 13 partnership grants, for the purposes of this subsection. From the  
 14 money allocated under this subsection, the department shall award  
 15 the fiscal agent for each MiSTEM network region \$200,000.00 for the  
 16 base operations of each region. The department shall distribute the  
 17 remaining funds to each fiscal agent in an equal amount per pupil,  
 18 based on the number of K to 12 pupils enrolled in districts within  
 19 each region in the immediately preceding fiscal year.

20           (6) ~~(5)~~—A MiSTEM network region shall do all of the following:

21           (a) Collaborate with the career and educational advisory  
 22 council that is located in the MiSTEM region to develop a regional  
 23 strategic plan for STEM education that creates a robust regional  
 24 STEM culture, that empowers STEM teachers, that integrates business  
 25 and education into the STEM network, and that ensures high-quality  
 26 STEM experiences for pupils. At a minimum, a regional STEM  
 27 strategic plan should do all of the following:

28           (i) Identify regional employer need for STEM.

29           (ii) Identify processes for regional employers and educators to





1 create guided pathways for STEM careers that include internships or  
 2 externships, apprenticeships, and other experiential engagements  
 3 for pupils.

4 (iii) Identify educator professional development opportunities,  
 5 including internships or externships and apprenticeships, that  
 6 integrate this state's science standards into high-quality STEM  
 7 experiences that engage pupils.

8 (b) Facilitate regional STEM events such as educator and  
 9 employer networking and STEM career fairs to raise STEM awareness.

10 (c) Contribute to the MiSTEM website and engage in other  
 11 MiSTEM network functions to further the mission of STEM in this  
 12 state in coordination with the MiSTEM advisory council and its  
 13 executive director.

14 (d) Facilitate application and implementation of state and  
 15 federal funds under this subsection and any other grants or funds  
 16 for the MiSTEM network region.

17 (e) Work with districts to provide STEM programming and  
 18 professional learning.

19 (f) Coordinate recurring discussions and work with the career  
 20 and educational advisory council to ensure that feedback and best  
 21 practices are being shared, including funding, program,  
 22 professional learning opportunities, and regional strategic plans.

23 (7) ~~(6)~~ From the **state** school aid ~~funds~~ **fund money** allocated  
 24 under subsection (1), the department shall distribute for ~~2019-2020~~  
 25 **2020-2021** an amount not to exceed \$750,000.00, in a form and manner  
 26 determined by the department, to those network regions able to  
 27 provide curriculum and professional development support to assist  
 28 districts in implementing the Michigan merit curriculum components  
 29 for mathematics and science.



1           (8) ~~(7)~~—In order to receive state or federal funds under  
 2 subsection ~~(4)~~—(5) or ~~(6)~~,—(7), or to receive funds from private  
 3 sources as authorized under subsection (1), a grant recipient must  
 4 allow access for the department or the department's designee to  
 5 audit all records related to the program for which it receives  
 6 those funds. The grant recipient shall reimburse the state for all  
 7 disallowances found in the audit.

8           (9) ~~(8)~~—In order to receive state funds under subsection ~~(4)~~—  
 9 (5) or ~~(6)~~,—(7), a grant recipient must provide at least a 10%  
 10 local match from local public or private resources for the funds  
 11 received under this subsection.

12           (10) ~~(9)~~—Not later than ~~July 1, 2019~~ and July 1 of each year,  
 13 ~~thereafter~~, a MiSTEM network region that receives funds under  
 14 subsection ~~(4)~~—(5) shall report to the executive director of the  
 15 MiSTEM network in a form and manner prescribed by the executive  
 16 director on performance measures developed by the MiSTEM network  
 17 regions and approved by the executive director. The performance  
 18 measures must be designed to ensure that the activities of the  
 19 MiSTEM network are improving student academic outcomes.

20           (11) ~~(10)~~—Not more than 5% of a MiSTEM network region grant  
 21 under subsection ~~(4)~~—(5) or ~~(6)~~—(7) may be retained by a fiscal  
 22 agent for serving as the fiscal agent of a MiSTEM network region.

23           (12) ~~(11)~~—From the general fund ~~allocation~~—**money allocated**  
 24 under subsection (1), there is allocated an amount not to exceed  
 25 \$300,000.00 to the department of ~~technology, management, and budget~~  
 26 **labor and economic opportunity** to support the functions of the  
 27 executive director and executive assistant for the MiSTEM network,  
 28 and for administrative, training, and travel costs related to the  
 29 MiSTEM advisory council. The executive director and executive



1 assistant for the MiSTEM network shall do all of the following:

2 (a) Serve as a liaison among and between the department, the  
3 department of ~~technology, management, and budget,~~ **labor and**  
4 **economic opportunity**, the MiSTEM advisory council, the governor's  
5 future talent council, the MiSTEM regions, and any other relevant  
6 organization or entity in a manner that creates a robust statewide  
7 STEM culture, that empowers STEM teachers, that integrates business  
8 and education into the STEM network, and that ensures high-quality  
9 STEM experiences for pupils.

10 (b) Coordinate the implementation of a marketing campaign,  
11 including, but not limited to, a website that includes dashboards  
12 of outcomes, to build STEM awareness and communicate STEM needs and  
13 opportunities to pupils, parents, educators, and the business  
14 community.

15 (c) Work with the department and the MiSTEM advisory council  
16 to coordinate, award, and monitor MiSTEM state and federal grants  
17 to the MiSTEM network regions and conduct reviews of grant  
18 recipients, including, but not limited to, pupil experience and  
19 feedback.

20 (d) Report to the governor, the legislature, the department,  
21 and the MiSTEM advisory council annually on the activities and  
22 performance of the MiSTEM network regions.

23 (e) Coordinate recurring discussions and work with regional  
24 staff to ensure that a network or loop of feedback and best  
25 practices are shared, including funding, programming, professional  
26 learning opportunities, discussion of MiSTEM strategic vision, and  
27 regional objectives.

28 (f) Coordinate major grant application efforts with the MiSTEM  
29 advisory council to assist regional staff with grant applications



1 on a local level. The MiSTEM advisory council shall leverage  
 2 private and nonprofit relationships to coordinate and align private  
 3 funds in addition to funds appropriated under this section.

4 (g) Train state and regional staff in the STEMworks rating  
 5 system, in collaboration with the MiSTEM advisory council and the  
 6 department.

7 (h) Hire MiSTEM network region staff in collaboration with the  
 8 network region fiscal agent.

9 **(13)** ~~(12)~~ As used in this section:

10 (a) "Career and educational advisory council" means an  
 11 advisory council to the local workforce development boards located  
 12 in a prosperity region consisting of educational, employer, labor,  
 13 and parent representatives.

14 (b) "DED" means the United States Department of Education.

15 (c) "DED-OESE" means the DED Office of Elementary and  
 16 Secondary Education.

17 (d) "STEM" means science, technology, engineering, and  
 18 mathematics delivered in an integrated fashion using cross-  
 19 disciplinary learning experiences that can include language arts,  
 20 performing and fine arts, and career and technical education.

21 Sec. 99t. (1) From the general fund appropriation under  
 22 section 11, there is allocated an amount not to exceed  
 23 ~~\$1,500,000.00~~ **\$1,000,000.00** for ~~2018-2019~~ **2020-2021** to purchase  
 24 statewide access to an online algebra tool that meets all of the  
 25 following:

26 (a) Provides students statewide with complete access to videos  
 27 aligned with state standards including study guides and workbooks  
 28 that are aligned with the videos.

29 (b) Provides students statewide with access to a personalized



1 online algebra learning tool including adaptive diagnostics.

2 (c) Provides students statewide with dynamic algebra practice  
3 assessments that emulate the state assessment with immediate  
4 feedback and help solving problems.

5 (d) Provides students statewide with online access to algebra  
6 help 24 hours a day and 7 days a week from study experts, teachers,  
7 and peers on a moderated social networking platform.

8 (e) Provides an online algebra professional development  
9 network for teachers.

10 (f) Is already provided under a statewide contract in at least  
11 1 other state that has a population of at least 18,000,000 but not  
12 more than 19,000,000 according to the most recent decennial census  
13 and is offered in that state in partnership with a public  
14 university.

15 (2) The department shall purchase the online algebra tool that  
16 was chosen under this section in 2016-2017.

17 (3) A grantee receiving funding under this section shall  
18 comply with the requirements of section 19b.

19 Sec. 99u. (1) From the general fund ~~appropriation~~ **money**  
20 **appropriated** under section 11, there is allocated for ~~2018-2019~~  
21 **2020-2021** an amount not to exceed \$1,500,000.00 to ~~purchase~~  
22 ~~statewide access to an~~ **a provider that is a provider of both of the**  
23 **following:**

24 (a) **An** online mathematics tool that meets all of the  
25 following:

26 (i) ~~(a)~~ Provides students statewide with complete access to  
27 mathematics support aligned with state standards through a program  
28 that has all of the following elements:

29 (A) ~~(i)~~ Student motivation.



- 1           (B) ~~(ii)~~—Valid and reliable assessments.
- 2           (C) ~~(iii)~~—Personalized learning pathways.
- 3           (D) ~~(iv)~~—Highly qualified, live teachers available all day and  
4 all year.
- 5           (E) ~~(v)~~—Twenty-four-hour reporting.
- 6           (F) ~~(vi)~~—Content built for rigorous mathematics.
- 7           (ii) ~~(b)~~—Has a record of improving student mathematics scores  
8 in at least 5 other states.
- 9           (iii) ~~(c)~~—Received funding under this section in 2017-2018.

10           **(b) A program that provides explicit, targeted literacy**  
11 **instruction within an individualized learning path that continually**  
12 **adjusts to a pupil's needs. A program described in this subdivision**  
13 **that is funded under this subsection must be funded through a grant**  
14 **to a provider described in this subsection that also promotes**  
15 **literacy through the teaching of critical language and literacy**  
16 **concepts, such as reading and listening comprehension, basic**  
17 **vocabulary, academic language, grammar, phonological awareness,**  
18 **phonics, and fluency.**

19           (2) A grantee that receives funding under this section shall  
20 comply with the requirements of section 19b.

21           ~~(3) In addition to the funds allocated under subsection (1),~~  
22 ~~from the general fund appropriation in section 11, there is~~  
23 ~~allocated for 2018-2019 an amount not to exceed \$500,000.00 for a~~  
24 ~~software-based solution designed to teach Spanish language literacy~~  
25 ~~to students in pre-kindergarten through first grade. A program~~  
26 ~~funded under this subsection shall be a grant to the eligible~~  
27 ~~provider that promotes bilingualism and biliteracy, and is based on~~  
28 ~~research that shows how students who become proficient readers in~~  
29 ~~their first language have an easier time making the transition to~~



1 ~~reading proficiency in a second language. A provider of programming~~  
 2 ~~under subsection (1) is the eligible provider of programming under~~  
 3 ~~this subsection.~~

4 ~~(4) In addition to the funds allocated under subsection (1),~~  
 5 ~~from the general fund money appropriated in section 11, there is~~  
 6 ~~allocated for 2018-2019 an amount not to exceed \$1,000,000.00 for a~~  
 7 ~~pilot program to provide explicit, targeted literacy instruction~~  
 8 ~~within an individualized learning path that continually adjusts to~~  
 9 ~~a pupil's needs. A program funded under this subsection shall be a~~  
 10 ~~grant to the eligible provider that promotes literacy by teaching~~  
 11 ~~critical language and literacy concepts such as reading and~~  
 12 ~~listening comprehension, basic vocabulary, academic language,~~  
 13 ~~grammar, phonological awareness, phonics, and fluency. A pilot~~  
 14 ~~program funded under this subsection shall cover both the remainder~~  
 15 ~~of 2018-2019 and also the entire 2019-2020 school year. A provider~~  
 16 ~~of programming under subsection (1) is the eligible provider of~~  
 17 ~~programming under this subsection.~~

18 ~~(3) (5) Notwithstanding section 17b, the department shall make~~  
 19 ~~payments made under this section shall be made by not later than~~  
 20 ~~March 1, 2019. December 1, 2020.~~

21 Sec. 99w. (1) From the general fund money appropriated under  
 22 section 11, there is allocated an amount not to exceed \$500,000.00  
 23 **\$400,000.00** for ~~2018-2019-2020-2021~~ to facilitate a culture of  
 24 health and physical activity as part of daily life. Funding under  
 25 this section ~~shall~~ **must** be a grant to the Michigan Fitness  
 26 Foundation to work with the department to invest in a physical  
 27 education curriculum. Funding under this section may support staff,  
 28 evaluation, assessment, technology, meetings, training, travel,  
 29 materials, and other administrative expenses in support of an



1 updated physical education curriculum. Funding under this section  
2 may be used as matching dollars to qualify for federal and private  
3 resources to support physical education.

4 (2) An entity that received funding under this section for  
5 2018-2019 may expend those funds through September 30, 2021.

6 (3) ~~(2)~~Notwithstanding section 17b, the department shall make  
7 payments ~~made~~under this section ~~shall be made~~by not later than  
8 ~~March 1, 2019.~~**December 1, 2020.**

9 Sec. 99x. (1) From the general fund money appropriated under  
10 section 11, there is allocated for ~~2018-2019~~**2020-2021** an amount  
11 not to exceed ~~\$300,000.00~~**\$1,000,000.00** for Teach for America to  
12 host a summer training institute in the city of Detroit, recruit  
13 teachers into a master teacher fellowship, and retain a committed  
14 alumni community. A program funded under this section must provide  
15 coaching and professional development, with the goal to produce  
16 highly effective teachers that move pupils beyond their growth  
17 benchmarks.

18 (2) Notwithstanding section 17b, the department shall make  
19 payments ~~made~~under this section ~~shall be made~~by not later than  
20 ~~March 1, 2019.~~**December 1, 2020.**

21 Sec. 99z. (1) From the state school aid fund money  
22 appropriated in section 11, there is allocated an amount not to  
23 exceed \$5,000,000.00 for 2020-2021 for payments to eligible  
24 districts described in subsection (3) to be used in the manner  
25 described in subsection (4).

26 (2) A district seeking funding under this section shall apply  
27 for the funding in a form and manner prescribed by the department.

28 (3) A district that meets all of the following is an eligible  
29 district under this section:





1 (a) In its application described in subsection (2), the  
2 district confirms its approval of a department-generated list that  
3 includes the full name and personnel identification code for each  
4 eligible teacher employed by the district in an assignment as  
5 described in subsection (8) (b) (i) and (ii) to whom it will provide a  
6 payment under subsection (4) with the funding received under this  
7 section.

8 (b) The district agrees to provide to each eligible teacher  
9 whose name is included on the list described in subdivision (a) a  
10 payment of \$500.00, in addition to the payment it will provide  
11 those eligible teachers under subsection (4).

12 (c) The district agrees to pay each eligible teacher the  
13 payment described in subdivision (b) and subsection (4) by not  
14 later than 45 days after receiving the disbursement of funds under  
15 this section from the department.

16 (4) An eligible district that receives funding under this  
17 section shall use that funding only as follows:

18 (a) If the eligible district is a district in which at least  
19 70% of the pupils in membership in the district for the immediately  
20 preceding fiscal year were economically disadvantaged, to provide a  
21 payment of \$1,000.00 to each eligible teacher whose name is  
22 included on the list described in subsection (3) (a).

23 (b) If the eligible district is not a district described in  
24 subdivision (a), to provide a payment of \$500.00 to each eligible  
25 teacher whose name is included on the list described in subsection  
26 (3) (a).

27 (5) It is the intent of the legislature to provide for funding  
28 so that an eligible teacher who receives a payment under this  
29 section from the district to which he or she is assigned as



1 described in this section receives payments under this section  
2 through that eligible teacher's third year of teaching at that  
3 district if that teacher remains continuously employed full-time at  
4 that district during those 3 years. For purposes of this  
5 subsection, an eligible teacher is considered continuously employed  
6 at a district during a period for which he or she is on approved  
7 medical, parental, or military leave.

8 (6) The funds allocated under this section for 2020-2021 are a  
9 work project appropriation, and any unexpended funds for 2020-2021  
10 are carried forward into 2021-2022. The purpose of the work project  
11 is to continue providing payments to eligible teachers as described  
12 in this section. The estimated completion date of the work project  
13 is September 30, 2023.

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

17 (8) As used in this section:

18 (a) "Economically disadvantaged" means that term as defined in  
19 section 31a.

20 (b) "Eligible teacher" means an individual who meets all of  
21 the following:

22 (i) Is assigned a teacher assignment code in the registry of  
23 educational personnel for the first time in the 2020-2021 school  
24 year.

25 (ii) Is assigned to a district in the registry of educational  
26 personnel in the 2020-2021 school year.

27 (iii) Has completed a full school year as a full-time teacher at  
28 the district to which he or she is assigned as described in  
29 subparagraph (ii) or, through a cooperative agreement, at multiple



1 districts.

2 (iv) Holds a valid Michigan teaching certificate or holds a  
3 full-year permit.

4 (v) Is employed by the district or districts described in  
5 subparagraph (iii) on or before November 1, 2020.

6 (vi) Has not been subject to any recorded disciplinary action  
7 during the school year.

8 (c) "Registry of educational personnel" means the data  
9 collected biannually by the center on June 30 and the first  
10 business day of December.

11 Sec. 101. (1) To be eligible to receive state aid under this  
12 article, not later than the fifth Wednesday after the pupil  
13 membership count day and not later than the fifth Wednesday after  
14 the supplemental count day, each district superintendent shall  
15 submit and certify to the center and the intermediate  
16 superintendent, in the form and manner prescribed by the center,  
17 the number of pupils enrolled and in regular daily attendance, or,  
18 for 2020-2021 only, the number of pupils engaged in pandemic  
19 learning for fall 2020 or the number of pupils engaged in pandemic  
20 learning for spring 2021, as applicable, or, for a district that  
21 operates as a cyber school, as that term is defined in section 551  
22 of the revised school code, MCL 380.551, the number of pupils  
23 enrolled and in regular daily attendance, including identification  
24 of tuition-paying pupils, in the district as of the pupil  
25 membership count day and as of the supplemental count day, as  
26 applicable, for the current school year. In addition, a district  
27 maintaining school during the entire year shall submit and certify  
28 to the center and the intermediate superintendent, in the form and  
29 manner prescribed by the center, the number of pupils enrolled and



1 in regular daily attendance in the district or, for 2020-2021 only,  
2 the number of pupils engaged in pandemic learning for fall 2020 or  
3 the number of pupils engaged in pandemic learning for spring 2021,  
4 as applicable, or, for a district that operates as a cyber school,  
5 as that term is defined in section 551 of the revised school code,  
6 MCL 380.551, the number of pupils enrolled and in regular daily  
7 attendance, for the current school year pursuant to rules  
8 promulgated by the superintendent. Not later than the sixth  
9 Wednesday after the pupil membership count day and not later than  
10 the sixth Wednesday after the supplemental count day, the district  
11 shall resolve any pupil membership conflicts with another district,  
12 correct any data issues, and recertify the data in a form and  
13 manner prescribed by the center and file the certified data with  
14 the intermediate superintendent. If a district fails to submit and  
15 certify the attendance data, as required under this subsection, the  
16 center shall notify the department and the department shall  
17 withhold state aid due to be distributed under this article from  
18 the defaulting district immediately, beginning with the next  
19 payment after the failure and continuing with each payment until  
20 the district complies with this subsection. If a district does not  
21 comply with this subsection by the end of the fiscal year, the  
22 district forfeits the amount withheld. A person who willfully  
23 falsifies a figure or statement in the certified and sworn copy of  
24 enrollment is subject to penalty as prescribed by section 161. As  
25 used in this subsection, "pupils engaged in pandemic learning for  
26 spring 2021" means that term as defined in section 6a.

27 (2) To be eligible to receive state aid under this article,  
28 not later than the twenty-fourth Wednesday after the pupil  
29 membership count day and not later than the twenty-fourth Wednesday



1 after the supplemental count day, an intermediate district shall  
2 submit to the center, in a form and manner prescribed by the  
3 center, the audited enrollment and attendance data as described in  
4 subsection (1) for the pupils of its constituent districts and of  
5 the intermediate district. If an intermediate district fails to  
6 submit the audited data as required under this subsection, the  
7 department shall withhold state aid due to be distributed under  
8 this article from the defaulting intermediate district immediately,  
9 beginning with the next payment after the failure and continuing  
10 with each payment until the intermediate district complies with  
11 this subsection. If an intermediate district does not comply with  
12 this subsection by the end of the fiscal year, the intermediate  
13 district forfeits the amount withheld.

14 (3) Except as otherwise provided in subsections (11), (12),  
15 and (13), all of the following apply to the provision of pupil  
16 instruction:

17 (a) Except as otherwise provided in this section, each  
18 district shall provide at least 1,098 hours and 180 days of pupil  
19 instruction. If a collective bargaining agreement that provides a  
20 complete school calendar was in effect for employees of a district  
21 as of June 24, 2014, and if that school calendar is not in  
22 compliance with this subdivision, then this subdivision does not  
23 apply to that district until after the expiration of that  
24 collective bargaining agreement. A district may apply for a waiver  
25 under subsection (9) from the requirements of this subdivision.

26 (b) Except as otherwise provided in this article, a district  
27 failing to comply with the required minimum hours and days of pupil  
28 instruction under this subsection forfeits from its total state aid  
29 allocation an amount determined by applying a ratio of the number



1 of hours or days the district was in noncompliance in relation to  
2 the required minimum number of hours and days under this  
3 subsection. Not later than August 1, the board of each district  
4 shall either certify to the department that the district was in  
5 full compliance with this section regarding the number of hours and  
6 days of pupil instruction in the previous school year, or report to  
7 the department, in a form and manner prescribed by the center, each  
8 instance of noncompliance. If the district did not provide at least  
9 the required minimum number of hours and days of pupil instruction  
10 under this subsection, the department shall make the deduction of  
11 state aid in the following fiscal year from the first payment of  
12 state school aid. A district is not subject to forfeiture of funds  
13 under this subsection for a fiscal year in which a forfeiture was  
14 already imposed under subsection (6).

15 (c) Hours or days lost because of strikes or teachers'  
16 conferences are not counted as hours or days of pupil instruction.

17 (d) Except as otherwise provided in subdivisions (e), (f), and  
18 (h), if a district does not have at least 75% of the district's  
19 membership in attendance on any day of pupil instruction, the  
20 department shall pay the district state aid in that proportion of  
21  $\frac{1}{180}$  that the actual percent of attendance bears to 75%.

22 (e) If a district adds 1 or more days of pupil instruction to  
23 the end of its instructional calendar for a school year to comply  
24 with subdivision (a) because the district otherwise would fail to  
25 provide the required minimum number of days of pupil instruction  
26 even after the operation of subsection (4) due to conditions not  
27 within the control of school authorities, then subdivision (d) does  
28 not apply for any day of pupil instruction that is added to the end  
29 of the instructional calendar. Instead, for any of those days, if



1 the district does not have at least 60% of the district's  
2 membership in attendance on that day, the department shall pay the  
3 district state aid in that proportion of 1/180 that the actual  
4 percentage of attendance bears to 60%. For any day of pupil  
5 instruction added to the instructional calendar as described in  
6 this subdivision, the district shall report to the department the  
7 percentage of the district's membership that is in attendance, in  
8 the form and manner prescribed by the department.

9 (f) At the request of a district that operates a department-  
10 approved alternative education program and that does not provide  
11 instruction for pupils in all of grades K to 12, the superintendent  
12 shall grant a waiver from the requirements of subdivision (d). The  
13 waiver must provide that an eligible district is subject to the  
14 proration provisions of subdivision (d) only if the district does  
15 not have at least 50% of the district's membership in attendance on  
16 any day of pupil instruction. In order to be eligible for this  
17 waiver, a district must maintain records to substantiate its  
18 compliance with the following requirements:

19 (i) The district offers the minimum hours of pupil instruction  
20 as required under this section.

21 (ii) For each enrolled pupil, the district uses appropriate  
22 academic assessments to develop an individual education plan that  
23 leads to a high school diploma.

24 (iii) The district tests each pupil to determine academic  
25 progress at regular intervals and records the results of those  
26 tests in that pupil's individual education plan.

27 (g) All of the following apply to a waiver granted under  
28 subdivision (f):

29 (i) If the waiver is for a blended model of delivery, a waiver



1 that is granted for the 2011-2012 fiscal year or a subsequent  
 2 fiscal year remains in effect unless it is revoked by the  
 3 superintendent.

4 (ii) If the waiver is for a 100% online model of delivery and  
 5 the educational program for which the waiver is granted makes  
 6 educational services available to pupils for a minimum of at least  
 7 1,098 hours during a school year and ensures that each pupil  
 8 participates in the educational program for at least 1,098 hours  
 9 during a school year, a waiver that is granted for the 2011-2012  
 10 fiscal year or a subsequent fiscal year remains in effect unless it  
 11 is revoked by the superintendent.

12 (iii) A waiver that is not a waiver described in subparagraph  
 13 (i) or (ii) is valid for ~~1-3~~ fiscal year-years, **unless it is revoked**  
 14 **by the superintendent**, and must be renewed ~~annually~~ **at the end of**  
 15 **the 3-year period** to remain in effect.

16 (h) For the 2020-2021 school year only, subdivision (d) does  
 17 not apply for any day of pupil instruction. However, for the 2020-  
 18 2021 school year only, a district shall ensure that 1 2-way  
 19 interaction occurs between a pupil enrolled in the district and the  
 20 pupil's teacher or at least 1 of the pupil's teachers **or another**  
 21 **district employee who has responsibility for the pupil's learning,**  
 22 **grade progression, or academic progress** during each month of the  
 23 school year for at least 75% of pupils enrolled in the district. **As**  
 24 **used in the immediately preceding sentence, "school year" means a**  
 25 **period comprising at least 9 calendar months that are chosen by a**  
 26 **district and that are designated as part of the district's 2020-**  
 27 **2021 school year.** If a district does not ensure that the  
 28 interactions required under this subdivision occur for at least 75%  
 29 of pupils enrolled in the district ~~during each month of the school~~





1 ~~year, as required under this subdivision,~~ the department shall pay  
 2 the district state aid in that proportion of ~~1/10~~**1/9** that the  
 3 actual percentage of interaction during each month bears to 75%. As  
 4 used in this subdivision, "2-way interaction" means a communication  
 5 that occurs between a pupil and the pupil's teacher or at least 1  
 6 of the pupil's teachers **or another district employee who has**  
 7 **responsibility for the pupil's learning, grade progression, or**  
 8 **academic progress,** where 1 party initiates communication and a  
 9 response from the other party follows that communication, and that  
 10 is relevant to course progress or course content for at least 1 of  
 11 the courses in which the pupil is enrolled **or relevant to the**  
 12 **pupil's overall academic progress or grade progression.** Responses,  
 13 as described in this subdivision, must be to ~~the~~ communication  
 14 initiated by the teacher, **by another district employee who has**  
 15 **responsibility for the pupil's learning, grade progression, or**  
 16 **academic progress, or by the pupil,** and not some other action  
 17 taken. The communication described in this subdivision may occur  
 18 through, but is not limited to, any of the following means:

- 19 (i) Electronic mail.
- 20 (ii) Telephone.
- 21 (iii) Instant messaging.
- 22 (iv) Face-to-face conversation.

23 (i) The superintendent shall promulgate rules for the  
 24 implementation of this subsection.

25 (4) Except as otherwise provided in this subsection, the first  
 26 6 days or the equivalent number of hours for which pupil  
 27 instruction is not provided because of conditions not within the  
 28 control of school authorities, such as severe storms, fires,  
 29 epidemics, utility power unavailability, water or sewer failure, or



1 health conditions as defined by the city, county, or state health  
2 authorities, are counted as hours and days of pupil instruction.  
3 With the approval of the superintendent of public instruction, the  
4 department shall count as hours and days of pupil instruction for a  
5 fiscal year not more than 3 additional days or the equivalent  
6 number of additional hours for which pupil instruction is not  
7 provided in a district due to unusual and extenuating occurrences  
8 resulting from conditions not within the control of school  
9 authorities such as those conditions described in this subsection.  
10 Subsequent such hours or days are not counted as hours or days of  
11 pupil instruction.

12 (5) A district does not forfeit part of its state aid  
13 appropriation because it adopts or has in existence an alternative  
14 scheduling program for pupils in kindergarten if the program  
15 provides at least the number of hours required under subsection (3)  
16 for a full-time equated membership for a pupil in kindergarten as  
17 provided under section 6(4).

18 (6) In addition to any other penalty or forfeiture under this  
19 section, if at any time the department determines that 1 or more of  
20 the following have occurred in a district, the district forfeits in  
21 the current fiscal year beginning in the next payment to be  
22 calculated by the department a proportion of the funds due to the  
23 district under this article that is equal to the proportion below  
24 the required minimum number of hours and days of pupil instruction  
25 under subsection (3), as specified in the following:

26 (a) The district fails to operate its schools for at least the  
27 required minimum number of hours and days of pupil instruction  
28 under subsection (3) in a school year, including hours and days  
29 counted under subsection (4).



1 (b) The board of the district takes formal action not to  
2 operate its schools for at least the required minimum number of  
3 hours and days of pupil instruction under subsection (3) in a  
4 school year, including hours and days counted under subsection (4).

5 (7) In providing the minimum number of hours and days of pupil  
6 instruction required under subsection (3), a district shall use the  
7 following guidelines, and a district shall maintain records to  
8 substantiate its compliance with the following guidelines:

9 (a) Except as otherwise provided in this subsection, a pupil  
10 must be scheduled for at least the required minimum number of hours  
11 of instruction, excluding study halls, or at least the sum of 90  
12 hours plus the required minimum number of hours of instruction,  
13 including up to 2 study halls.

14 (b) The time a pupil is assigned to any tutorial activity in a  
15 block schedule may be considered instructional time, unless that  
16 time is determined in an audit to be a study hall period.

17 (c) Except as otherwise provided in this subdivision, a pupil  
18 in grades 9 to 12 for whom a reduced schedule is determined to be  
19 in the individual pupil's best educational interest must be  
20 scheduled for a number of hours equal to at least 80% of the  
21 required minimum number of hours of pupil instruction to be  
22 considered a full-time equivalent pupil. A pupil in grades 9 to 12  
23 who is scheduled in a 4-block schedule may receive a reduced  
24 schedule under this subsection if the pupil is scheduled for a  
25 number of hours equal to at least 75% of the required minimum  
26 number of hours of pupil instruction to be considered a full-time  
27 equivalent pupil.

28 (d) If a pupil in grades 9 to 12 who is enrolled in a  
29 cooperative education program or a special education pupil cannot



1 receive the required minimum number of hours of pupil instruction  
2 solely because of travel time between instructional sites during  
3 the school day, that travel time, up to a maximum of 3 hours per  
4 school week, is considered to be pupil instruction time for the  
5 purpose of determining whether the pupil is receiving the required  
6 minimum number of hours of pupil instruction. However, if a  
7 district demonstrates to the satisfaction of the department that  
8 the travel time limitation under this subdivision would create  
9 undue costs or hardship to the district, the department may  
10 consider more travel time to be pupil instruction time for this  
11 purpose.

12 (e) In grades 7 through 12, instructional time that is part of  
13 a Junior Reserve Officer Training Corps (JROTC) program is  
14 considered to be pupil instruction time regardless of whether the  
15 instructor is a certificated teacher if all of the following are  
16 met:

17 (i) The instructor has met all of the requirements established  
18 by the United States Department of Defense and the applicable  
19 branch of the armed services for serving as an instructor in the  
20 Junior Reserve Officer Training Corps program.

21 (ii) The board of the district or intermediate district  
22 employing or assigning the instructor complies with the  
23 requirements of sections 1230 and 1230a of the revised school code,  
24 MCL 380.1230 and 380.1230a, with respect to the instructor to the  
25 same extent as if employing the instructor as a regular classroom  
26 teacher.

27 (8) Except as otherwise provided in subsections (11), (12),  
28 and (13), the department shall apply the guidelines under  
29 subsection (7) in calculating the full-time equivalency of pupils.



1 (9) Upon application by the district for a particular fiscal  
2 year, the superintendent shall waive for a district the minimum  
3 number of hours and days of pupil instruction requirement of  
4 subsection (3) for a department-approved alternative education  
5 program or another innovative program approved by the department,  
6 including a 4-day school week. If a district applies for and  
7 receives a waiver under this subsection and complies with the terms  
8 of the waiver, the district is not subject to forfeiture under this  
9 section for the specific program covered by the waiver. If the  
10 district does not comply with the terms of the waiver, the amount  
11 of the forfeiture is calculated based upon a comparison of the  
12 number of hours and days of pupil instruction actually provided to  
13 the minimum number of hours and days of pupil instruction required  
14 under subsection (3). A district shall report pupils enrolled in a  
15 department-approved alternative education program under this  
16 subsection to the center in a form and manner determined by the  
17 center. All of the following apply to a waiver granted under this  
18 subsection:

19 (a) If the waiver is for a blended model of delivery, a waiver  
20 that is granted for the 2011-2012 fiscal year or a subsequent  
21 fiscal year remains in effect unless it is revoked by the  
22 superintendent.

23 (b) If the waiver is for a 100% online model of delivery and  
24 the educational program for which the waiver is granted makes  
25 educational services available to pupils for a minimum of at least  
26 1,098 hours during a school year and ensures that each pupil is on  
27 track for course completion at proficiency level, a waiver that is  
28 granted for the 2011-2012 fiscal year or a subsequent fiscal year  
29 remains in effect unless it is revoked by the superintendent.



1 (c) A waiver that is not a waiver described in subdivision (a)  
 2 or (b) is valid for ~~1-3~~ fiscal ~~year~~**years, unless it is revoked by**  
 3 **the superintendent,** and must be renewed ~~annually~~**at the end of the**  
 4 **3-year period** to remain in effect.

5 (10) A district may count up to 38 hours of ~~qualifying~~  
 6 professional development for teachers as hours of pupil  
 7 instruction. All of the following apply to the counting of  
 8 ~~qualifying~~ professional development as pupil instruction under this  
 9 subsection:

10 (a) If ~~qualifying~~**the** professional development exceeds 5 hours  
 11 in a single day, that day may be counted as a day of pupil  
 12 instruction.

13 (b) At least 8 hours of the ~~qualifying~~ professional  
 14 development counted as hours of pupil instruction under this  
 15 subsection must be recommended by a districtwide professional  
 16 development advisory committee appointed by the district board. The  
 17 advisory committee must be composed of teachers employed by the  
 18 district who represent a variety of grades and subject matter  
 19 specializations, including special education; nonteaching staff;  
 20 parents; and administrators. The majority membership of the  
 21 committee ~~shall~~**must** be composed of teaching staff.

22 (c) Professional development provided online is allowable and  
 23 encouraged, as long as the instruction has been approved by the  
 24 district. The department shall issue a list of approved online  
 25 professional development providers ~~, which~~**that** must include the  
 26 Michigan Virtual School.

27 (d) ~~Qualifying professional~~**Professional** development may only  
 28 be counted as hours of pupil instruction **under this subsection** for  
 29 the pupils of those teachers scheduled to participate in the



1 ~~qualifying~~ professional development.

2 (e) ~~For professional~~ **The professional** development ~~to be~~  
3 ~~considered qualifying professional development under this~~  
4 ~~subsection, the professional development~~ must meet all of the  
5 following **to be counted as pupil instruction under this subsection:**

6 (i) ~~Is~~ **Be** aligned to the school or district improvement plan  
7 for the school or district in which the professional development is  
8 being provided.

9 (ii) ~~Is~~ **Be** linked to 1 or more criteria in the evaluation tool  
10 developed or adopted by the district or intermediate district under  
11 section 1249 of the revised school code, MCL 380.1249.

12 (iii) Has been approved by the department as counting for state  
13 continuing education clock hours. The number of hours of  
14 professional development counted as hours of pupil instruction  
15 **under this subsection** may not exceed the number of state continuing  
16 education clock hours for which the ~~qualifying~~ professional  
17 development was approved.

18 (iv) Not more than a combined total of 10 hours of the  
19 professional development takes place before the first scheduled day  
20 of school for the school year ending in the fiscal year and after  
21 the last scheduled day of school for that school year.

22 (v) ~~No~~ **Not** more than 10 hours of ~~qualifying~~ **the** professional  
23 development takes place in a single month.

24 (vi) At least 75% of teachers scheduled to participate in the  
25 professional development are in attendance.

26 (11) Subsections (3) and (8) do not apply to a school of  
27 excellence that is a cyber school, as that term is defined in  
28 section 551 of the revised school code, MCL 380.551, and is in  
29 compliance with section 553a of the revised school code, MCL



1 380.553a.

2 (12) Subsections (3) and (8) do not apply to eligible pupils  
3 enrolled in a dropout recovery program that meets the requirements  
4 of section 23a. As used in this subsection, "eligible pupil" means  
5 that term as defined in section 23a.

6 (13) For the 2020-2021 school year only, the minimum number of  
7 hours and days of pupil instruction requirement under subsection  
8 (3) is waived for ~~all districts. However, for the 2020-2021 school~~  
9 ~~year only, districts shall, **each district that,**~~ at a minimum,  
10 ~~provide~~ **provides** pupil instruction **for the 2020-2021 school year** at  
11 school, at a different location, in person, online, digitally, by  
12 other remote means, in a synchronous or asynchronous format, or  
13 through any combination therein that results in an amount of hours  
14 and days necessary to deliver the educational or course content  
15 that would have been delivered in 180 days and 1,098 hours in a  
16 school year in which pandemic learning was not provided and that  
17 would have led to course completion. As used in this subsection,  
18 "pandemic learning" means a mode of pupil instruction provided as a  
19 result of the COVID-19 pandemic.

20 (14) At least every 2 years the superintendent shall review  
21 the waiver standards set forth in the pupil accounting and auditing  
22 manuals to ensure that the waiver standards and waiver process  
23 continue to be appropriate and responsive to changing trends in  
24 online learning. The superintendent shall solicit and consider  
25 input from stakeholders as part of this review.

26 Sec. 104. (1) In order to receive state aid under this  
27 article, a district shall comply with sections 1249, 1278a, 1278b,  
28 1279g, and 1280b of the revised school code, MCL 380.1249,  
29 380.1278a, 380.1278b, 380.1279g, and 380.1280b, and 1970 PA 38, MCL





1 388.1081 to 388.1086. Subject to subsection (2), from the state  
 2 school aid fund money appropriated in section 11, there is  
 3 allocated for ~~2019-2020-2020-2021~~ an amount not to exceed  
 4 ~~\$26,009,400.00~~ **\$31,009,400.00** for payments on behalf of districts  
 5 for costs associated with complying with those provisions of law.  
 6 In addition, from the federal funds appropriated in section 11,  
 7 there is allocated for ~~2019-2020-2020-2021~~ an amount estimated at  
 8 ~~\$6,250,000.00,~~ **\$6,250,000.00** funded from DED-OESE, title VI, state  
 9 assessment funds, and from DED-OSERS, section 504 of part B of the  
 10 individuals with disabilities education act, Public Law 94-142,  
 11 plus any carryover federal funds from previous year appropriations,  
 12 for the purposes of complying with the every student succeeds act,  
 13 Public Law 114-95.

14 (2) The results of each test administered as part of the  
 15 Michigan student test of educational progress (M-STEP), including  
 16 tests administered to high school students, must include an item  
 17 analysis that lists all items that are counted for individual pupil  
 18 scores and the percentage of pupils choosing each possible  
 19 response. The department shall work with the center to identify the  
 20 number of students enrolled at the time assessments are given by  
 21 each district. In calculating the percentage of pupils assessed for  
 22 a district's scorecard, the department shall use only the number of  
 23 pupils enrolled in the district at the time the district  
 24 administers the assessments and shall exclude pupils who enroll in  
 25 the district after the district administers the assessments.

26 (3) The department shall distribute federal funds allocated  
 27 under this section in accordance with federal law and with  
 28 flexibility provisions outlined in Public Law 107-116, and in the  
 29 education flexibility partnership act of 1999, Public Law 106-25.



1 (4) From the funds allocated in subsection (1), there is  
 2 allocated an amount not to exceed ~~\$2,500,000.00~~ **\$1,500,000.00** to an  
 3 intermediate district described in this subsection for, **except as**  
 4 **otherwise provided in this subsection**, statewide implementation of  
 5 the Michigan kindergarten entry observation tool (MKEO), ~~beginning~~  
 6 ~~in the fall of 2019~~, utilizing the Maryland-Ohio observational  
 7 tool, also referred to as the Kindergarten Readiness Assessment, as  
 8 piloted under this subsection in 2017-2018 and implemented in 2018-  
 9 2019 and 2019-2020. The funding in this subsection is allocated to  
 10 an intermediate district in prosperity region 9 with at least 3,000  
 11 kindergarten pupils enrolled in its constituent districts. ~~It is~~  
 12 ~~the intent of the legislature that funding will not be allocated~~  
 13 ~~under this subsection for 2020-2021 for the purposes under this~~  
 14 ~~subsection and that statewide implementation of the Michigan~~  
 15 ~~kindergarten entry observation tool (MKEO), as described in this~~  
 16 ~~subsection, will be suspended for 2020-2021. **An intermediate**~~  
 17 **district described in this subsection is not required to carry out**  
 18 **the statewide implementation of the Michigan kindergarten entry**  
 19 **observation tool (MKEO), as described in this subsection, for the**  
 20 **fall of 2020. It is the intent of the legislature to account for**  
 21 **health, safety, and welfare concerns related to the COVID-19**  
 22 **pandemic by temporarily suspending the requirement for statewide**  
 23 **implementation of the Michigan kindergarten entry observation tool**  
 24 **(MKEO) under this subsection for the fall of 2020.** All of the  
 25 following apply to the implementation of the kindergarten entry  
 26 observation tool under this subsection:

27 (a) The department, in collaboration with all intermediate  
 28 districts, shall ensure that the Michigan kindergarten entry  
 29 observation tool is administered in each kindergarten classroom to



1 either the full census of kindergarten pupils enrolled in the  
2 classroom or to a representative sample of not less than 35% of the  
3 total kindergarten pupils enrolled in each classroom. If a district  
4 elects to administer the Michigan kindergarten entry observation  
5 tool to a random sample of pupils within each classroom, the  
6 district's intermediate district shall select the pupils who will  
7 receive the assessment based on the same random method. Beginning  
8 in 2021, the observation tool must be administered within 45 days  
9 after the start of the school year.

10 (b) The intermediate district that receives funding under this  
11 subsection, in collaboration with all other intermediate districts,  
12 shall implement a "train the trainer" professional development  
13 model on the usage of the Michigan kindergarten entry observation  
14 tool. This training model must provide training to intermediate  
15 district staff so that they may provide similar training for staff  
16 of their constituent districts. This training model must also  
17 ensure that the tool produces reliable data and that there are a  
18 sufficient number of trainers to train all kindergarten teachers  
19 statewide.

20 (c) By March 1, 2022, and each year thereafter, the department  
21 and the intermediate district that receives funding under this  
22 subsection shall report to the house and senate appropriations  
23 subcommittees on state school aid, the house and senate fiscal  
24 agencies, and the state budget director on the results of the  
25 statewide implementation, including, but not limited to, an  
26 evaluation of the demonstrated readiness of kindergarten pupils  
27 statewide and the effectiveness of state and federal early  
28 childhood programs that are designed for school readiness under  
29 this state's authority, including the great start readiness program



1 and the great start readiness/Head Start blended program, as  
2 referenced under section 32d. By September 1, 2022, and each year  
3 thereafter, the department and the center shall provide a method  
4 for districts and public school academies with kindergarten  
5 enrollment to look up and verify their student enrollment data for  
6 pupils who were enrolled in a publicly funded early childhood  
7 program in the year before kindergarten, including the individual  
8 great start readiness program, individual great start  
9 readiness/Head Start blended program, individual title I preschool  
10 program, individual section 31a preschool program, individual early  
11 childhood special education program, or individual developmental  
12 kindergarten or program for young 5-year-olds in which each tested  
13 child was enrolled. A participating district shall analyze the data  
14 to determine whether high-performing children were enrolled in any  
15 specific early childhood program and, if so, report that finding to  
16 the department and to the intermediate district that receives  
17 funding under this subsection.

18 (d) The department shall approve the language and literacy  
19 domain within the Kindergarten Readiness Assessment for use by  
20 districts as an initial assessment that may be delivered to all  
21 kindergarten pupils to assist with identifying any possible area of  
22 concern for a pupil in English language arts.

23 (e) As used in this subsection:

24 (i) "Kindergarten" includes a classroom for young 5-year-olds,  
25 commonly referred to as "young 5s" or "developmental kindergarten".

26 (ii) "Representative sample" means a sample capable of  
27 producing valid and reliable assessment information on all or major  
28 subgroups of kindergarten pupils in a district.

29 (5) The department may recommend, but may not require,



1 districts to allow pupils to use an external keyboard with tablet  
2 devices for online M-STEP testing, including, but not limited to,  
3 open-ended test items such as constructed response or equation  
4 builder items.

5 (6) Notwithstanding section 17b, the department shall make  
6 payments on behalf of districts, intermediate districts, and other  
7 eligible entities under this section on a schedule determined by  
8 the department.

9 (7) From the allocation in subsection (1), there is allocated  
10 an amount not to exceed \$500,000.00 for ~~2019-2020~~**2020-2021** for the  
11 operation of an online reporting tool to provide student-level  
12 assessment data in a secure environment to educators, parents, and  
13 pupils immediately after assessments are scored. The department and  
14 the center shall ensure that any data collected by the online  
15 reporting tool do not provide individually identifiable student  
16 data to the federal government.

17 (8) In order to receive state aid under this article for 2020-  
18 2021, a district shall meet both of the following requirements:

19 (a) Within the first 9 weeks of the 2020-2021 school year, the  
20 district shall administer 1 or more benchmark assessments provided  
21 by a provider approved under subsection (9), benchmark assessments  
22 described in subsection (10), or local benchmark assessments, or  
23 any combination thereof, to all pupils in grades K to 8 to measure  
24 proficiency in reading and mathematics.

25 (b) In addition to the benchmark assessment or benchmark  
26 assessments administered under subdivision (a), by not later than  
27 the last day of the 2020-2021 school year, the district shall  
28 administer 1 or more benchmark assessments provided by a provider  
29 approved under subsection (9), benchmark assessments described in



1 subsection (10), or local benchmark assessments, or any combination  
2 thereof, to all pupils in grades K to 8 to measure proficiency in  
3 reading and mathematics.

4 (9) The department shall approve at least 4 but not more than  
5 5 providers of benchmark assessments for the purposes of subsection  
6 (8). The department shall inform districts of all of the providers  
7 approved under this subsection in an equitable manner. The  
8 benchmark assessments provided for the purposes of subsection (8)  
9 by approved providers under this subsection, with the exclusion of  
10 the benchmark assessment described in subsection (14), must meet  
11 all of the following:

12 (a) Be 1 of the most commonly administered benchmark  
13 assessments in this state.

14 (b) Be aligned to the content standards of this state.

15 (c) Complement the state's summative assessment system.

16 (d) Be internet-delivered and include a standards-based  
17 **remote, in-person, or both remote and in-person** assessment using a  
18 computer-adaptive model to target the instructional level of each  
19 pupil.

20 (e) Provide information on pupil achievement with regard to  
21 learning content required in a given year or grade span.

22 (f) Provide immediate feedback to pupils and teachers.

23 (g) Be nationally normed.

24 (h) Provide multiple measures of growth and provide for  
25 multiple testing opportunities.

26 (10) A district may administer 1 or more of the following  
27 benchmark assessments toward meeting the requirement under  
28 subsection (8):

29 (a) A benchmark assessment in reading for students in grades K



1 to 9 that contains progress monitoring tools and enhanced  
2 diagnostic assessments.

3 (b) A benchmark assessment in math for students in grades K to  
4 8 that contains progress monitoring tools.

5 (11) To the extent practicable, if a district administers a  
6 benchmark assessment or benchmark assessments under this section,  
7 the district shall administer the same benchmark assessment or  
8 benchmark assessments provided by a provider approved under  
9 subsection (9), benchmark assessment or benchmark assessments  
10 described in subsection (10), or local benchmark assessment or  
11 local benchmark assessments that it administered to pupils in  
12 previous school years, as applicable.

13 (12) By not later than June 30, 2021, a district shall send  
14 the aggregate district-level data from a benchmark assessment or  
15 benchmark assessments, excluding data from a local benchmark  
16 assessment or local benchmark assessments, administered under this  
17 section to a regional data hub that is part of the Michigan data  
18 hub network that shall compile the data and send it to the center.  
19 Not later than ~~August~~**September** 1, 2021, the department and the  
20 center shall provide a report to the governor and the senate and  
21 house standing committees responsible for education legislation  
22 identifying the number and percentage of pupils in this state who  
23 are significantly behind grade level as determined by the  
24 department and the center based on the data provided to the center  
25 under this subsection. The benchmark assessment data under this  
26 subsection may also be used to measure pupils' growth based on  
27 their performance on state summative assessments to identify  
28 districts and schools where pupil achievement has increased or  
29 decreased. However, the benchmark assessment data under this



1 subsection must not be utilized for the state accountability  
2 system. It is the intent of the legislature that the benchmark  
3 assessment data under this subsection be primarily utilized to  
4 determine the loss of learning, if any, resulting from the COVID-19  
5 pandemic. After the administration of statewide assessments  
6 resumes, the department shall also provide a report to the governor  
7 and the senate and house standing committees responsible for  
8 education legislation identifying the specific pupil groups whose  
9 expected trajectory toward grade-level proficiency were most  
10 impacted by school closures that occurred pursuant to the COVID-19  
11 pandemic.

12 (13) If a district administers a benchmark assessment or  
13 benchmark assessments under this section, the district shall  
14 provide each pupil's data from the benchmark assessment or  
15 benchmark assessments, as available, to the pupil's parent or legal  
16 guardian within 30 days of administering the benchmark assessment  
17 or benchmark assessments.

18 (14) The department shall make 1 of the benchmark assessments  
19 provided by a provider approved under subsection (9) available to  
20 districts at no cost to the districts. The benchmark assessment  
21 described in this subsection must meet all of the following:

- 22 (a) Be aligned to the content standards of this state.  
23 (b) Complement the state's summative assessment system.  
24 (c) Be internet-delivered and include a standards-based  
25 assessment.  
26 (d) Provide information on pupil achievement with regard to  
27 learning content required in a given year or grade span.  
28 (e) Provide timely feedback to pupils and teachers.  
29 (f) Be nationally normed.





1 (g) Provide information to educators about student growth and  
2 allow for multiple testing opportunities.

3 (15) If a local benchmark assessment or local benchmark  
4 assessments are administered under subsection (8), the district  
5 shall report to the department and the center, in a form and manner  
6 prescribed by the center, the local benchmark assessment or local  
7 benchmark assessments that were administered and how that  
8 assessment or those assessments measure changes, including any  
9 losses, as applicable, in learning, and the district's plan for  
10 addressing any losses in learning.

11 ~~It is the intent of the legislature to appropriate~~  
12 ~~funding for a study to be conducted by a~~ **From the general fund**  
13 **money appropriated in section 11, there is allocated for 2020-2021**  
14 **an amount not to exceed \$150,000.00 to a** higher education  
15 institution or other entity that is not a state governmental entity  
16 that has expertise in conducting a study described in this  
17 subsection . ~~It is the intent of the legislature that the study~~  
18 ~~described in this subsection must,~~ **to conduct a study that,** at a  
19 minimum, ~~accomplish~~ **accomplishes** all of the following:

20 (a) ~~Provide~~ **Provides** for an assessment of the distance-  
21 learning programs utilized in this state that were effective at  
22 meeting educational goals and attainment.

23 (b) ~~Provide~~ **Provides** for an assessment of how the programs  
24 described in subdivision (a) operated.

25 (c) ~~Provide~~ **Provides** for an assessment of the best practices  
26 implemented by the programs described in subdivision (a) that  
27 should be replicated by schools engaged in distance learning.

28 (d) ~~Note~~ **Notes** distance-learning models that were ineffective  
29 in achieving educational goals.



1 (17) As used in this section:

2 (a) "DED" means the United States Department of Education.

3 (b) "DED-OESE" means the DED Office of Elementary and  
4 Secondary Education.

5 (c) "DED-OSERS" means the DED Office of Special Education and  
6 Rehabilitative Services.

7 **Sec. 104f. (1) From the general fund money appropriated under**  
8 **section 11, there is allocated an amount not to exceed \$500,000.00**  
9 **for the implementation of an assessment digital literacy**  
10 **preparation program for pupils enrolled in grades K to 8 for 2020-**  
11 **2021. The department shall ensure that a program funded under this**  
12 **subsection satisfies all of the following:**

13 (a) Is available to districts in the 2020-2021 school year.

14 (b) Focuses on ensuring pupils have the necessary skills  
15 required for state online assessments by assessing pupil digital  
16 literacy skill levels and providing teachers with a digital  
17 curriculum targeted at areas of determined weakness.

18 (c) Allows pupils to engage with the digital curriculum in an  
19 independent or teacher-facilitated modality.

20 (d) Includes training and professional development for  
21 teachers.

22 (e) Is implemented in at least 100 districts that operate  
23 grades K to 8 and that represent a diverse geography and socio-  
24 economic demographic.

25 (2) Funding under subsection (1) must be allocated to a  
26 district that did not receive funding under former section 104e for  
27 2017-2018 and that operates at least grades K to 8 and has a  
28 partnership with a third party that is experienced in the  
29 assessment of digital literacy and the preparation of digital



1 literacy skills and has demonstrable experience serving districts  
 2 in this state and local education agencies in 10 other states. The  
 3 district, along with its third-party partner, shall provide a  
 4 report to the house and senate appropriations subcommittees on  
 5 state school aid and the house and senate fiscal agencies on the  
 6 efficacy and usefulness of the assessment digital literacy  
 7 preparation program no later than July 1, 2021.

8 (3) Notwithstanding section 17b, the department shall make  
 9 payments under subsection (1) by not later than December 1, 2020.

10 Sec. 104g. (1) For the 2020-2021 school year only, a district  
 11 shall make the SAT available in the fall of 2020 to pupils who were  
 12 in grade 11 during the 2019-2020 school year and who were not able  
 13 to take the examination during the 2019-2020 school year.

14 (2) For the 2020-2021 school year only, a district shall make  
 15 the PSAT available in the fall of 2020 to pupils who were in grades  
 16 8, 9, and 10 during the 2019-2020 school year and who were not able  
 17 to take the examination during the 2019-2020 school year.

18 (3) The examinations offered by a district in subsections (1)  
 19 and (2) are not considered state summative assessments or the  
 20 college entrance portion of the Michigan merit examination for the  
 21 2020-2021 school year.

22 (4) Pupils must be encouraged but not required to take the  
 23 examinations under subsections (1) and (2).

24 Sec. 105. (1) In order to avoid a penalty under this section,  
 25 and in order to count a nonresident pupil residing within the same  
 26 intermediate district in membership without the approval of the  
 27 pupil's district of residence, a district ~~shall~~**must** comply with  
 28 this section.

29 (2) Except as otherwise provided in this section, a district



1 shall determine whether or not it will accept applications for  
2 enrollment by nonresident applicants residing within the same  
3 intermediate district for the next school year. If the district  
4 determines to accept applications for enrollment of a number of  
5 nonresidents, beyond those entitled to preference under this  
6 section, the district shall use the following procedures for  
7 accepting applications from and enrolling nonresidents:

8 (a) The district shall publish the grades, schools, and  
9 special programs, if any, for which enrollment may be available to,  
10 and for which applications will be accepted from, nonresident  
11 applicants residing within the same intermediate district.

12 (b) If the district has a limited number of positions  
13 available for nonresidents residing within the same intermediate  
14 district in a grade, school, or program, all of the following apply  
15 to accepting applications for and enrollment of nonresidents in  
16 that grade, school, or program:

17 (i) The district shall do all of the following not later than  
18 the second Friday in August:

19 (A) Provide notice to the general public that applications  
20 will be taken for a period of at least 15 calendar days but not  
21 more than 30 calendar days from nonresidents residing within the  
22 same intermediate district for enrollment in that grade, school, or  
23 program. The notice ~~shall~~**must** identify the dates of the  
24 application period and the place and manner for submitting  
25 applications.

26 (B) During the application period under sub-subparagraph (A),  
27 accept applications from nonresidents residing within the same  
28 intermediate district for enrollment in that grade, school, or  
29 program.



1 (C) Within 15 calendar days after the end of the application  
 2 period under sub-subparagraph (A) **or, for 2020-2021 only, not later**  
 3 **than October 13, 2020**, using the procedures and preferences  
 4 required under this section, determine which nonresident applicants  
 5 will be allowed to enroll in that grade, school, or program, using  
 6 the random draw system required under subsection (14) as necessary,  
 7 and notify the parent or legal guardian of each nonresident  
 8 applicant of whether or not the applicant may enroll in the  
 9 district. The notification to parents or legal guardians of  
 10 nonresident applicants accepted for enrollment ~~shall~~**must** contain  
 11 notification of the date by which the applicant must enroll in the  
 12 district and procedures for enrollment. The date for enrollment  
 13 ~~shall~~**must** be no later than the end of the first week of school,  
 14 **or, for 2020-2021 only, not later than October 13, 2020.**

15 (ii) Beginning on the third Monday in August and not later than  
 16 the end of the first week of school ~~—~~**or, for 2020-2021 only, not**  
 17 **later than October 13, 2020**, if any positions become available in a  
 18 grade, school, or program due to accepted applicants failing to  
 19 enroll or to more positions being added, the district may enroll  
 20 nonresident applicants from the waiting list maintained under  
 21 subsection (14), offering enrollment in the order that applicants  
 22 appear on the waiting list. If there are still positions available  
 23 after enrolling all applicants from the waiting list who desire to  
 24 enroll, the district may not fill those positions until the second  
 25 semester or trimester enrollment under subsection (3), as provided  
 26 under that subsection, or until the next school year.

27 (c) For a grade, school, or program that has an unlimited  
 28 number of positions available for nonresidents residing within the  
 29 same intermediate district, all of the following apply to



1 enrollment of nonresidents in that grade, school, or program:

2 (i) The district may accept applications for enrollment in that  
 3 grade, school, or program, and may enroll nonresidents residing  
 4 within the same intermediate district in that grade, school, or  
 5 program ~~—~~until the end of the first week of school **or, for 2020-**  
 6 **2021 only, the district may enroll nonresidents residing within the**  
 7 **same intermediate district in that grade, school, or program until**  
 8 **October 13, 2020 if the application was received by the end of the**  
 9 **first week of school.** The district shall provide notice to the  
 10 general public of the place and manner for submitting applications  
 11 and, if the district has a limited application period, the notice  
 12 ~~shall~~**must** include the dates of the application period. The  
 13 application period shall be at least a 15-calendar-day period.

14 (ii) Not later than the end of the first week of school ~~—~~**or,**  
 15 **for 2020-2021 only, not later than October 13, 2020,** the district  
 16 shall notify the parent or legal guardian of each nonresident  
 17 applicant who is accepted for enrollment that the applicant has  
 18 been accepted for enrollment in the grade, school, or program and  
 19 of the procedures for enrollment. The date for enrollment ~~shall~~  
 20 **must** be no later than the end of the first week of school **or, for**  
 21 **2020-2021 only, not later than October 13, 2020.**

22 (3) If a district determines during the first semester or  
 23 trimester of a school year that it has positions available for  
 24 enrollment of a number of nonresidents residing within the same  
 25 intermediate district, beyond those entitled to preference under  
 26 this section, for the second semester or trimester of the school  
 27 year, the district may accept applications from and enroll  
 28 nonresidents residing within the same intermediate district for the  
 29 second semester or trimester using the following procedures:



1 (a) Not later than 2 weeks before the end of the first  
2 semester or trimester, the district shall publish the grades,  
3 schools, and special programs, if any, for which enrollment for the  
4 second semester or trimester may be available to, and for which  
5 applications will be accepted from, nonresident applicants residing  
6 within the same intermediate district.

7 (b) During the last 2 weeks of the first semester or  
8 trimester, the district shall accept applications from nonresidents  
9 residing within the same intermediate district for enrollment for  
10 the second semester or trimester in the available grades, schools,  
11 and programs.

12 (c) By the beginning of the second semester or trimester,  
13 using the procedures and preferences required under this section,  
14 the district shall determine which nonresident applicants will be  
15 allowed to enroll in the district for the second semester or  
16 trimester and notify the parent or legal guardian of each  
17 nonresident applicant residing within the same intermediate  
18 district of whether or not the applicant may enroll in the  
19 district. The notification to parents or legal guardians of  
20 nonresident applicants accepted for enrollment ~~shall~~**must** contain  
21 notification of the date by which the applicant must enroll in the  
22 district and procedures for enrollment. The date for enrollment  
23 ~~shall~~**must** be no later than the end of the first week of school.

24 (4) If deadlines similar to those described in subsection (2)  
25 or (3) have been established in an intermediate district, and if  
26 those deadlines are not later than the deadlines under subsection  
27 (2) or (3), the districts within the intermediate district may use  
28 those deadlines.

29 (5) A district offering to enroll nonresident applicants



1 residing within the same intermediate district may limit the number  
2 of nonresident pupils it accepts in a grade, school, or program, at  
3 its discretion, and may use that limit as the reason for refusal to  
4 enroll an applicant.

5 (6) A nonresident applicant residing within the same  
6 intermediate district ~~shall~~**must** not be granted or refused  
7 enrollment based on intellectual, academic, artistic, or other  
8 ability, talent, or accomplishment, or lack thereof, or based on a  
9 mental or physical disability, except that a district may refuse to  
10 admit a nonresident applicant if the applicant does not meet the  
11 same criteria, other than residence, that an applicant who is a  
12 resident of the district must meet to be accepted for enrollment in  
13 a grade or a specialized, magnet, or intra-district choice school  
14 or program to which the applicant applies.

15 (7) A nonresident applicant residing within the same  
16 intermediate district ~~shall~~**must** not be granted or refused  
17 enrollment based on age, except that a district may refuse to admit  
18 a nonresident applicant applying for a program that is not  
19 appropriate for the age of the applicant.

20 (8) A nonresident applicant residing within the same  
21 intermediate district ~~shall~~**must** not be granted or refused  
22 enrollment based upon religion, race, color, national origin, sex,  
23 height, weight, marital status, or athletic ability, or, generally,  
24 in violation of any state or federal law prohibiting  
25 discrimination.

26 (9) Subject to subsection (10), a district may refuse to  
27 enroll a nonresident applicant if any of the following are met:

28 (a) The applicant is, or has been within the preceding 2  
29 years, suspended from another school.





1 (b) The applicant, at any time before enrolling under this  
2 section, has been expelled from another school.

3 (c) The applicant, at any time before enrolling under this  
4 section, has been convicted of a felony.

5 (10) If a district has counted a pupil in membership on either  
6 the pupil membership count day or the supplemental count day, the  
7 district shall not refuse to enroll or refuse to continue to enroll  
8 that pupil for a reason specified in subsection (9). This  
9 subsection does not prohibit a district from expelling a pupil  
10 described in this subsection for disciplinary reasons.

11 (11) A district shall continue to allow a pupil who was  
12 enrolled in and attended the district under this section in the  
13 school year or semester or trimester immediately preceding the  
14 school year or semester or trimester in question to enroll in the  
15 district until the pupil graduates from high school. This  
16 subsection does not prohibit a district from expelling a pupil  
17 described in this subsection for disciplinary reasons.

18 (12) A district shall give preference for enrollment under  
19 this section over all other nonresident applicants residing within  
20 the same intermediate district to other school-age children who  
21 reside in the same household as a pupil described in subsection  
22 (11).

23 (13) If a nonresident pupil was enrolled in and attending  
24 school in a district as a nonresident pupil in the 1995-96 school  
25 year and continues to be enrolled continuously each school year in  
26 that district, the district shall allow that nonresident pupil to  
27 continue to enroll in and attend school in the district until high  
28 school graduation, without requiring the nonresident pupil to apply  
29 for enrollment under this section. This subsection does not



1 prohibit a district from expelling a pupil described in this  
2 subsection for disciplinary reasons.

3 (14) If the number of qualified nonresident applicants  
4 eligible for acceptance in a school, grade, or program does not  
5 exceed the positions available for nonresident pupils in the  
6 school, grade, or program, the school district shall accept for  
7 enrollment all of the qualified nonresident applicants eligible for  
8 acceptance. If the number of qualified nonresident applicants  
9 residing within the same intermediate district eligible for  
10 acceptance exceeds the positions available in a grade, school, or  
11 program in a district for nonresident pupils, the district shall  
12 use a random draw system, subject to the need to abide by state and  
13 federal antidiscrimination laws and court orders and subject to  
14 preferences allowed by this section. The district shall develop and  
15 maintain a waiting list based on the order in which nonresident  
16 applicants were drawn under this random draw system.

17 (15) If a district, or the nonresident applicant, requests the  
18 district in which a nonresident applicant resides to supply  
19 information needed by the district for evaluating the applicant's  
20 application for enrollment or for enrolling the applicant, the  
21 district of residence shall provide that information on a timely  
22 basis.

23 (16) If a district is subject to a court-ordered desegregation  
24 plan, and if the court issues an order prohibiting pupils residing  
25 in that district from enrolling in another district or prohibiting  
26 pupils residing in another district from enrolling in that  
27 district, this section is subject to the court order.

28 (17) This section does not require a district to provide  
29 transportation for a nonresident pupil enrolled in the district



1 under this section or for a resident pupil enrolled in another  
2 district under this section. However, at the time a nonresident  
3 pupil enrolls in the district, a district shall provide to the  
4 pupil's parent or legal guardian information on available  
5 transportation to and from the school in which the pupil enrolls.

6 (18) A district may participate in a cooperative education  
7 program with 1 or more other districts or intermediate districts  
8 whether or not the district enrolls any nonresidents ~~pursuant to~~  
9 **under** this section.

10 (19) A district that, ~~pursuant to~~**under** this section, enrolls  
11 a nonresident pupil who is eligible for special education programs  
12 and services according to statute or rule, or who is a child with  
13 disabilities, as defined under the individuals with disabilities  
14 education act, Public Law 108-446, ~~shall be~~**is** considered to be the  
15 resident district of the pupil for the purpose of providing the  
16 pupil with a free appropriate public education. Consistent with  
17 state and federal law, that district is responsible for developing  
18 and implementing an individualized education ~~plan~~**program** annually  
19 for a nonresident pupil described in this subsection.

20 (20) If a district does not comply with this section, the  
21 district forfeits 5% of the total state school aid allocation to  
22 the district under this act.

23 (21) Upon application by a district, the superintendent may  
24 grant a waiver for the district from a specific requirement under  
25 this section for not more than 1 year.

26 Sec. 105c. (1) In order to avoid a penalty under this section,  
27 and in order to count a nonresident pupil residing in a district  
28 located in a contiguous intermediate district in membership without  
29 the approval of the pupil's district of residence, a district ~~shall~~



1 **must** comply with this section.

2 (2) Except as otherwise provided in this section, a district  
3 shall determine whether or not it will accept applications for  
4 enrollment by nonresident applicants residing in a district located  
5 in a contiguous intermediate district for the next school year. If  
6 the district determines to accept applications for enrollment of a  
7 number of nonresidents under this section, beyond those entitled to  
8 preference under this section, the district shall use the following  
9 procedures for accepting applications from and enrolling  
10 nonresidents under this section:

11 (a) The district shall publish the grades, schools, and  
12 special programs, if any, for which enrollment may be available to,  
13 and for which applications will be accepted from, nonresident  
14 applicants residing in a district located in a contiguous  
15 intermediate district.

16 (b) If the district has a limited number of positions  
17 available for nonresidents residing in a district located in a  
18 contiguous intermediate district in a grade, school, or program,  
19 all of the following apply to accepting applications for and  
20 enrollment of nonresidents under this section in that grade,  
21 school, or program:

22 (i) The district shall do all of the following not later than  
23 the second Friday in August:

24 (A) Provide notice to the general public that applications  
25 will be taken for a period of at least 15 calendar days but not  
26 more than 30 calendar days from nonresidents residing in a district  
27 located in a contiguous intermediate district for enrollment in  
28 that grade, school, or program. The notice ~~shall~~**must** identify the  
29 dates of the application period and the place and manner for



1 submitting applications.

2 (B) During the application period under sub-subparagraph (A),  
3 accept applications from nonresidents residing in a district  
4 located in a contiguous intermediate district for enrollment in  
5 that grade, school, or program.

6 (C) Within 15 calendar days after the end of the application  
7 period under sub-subparagraph (A) **or, for 2020-2021 only, not later**  
8 **than October 13, 2020**, using the procedures and preferences  
9 required under this section, determine which nonresident applicants  
10 will be allowed to enroll under this section in that grade, school,  
11 or program, using the random draw system required under subsection  
12 (14) as necessary, and notify the parent or legal guardian of each  
13 nonresident applicant of whether or not the applicant may enroll in  
14 the district. The notification to parents or legal guardians of  
15 nonresident applicants accepted for enrollment under this section  
16 ~~shall~~**must** contain notification of the date by which the applicant  
17 must enroll in the district and procedures for enrollment. The date  
18 for enrollment ~~shall~~**must** be no later than the end of the first  
19 week of school **or, for 2020-2021 only, not later than October 13,**  
20 **2020.**

21 (ii) Beginning on the third Monday in August and not later than  
22 the end of the first week of school **or, for 2020-2021 only, not**  
23 **later than October 13, 2020**, if any positions become available in a  
24 grade, school, or program due to accepted applicants failing to  
25 enroll or to more positions being added, the district may enroll  
26 nonresident applicants from the waiting list maintained under  
27 subsection (14), offering enrollment in the order that applicants  
28 appear on the waiting list. If there are still positions available  
29 after enrolling all applicants from the waiting list who desire to



1 enroll, the district may not fill those positions until the second  
 2 semester or trimester enrollment under subsection (3), as provided  
 3 under that subsection, or until the next school year.

4 (c) For a grade, school, or program that has an unlimited  
 5 number of positions available for nonresidents residing in a  
 6 district located in a contiguous intermediate district, all of the  
 7 following apply to enrollment of nonresidents in that grade,  
 8 school, or program under this section:

9 (i) The district may accept applications for enrollment in that  
 10 grade, school, or program, and may enroll nonresidents residing in  
 11 a district located in a contiguous intermediate district in that  
 12 grade, school, or program, ~~until the end of the first week of~~  
 13 school **or, for 2020-2021 only, the district may enroll nonresidents**  
 14 **residing in a district located in a contiguous intermediate**  
 15 **district in that grade, school, or program until October 13, 2020**  
 16 **if the application was received by the end of the first week of**  
 17 **school.** The district shall provide notice to the general public of  
 18 the place and manner for submitting applications and, if the  
 19 district has a limited application period, the notice ~~shall~~**must**  
 20 include the dates of the application period. The application period  
 21 ~~shall~~**must** be at least a 15-calendar-day period.

22 (ii) Not later than the end of the first week of school **or, for**  
 23 **2020-2021 only, not later than October 13, 2020,** the district shall  
 24 notify the parent or legal guardian of each nonresident applicant  
 25 who is accepted for enrollment under this section that the  
 26 applicant has been accepted for enrollment in the grade, school, or  
 27 program and of the date by which the applicant must enroll in the  
 28 district and the procedures for enrollment. The date for enrollment  
 29 ~~shall~~**must** be no later than the end of the first week of school **or,**



1 **for 2020-2021 only, not later than October 13, 2020.**

2 (3) If a district determines during the first semester or  
3 trimester of a school year that it has positions available for  
4 enrollment of a number of nonresidents residing in a district  
5 located in a contiguous intermediate district, beyond those  
6 entitled to preference under this section, for the second semester  
7 or trimester of the school year, the district may accept  
8 applications from and enroll nonresidents residing in a district  
9 located in a contiguous intermediate district for the second  
10 semester or trimester using the following procedures:

11 (a) Not later than 2 weeks before the end of the first  
12 semester or trimester, the district shall publish the grades,  
13 schools, and special programs, if any, for which enrollment for the  
14 second semester or trimester may be available to, and for which  
15 applications will be accepted from, nonresident applicants residing  
16 in a district located in a contiguous intermediate district.

17 (b) During the last 2 weeks of the first semester or  
18 trimester, the district shall accept applications from nonresidents  
19 residing in a district located in a contiguous intermediate  
20 district for enrollment for the second semester or trimester in the  
21 available grades, schools, and programs.

22 (c) By the beginning of the second semester or trimester,  
23 using the procedures and preferences required under this section,  
24 the district shall determine which nonresident applicants will be  
25 allowed to enroll under this section in the district for the second  
26 semester or trimester and notify the parent or legal guardian of  
27 each nonresident applicant residing in a district located in a  
28 contiguous intermediate district of whether or not the applicant  
29 may enroll in the district. The notification to parents or legal



1 guardians of nonresident applicants accepted for enrollment ~~shall~~  
 2 **must** contain notification of the date by which the applicant must  
 3 enroll in the district and procedures for enrollment. The date for  
 4 enrollment ~~shall~~**must** be no later than the end of the first week of  
 5 school.

6 (4) If deadlines similar to those described in subsection (2)  
 7 or (3) have been established in an intermediate district, and if  
 8 those deadlines are not later than the deadlines under subsection  
 9 (2) or (3), the districts within the intermediate district may use  
 10 those deadlines.

11 (5) A district offering to enroll nonresident applicants  
 12 residing in a district located in a contiguous intermediate  
 13 district may limit the number of those nonresident pupils it  
 14 accepts in a grade, school, or program, at its discretion, and may  
 15 use that limit as the reason for refusal to enroll an applicant  
 16 under this section.

17 (6) A nonresident applicant residing in a district located in  
 18 a contiguous intermediate district ~~shall~~**must** not be granted or  
 19 refused enrollment based on intellectual, academic, artistic, or  
 20 other ability, talent, or accomplishment, or lack thereof, or based  
 21 on a mental or physical disability, except that a district may  
 22 refuse to admit a nonresident applicant under this section if the  
 23 applicant does not meet the same criteria, other than residence,  
 24 that an applicant who is a resident of the district must meet to be  
 25 accepted for enrollment in a grade or a specialized, magnet, or  
 26 intra-district choice school or program to which the applicant  
 27 applies.

28 (7) A nonresident applicant residing in a district located in  
 29 a contiguous intermediate district ~~shall~~**must** not be granted or





1 refused enrollment under this section based on age, except that a  
2 district may refuse to admit a nonresident applicant applying for a  
3 program that is not appropriate for the age of the applicant.

4 (8) A nonresident applicant residing in a district located in  
5 a contiguous intermediate district ~~shall~~**must** not be granted or  
6 refused enrollment under this section based upon religion, race,  
7 color, national origin, sex, height, weight, marital status, or  
8 athletic ability, or, generally, in violation of any state or  
9 federal law prohibiting discrimination.

10 (9) Subject to subsection (10), a district may refuse to  
11 enroll a nonresident applicant under this section if any of the  
12 following are met:

13 (a) The applicant is, or has been within the preceding 2  
14 years, suspended from another school.

15 (b) The applicant, at any time before enrolling under this  
16 section, has been expelled from another school.

17 (c) The applicant, at any time before enrolling under this  
18 section, has been convicted of a felony.

19 (10) If a district has counted a pupil in membership on either  
20 the pupil membership count day or the supplemental count day, the  
21 district shall not refuse to enroll or refuse to continue to enroll  
22 that pupil for a reason specified in subsection (9). This  
23 subsection does not prohibit a district from expelling a pupil  
24 described in this subsection for disciplinary reasons.

25 (11) A district shall continue to allow a pupil who was  
26 enrolled in and attended the district under this section in the  
27 school year or semester or trimester immediately preceding the  
28 school year or semester or trimester in question to enroll in the  
29 district until the pupil graduates from high school. This



1 subsection does not prohibit a district from expelling a pupil  
2 described in this subsection for disciplinary reasons.

3 (12) A district shall give preference for enrollment under  
4 this section over all other nonresident applicants residing in a  
5 district located in a contiguous intermediate district to other  
6 school-age children who reside in the same household as a pupil  
7 described in subsection (11).

8 (13) If a nonresident pupil was enrolled in and attending  
9 school in a district as a nonresident pupil in the 1995-96 school  
10 year and continues to be enrolled continuously each school year in  
11 that district, the district shall allow that nonresident pupil to  
12 continue to enroll in and attend school in the district until high  
13 school graduation, without requiring the nonresident pupil to apply  
14 for enrollment under this section. This subsection does not  
15 prohibit a district from expelling a pupil described in this  
16 subsection for disciplinary reasons.

17 (14) If the number of qualified nonresident applicants  
18 eligible for acceptance under this section in a school, grade, or  
19 program does not exceed the positions available for nonresident  
20 pupils under this section in the school, grade, or program, the  
21 school district shall accept for enrollment all of the qualified  
22 nonresident applicants eligible for acceptance. If the number of  
23 qualified nonresident applicants residing in a district located in  
24 a contiguous intermediate district eligible for acceptance under  
25 this section exceeds the positions available in a grade, school, or  
26 program in a district for nonresident pupils, the district shall  
27 use a random draw system, subject to the need to abide by state and  
28 federal antidiscrimination laws and court orders and subject to  
29 preferences allowed by this section. The district shall develop and



1 maintain a waiting list based on the order in which nonresident  
2 applicants were drawn under this random draw system.

3 (15) If a district, or the nonresident applicant, requests the  
4 district in which a nonresident applicant resides to supply  
5 information needed by the district for evaluating the applicant's  
6 application for enrollment or for enrolling the applicant under  
7 this section, the district of residence shall provide that  
8 information on a timely basis.

9 (16) If a district is subject to a court-ordered desegregation  
10 plan, and if the court issues an order prohibiting pupils residing  
11 in that district from enrolling in another district or prohibiting  
12 pupils residing in another district from enrolling in that  
13 district, this section is subject to the court order.

14 (17) This section does not require a district to provide  
15 transportation for a nonresident pupil enrolled in the district  
16 under this section or for a resident pupil enrolled in another  
17 district under this section. However, at the time a nonresident  
18 pupil enrolls in the district, a district shall provide to the  
19 pupil's parent or legal guardian information on available  
20 transportation to and from the school in which the pupil enrolls.

21 (18) A district may participate in a cooperative education  
22 program with 1 or more other districts or intermediate districts  
23 whether or not the district enrolls any nonresidents pursuant to  
24 this section.

25 (19) In order for a district or intermediate district to  
26 enroll ~~pursuant to~~ **under** this section a nonresident pupil who  
27 resides in a district located in a contiguous intermediate district  
28 and who is eligible for special education programs and services  
29 according to statute or rule, or who is a child with disabilities,



1 as defined under the individuals with disabilities education act,  
 2 Public Law 108-446, the enrolling district shall have a written  
 3 agreement with the resident district of the pupil for the purpose  
 4 of providing the pupil with a free appropriate public education.  
 5 The written agreement ~~shall~~**must** include, but is not limited to, an  
 6 agreement on the responsibility for the payment of the added costs  
 7 of special education programs and services for the pupil. The  
 8 written agreement ~~shall~~**must** address how the agreement ~~shall~~**must**  
 9 be amended in the event of significant changes in the costs or  
 10 level of special education programs or services required by the  
 11 pupil.

12 (20) If a district does not comply with this section, the  
 13 district forfeits 5% of the total state school aid allocation to  
 14 the district under this act.

15 (21) Upon application by a district, the superintendent may  
 16 grant a waiver for the district from a specific requirement under  
 17 this section for not more than 1 year.

18 (22) This section is repealed if the final decision of a court  
 19 of competent jurisdiction holds that any portion of this section is  
 20 unconstitutional, ineffective, invalid, or in violation of federal  
 21 law.

22 (23) As used in this section, "district located in a  
 23 contiguous intermediate district" means a district located in an  
 24 intermediate district that is contiguous to the intermediate  
 25 district in which a pupil's district of residence is located.

26 Sec. 107. (1) From the appropriation in section 11, there is  
 27 allocated an amount not to exceed \$30,000,000.00 for ~~2019-2020~~  
 28 **2020-2021** for adult education programs authorized under this  
 29 section. Except as otherwise provided under subsections (14) and



1 (15), funds allocated under this section are restricted for adult  
2 education programs as authorized under this section only. A  
3 recipient of funds under this section shall not use those funds for  
4 any other purpose.

5 (2) To be eligible for funding under this section, an eligible  
6 adult education provider shall employ certificated teachers and  
7 qualified administrative staff and shall offer continuing education  
8 opportunities for teachers to allow them to maintain certification.

9 (3) To be eligible to be a participant funded under this  
10 section, an individual must be enrolled in an adult basic education  
11 program, an adult secondary education program, an adult English as  
12 a second language program, a high school equivalency test  
13 preparation program, or a high school completion program, that  
14 meets the requirements of this section, and for which instruction  
15 is provided, and the individual must be at least 18 years of age  
16 and the individual's graduating class must have graduated.

17 (4) By April 1 of each fiscal year, the intermediate districts  
18 within a prosperity region or subregion shall determine which  
19 intermediate district will serve as the prosperity region's or  
20 subregion's fiscal agent for the next fiscal year and shall notify  
21 the department in a form and manner determined by the department.  
22 The department shall approve or disapprove of the prosperity  
23 region's or subregion's selected fiscal agent. From the funds  
24 allocated under subsection (1), an amount as determined under this  
25 subsection is allocated to each intermediate district serving as a  
26 fiscal agent for adult education programs in each of the prosperity  
27 regions or subregions identified by the department. An intermediate  
28 district shall not use more than 5% of the funds allocated under  
29 this subsection for administration costs for serving as the fiscal



1 agent. ~~Beginning in 2019-2020, the~~ **The** allocation provided to each  
 2 intermediate district serving as a fiscal agent is an amount equal  
 3 to what the intermediate district received in 2018-2019. ~~The~~  
 4 ~~funding factors for this section are as follows:~~

5 ~~(a) Sixty percent of this portion of the funding is~~  
 6 ~~distributed based upon the proportion of the state population of~~  
 7 ~~individuals between the ages of 18 and 24 that are not high school~~  
 8 ~~graduates that resides in each of the prosperity regions or~~  
 9 ~~subregions, as reported by the most recent 5-year estimates from~~  
 10 ~~the American Community Survey (ACS) from the United States Census~~  
 11 ~~Bureau.~~

12 ~~(b) Thirty-five percent of this portion of the funding is~~  
 13 ~~distributed based upon the proportion of the state population of~~  
 14 ~~individuals age 25 or older who are not high school graduates that~~  
 15 ~~resides in each of the prosperity regions or subregions, as~~  
 16 ~~reported by the most recent 5-year estimates from the American~~  
 17 ~~Community Survey (ACS) from the United States Census Bureau.~~

18 ~~(c) Five percent of this portion of the funding is distributed~~  
 19 ~~based upon the proportion of the state population of individuals~~  
 20 ~~age 18 or older who lack basic English language proficiency that~~  
 21 ~~resides in each of the prosperity regions or subregions, as~~  
 22 ~~reported by the most recent 5-year estimates from the American~~  
 23 ~~Community Survey (ACS) from the United States Census Bureau.~~

24 (5) To be an eligible fiscal agent, an intermediate district  
 25 must agree to do the following in a form and manner determined by  
 26 the department:

27 (a) Distribute funds to adult education programs in a  
 28 prosperity region or subregion as described in this section.

29 (b) Collaborate with the career and educational advisory



1 council, which is an advisory council of the workforce development  
 2 boards located in the prosperity region or subregion, or its  
 3 successor, to develop a regional strategy that aligns adult  
 4 education programs and services into an efficient and effective  
 5 delivery system for adult education learners, with special  
 6 consideration for providing contextualized learning and career  
 7 pathways and addressing barriers to education and employment.

8 (c) Collaborate with the career and educational advisory  
 9 council, which is an advisory council of the workforce development  
 10 boards located in the prosperity region or subregion, or its  
 11 successor, to create a local process and criteria that will  
 12 identify eligible adult education providers to receive funds  
 13 allocated under this section based on location, demand for  
 14 services, past performance, quality indicators as identified by the  
 15 department, and cost to provide instructional services. The fiscal  
 16 agent shall determine all local processes, criteria, and provider  
 17 determinations. However, the local processes, criteria, and  
 18 provider services must be approved by the department before funds  
 19 may be distributed to the fiscal agent.

20 (d) Provide oversight to its adult education providers  
 21 throughout the program year to ensure compliance with the  
 22 requirements of this section.

23 (e) Report adult education program and participant data and  
 24 information as prescribed by the department.

25 (6) An adult basic education program, an adult secondary  
 26 education program, or an adult English as a second language program  
 27 operated on a year-round or school year basis may be funded under  
 28 this section, subject to all of the following:

29 (a) The program enrolls adults who are determined by a



1 department-approved assessment, in a form and manner prescribed by  
2 the department, to be below twelfth grade level in reading or  
3 mathematics, or both, or to lack basic English proficiency.

4 (b) The program tests individuals for eligibility under  
5 subdivision (a) before enrollment and upon completion of the  
6 program in compliance with the state-approved assessment policy.

7 (c) A participant in an adult basic education program is  
8 eligible for reimbursement until 1 of the following occurs:

9 (i) The participant's reading and mathematics proficiency are  
10 assessed at or above the ninth grade level.

11 (ii) The participant fails to show progress on 2 successive  
12 assessments after having completed at least 450 hours of  
13 instruction.

14 (d) A participant in an adult secondary education program is  
15 eligible for reimbursement until 1 of the following occurs:

16 (i) The participant's reading and mathematics proficiency are  
17 assessed above the twelfth grade level.

18 (ii) The participant fails to show progress on 2 successive  
19 assessments after having at least 450 hours of instruction.

20 (e) A funding recipient enrolling a participant in an English  
21 as a second language program is eligible for funding according to  
22 subsection (9) until the participant meets 1 of the following:

23 (i) The participant is assessed as having attained basic  
24 English proficiency as determined by a department-approved  
25 assessment.

26 (ii) The participant fails to show progress on 2 successive  
27 department-approved assessments after having completed at least 450  
28 hours of instruction. The department shall provide information to a  
29 funding recipient regarding appropriate assessment instruments for





1 this program.

2 (7) A high school equivalency test preparation program  
3 operated on a year-round or school year basis may be funded under  
4 this section, subject to all of the following:

5 (a) The program enrolls adults who do not have a high school  
6 diploma or a high school equivalency certificate.

7 (b) The program administers a pre-test approved by the  
8 department before enrolling an individual to determine the  
9 individual's literacy levels, administers a high school equivalency  
10 practice test to determine the individual's potential for success  
11 on the high school equivalency test, and administers a post-test  
12 upon completion of the program in compliance with the state-  
13 approved assessment policy.

14 (c) A funding recipient receives funding according to  
15 subsection (9) for a participant, and a participant may be enrolled  
16 in the program until 1 of the following occurs:

17 (i) The participant achieves a high school equivalency  
18 certificate.

19 (ii) The participant fails to show progress on 2 successive  
20 department-approved assessments used to determine readiness to take  
21 a high school equivalency test after having completed at least 450  
22 hours of instruction.

23 (8) A high school completion program operated on a year-round  
24 or school year basis may be funded under this section, subject to  
25 all of the following:

26 (a) The program enrolls adults who do not have a high school  
27 diploma.

28 (b) The program tests participants described in subdivision

29 (a) before enrollment and upon completion of the program in



1 compliance with the state-approved assessment policy.

2 (c) A funding recipient receives funding according to  
3 subsection (9) for a participant in a course offered under this  
4 subsection until 1 of the following occurs:

5 (i) The participant passes the course and earns a high school  
6 diploma.

7 (ii) The participant fails to earn credit in 2 successive  
8 semesters or terms in which the participant is enrolled after  
9 having completed at least 900 hours of instruction.

10 (9) The department shall make payments to a funding recipient  
11 under this section in accordance with all of the following:

12 (a) Statewide allocation criteria, including 3-year average  
13 enrollments, census data, and local needs.

14 (b) Participant completion of the adult basic education  
15 objectives by achieving an educational gain as determined by the  
16 national reporting system levels; for achieving basic English  
17 proficiency, as determined by the department; for achieving a high  
18 school equivalency certificate or passage of 1 or more individual  
19 high school equivalency tests; for attainment of a high school  
20 diploma or passage of a course required for a participant to attain  
21 a high school diploma; for enrollment in a postsecondary  
22 institution, or for entry into or retention of employment, as  
23 applicable.

24 (c) Participant completion of core indicators as identified in  
25 the innovation and opportunity act.

26 (d) Allowable expenditures.

27 (10) A person who is not eligible to be a participant funded  
28 under this section may receive adult education services upon the  
29 payment of tuition. In addition, a person who is not eligible to be



1 served in a program under this section due to the program  
2 limitations specified in subsection (6), (7), or (8) may continue  
3 to receive adult education services in that program upon the  
4 payment of tuition. The local or intermediate district conducting  
5 the program shall determine the tuition amount.

6 (11) An individual who is an inmate in a state correctional  
7 facility is not counted as a participant under this section.

8 (12) A funding recipient shall not commingle money received  
9 under this section or from another source for adult education  
10 purposes with any other funds and shall establish a separate ledger  
11 account for funds received under this section. This subsection does  
12 not prohibit a district from using general funds of the district to  
13 support an adult education or community education program.

14 (13) A funding recipient receiving funds under this section  
15 may establish a sliding scale of tuition rates based upon a  
16 participant's family income. A funding recipient may charge a  
17 participant tuition to receive adult education services under this  
18 section from that sliding scale of tuition rates on a uniform  
19 basis. The amount of tuition charged per participant must not  
20 exceed the actual operating cost per participant minus any funds  
21 received under this section per participant. A funding recipient  
22 may not charge a participant tuition under this section if the  
23 participant's income is at or below 200% of the federal poverty  
24 guidelines published by the United States Department of Health and  
25 Human Services.

26 (14) In order to receive funds under this section, a funding  
27 recipient shall furnish to the department, in a form and manner  
28 determined by the department, all information needed to administer  
29 this program and meet federal reporting requirements; shall allow



1 the department or the department's designee to review all records  
 2 related to the program for which it receives funds; and shall  
 3 reimburse the state for all disallowances found in the review, as  
 4 determined by the department. In addition, a funding recipient  
 5 shall agree to pay to a career and technical education program  
 6 under section 61a the amount of funding received under this section  
 7 in the proportion of career and technical education coursework used  
 8 to satisfy adult basic education programming, as billed to the  
 9 funding recipient by programs operating under section 61a. In  
 10 addition to the funding allocated under subsection (1), there is  
 11 allocated for ~~2019-2020-2020-2021~~ an amount not to exceed  
 12 \$500,000.00 to reimburse funding recipients for administrative and  
 13 instructional expenses associated with commingling programming  
 14 under this section and section 61a. The department shall make  
 15 payments under this subsection to each funding recipient in the  
 16 same proportion as funding calculated and allocated under  
 17 subsection (4).

18 (15) From the amount appropriated in subsection (1), an amount  
 19 not to exceed \$4,000,000.00 is allocated for ~~2019-2020-2020-2021~~  
 20 for grants to adult education or **state-approved** career technical  
 21 center programs that connect adult education participants with  
 22 employers as provided under this subsection. The department shall  
 23 determine the amount of the grant to each program under this  
 24 subsection, not to exceed \$350,000.00. To be eligible for funding  
 25 under this subsection, a program must provide a collaboration  
 26 linking adult education programs within the county, the area career  
 27 technical center, and local employers. To receive funding under  
 28 this subsection, an eligible program must satisfy all of the  
 29 following:



1 (a) Connect adult education participants directly with  
 2 employers by linking adult education, career and technical skills,  
 3 and workforce development.

4 (b) Require adult education staff to work with Michigan Works!  
 5 agency to identify a cohort of participants who are most prepared  
 6 to successfully enter the workforce. ~~Participants~~ **Except as**  
 7 **otherwise provided under this subdivision, participants** identified  
 8 under this subsection must be dually enrolled in adult education  
 9 programming and in at least 1 **state-approved** technical course at  
 10 the area career and technical center. **A program that links**  
 11 **participants identified under this subsection with adult education**  
 12 **programming and commercial driver license courses does not need to**  
 13 **enroll the participants in at least 1 state-approved technical**  
 14 **course at the area career and technical center to be considered an**  
 15 **eligible program under this subsection.**

16 (c) Employ an individual staffed as an adult education  
 17 navigator who will serve as a caseworker for each participant  
 18 identified under subdivision (b). The navigator shall work with  
 19 adult education staff and potential employers to design an  
 20 educational program best suited to the personal and employment  
 21 needs of the participant and shall work with human service agencies  
 22 or other entities to address any barrier in the way of participant  
 23 access.

24 ~~(16) A program that was a pilot program in 2017-2018 and that~~  
 25 ~~was funded under this section in 2017-2018 is funded in 2019-2020~~  
 26 ~~unless the program ceases operation. The intermediate district in~~  
 27 ~~which that pilot program was funded is the fiscal agent for that~~  
 28 ~~program and shall apply for that program's funding under subsection~~  
 29 ~~(15).~~



1           **(16)** ~~(17)~~—Each program funded under subsection (15) will  
 2 receive funding for 3 years. After 3 years of operations and  
 3 funding, a program must reapply for funding.

4           **(17)** ~~(18)~~—Not later than December 1 ~~, 2020,~~ **of each year**, a  
 5 program funded under subsection (15) shall provide a report to the  
 6 senate and house appropriations subcommittees on school aid, to the  
 7 senate and house fiscal agencies, and to the state budget director  
 8 identifying the number of participants, graduation rates, and a  
 9 measure of transition to employment.

10           **(18) It is the intent of the legislature to implement a**  
 11 **phased-in cap on the percentage of adult education participants**  
 12 **under subsection (15) that may already have a high school diploma**  
 13 **or a high school equivalency certificate at the time of enrollment.**

14           (19) The department shall approve at least 3 high school  
 15 equivalency tests and determine whether a high school equivalency  
 16 certificate meets the requisite standards for high school  
 17 equivalency in this state.

18           (20) As used in this section:

19           (a) "Career and educational advisory council" means an  
 20 advisory council to the local workforce development boards located  
 21 in a prosperity region consisting of educational, employer, labor,  
 22 and parent representatives.

23           (b) "Career pathway" means a combination of rigorous and high-  
 24 quality education, training, and other services that comply with  
 25 all of the following:

26           (i) Aligns with the skill needs of industries in the economy of  
 27 this state or in the regional economy involved.

28           (ii) Prepares an individual to be successful in any of a full  
 29 range of secondary or postsecondary education options, including



1 apprenticeships registered under the act of August 16, 1937  
 2 (commonly known as the "national apprenticeship act"), 29 USC 50 et  
 3 seq.

4 (iii) Includes counseling to support an individual in achieving  
 5 the individual's education and career goals.

6 (iv) Includes, as appropriate, education offered concurrently  
 7 with and in the same context as workforce preparation activities  
 8 and training for a specific occupation or occupational cluster.

9 (v) Organizes education, training, and other services to meet  
 10 the particular needs of an individual in a manner that accelerates  
 11 the educational and career advancement of the individual to the  
 12 extent practicable.

13 (vi) Enables an individual to attain a secondary school diploma  
 14 or its recognized equivalent, and at least 1 recognized  
 15 postsecondary credential.

16 (vii) Helps an individual enter or advance within a specific  
 17 occupation or occupational cluster.

18 (c) "Department" means the department of labor and economic  
 19 opportunity.

20 (d) "Eligible adult education provider" means a district,  
 21 intermediate district, a consortium of districts, a consortium of  
 22 intermediate districts, or a consortium of districts and  
 23 intermediate districts that is identified as part of the local  
 24 process described in subsection (5)(c) and approved by the  
 25 department.

26 Sec. 147. (1) The allocation for ~~2019-2020~~**2020-2021** for the  
 27 public school employees' retirement system pursuant to the public  
 28 school employees retirement act of 1979, 1980 PA 300, MCL 38.1301  
 29 to 38.1437, is made using the individual projected benefit entry



1 age normal cost method of valuation and risk assumptions adopted by  
 2 the public school employees retirement board and the department of  
 3 technology, management, and budget.

4 (2) The annual level percentage of payroll contribution rates  
 5 for the ~~2019-2020-2020-2021~~ fiscal year, as determined by the  
 6 retirement system, are estimated as follows:

7 (a) For public school employees who first worked for a public  
 8 school reporting unit before July 1, 2010 and who are enrolled in  
 9 the health premium subsidy, the annual level percentage of payroll  
 10 contribution rate is estimated at ~~39.91%~~, **42.72%** with ~~27.50%~~ **28.21%**  
 11 paid directly by the employer.

12 (b) For public school employees who first worked for a public  
 13 school reporting unit on or after July 1, 2010 and who are enrolled  
 14 in the health premium subsidy, the annual level percentage of  
 15 payroll contribution rate is estimated at ~~36.96%~~, **39.76%** with  
 16 ~~24.55%~~ **25.25%** paid directly by the employer.

17 (c) For public school employees who first worked for a public  
 18 school reporting unit on or after July 1, 2010 and who participate  
 19 in the personal healthcare fund, the annual level percentage of  
 20 payroll contribution rate is estimated at ~~36.44%~~, **38.90%** with  
 21 ~~24.03%~~ **24.39%** paid directly by the employer.

22 (d) For public school employees who first worked for a public  
 23 school reporting unit on or after September 4, 2012, who elect  
 24 defined contribution, and who participate in the personal  
 25 healthcare fund, the annual level percentage of payroll  
 26 contribution rate is estimated at ~~33.37%~~ **35.47%** with 20.96% paid  
 27 directly by the employer.

28 (e) For public school employees who first worked for a public  
 29 school reporting unit before July 1, 2010, who elect defined





1 contribution, and who are enrolled in the health premium subsidy,  
 2 the annual level percentage of payroll contribution rate is  
 3 estimated at ~~33.89%~~ **36.33%** with ~~21.48%~~ **21.82%** paid directly by the  
 4 employer.

5 (f) For public school employees who first worked for a public  
 6 school reporting unit before July 1, 2010, who elect defined  
 7 contribution, and who participate in the personal healthcare fund,  
 8 the annual level percentage of payroll contribution rate is  
 9 estimated at ~~33.37%~~ **35.47%** with 20.96% paid directly by the  
 10 employer.

11 (g) For public school employees who first worked for a public  
 12 school reporting unit before July 1, 2010 and who participate in  
 13 the personal healthcare fund, the annual level percentage of  
 14 payroll contribution rate is estimated at ~~39.39%~~ **41.86%** with  
 15 ~~26.98%~~ **27.35%** paid directly by the employer.

16 (h) For public school employees who first worked for a public  
 17 school reporting unit after January 31, 2018 and who elect to  
 18 become members of the MPSERS plan, the annual level percentage of  
 19 payroll contribution rate is estimated at ~~39.57%~~ **41.67%** with 27.16%  
 20 paid directly by the employer.

21 (3) In addition to the employer payments described in  
 22 subsection (2), the employer shall pay the applicable contributions  
 23 to the Tier 2 plan, as determined by the public school employees  
 24 retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

25 (4) The contribution rates in subsection (2) reflect an  
 26 amortization period of ~~19~~ **18** years for ~~2019-2020.~~ **2020-2021**. The  
 27 public school employees' retirement system board shall notify each  
 28 district and intermediate district by February 28 of each fiscal  
 29 year of the estimated contribution rate for the next fiscal year.



1           Sec. 147a. (1) From the appropriation in section 11, there is  
 2 allocated for ~~2019-2020-2020-2021~~ an amount not to exceed  
 3 \$100,000,000.00 for payments to participating districts. A  
 4 participating district that receives money under this subsection  
 5 shall use that money solely for the purpose of offsetting a portion  
 6 of the retirement contributions owed by the district for the fiscal  
 7 year in which it is received. The amount allocated to each  
 8 participating district under this subsection is based on each  
 9 participating district's percentage of the total statewide payroll  
 10 for all participating districts for the immediately preceding  
 11 fiscal year. As used in this subsection, "participating district"  
 12 means a district that is a reporting unit of the Michigan public  
 13 school employees' retirement system under the public school  
 14 employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to  
 15 38.1437, and that reports employees to the Michigan public school  
 16 employees' retirement system for the applicable fiscal year.

17           (2) In addition to the allocation under subsection (1), from  
 18 the state school aid fund money appropriated under section 11,  
 19 there is allocated an amount not to exceed ~~\$171,986,000.00~~  
 20 **\$155,136,000.00** for ~~2019-2020-2020-2021~~ for payments to  
 21 participating districts and intermediate districts and from the  
 22 general fund money appropriated under section 11, there is  
 23 allocated an amount not to exceed ~~\$83,000.00~~ **\$70,000.00** for ~~2019-~~  
 24 ~~2020-2020-2021~~ for payments to participating district libraries.  
 25 The amount allocated to each participating entity under this  
 26 subsection is based on each participating entity's ~~percentage of~~  
 27 ~~the total statewide payroll for that type of participating entity~~  
 28 ~~for the immediately preceding fiscal year.~~ **reported quarterly**  
 29 **payroll for members that became tier 1 prior to February 1, 2018**



1 **for the current fiscal year.** A participating entity that receives  
 2 money under this subsection shall use that money solely for the  
 3 purpose of offsetting a portion of the normal cost contribution  
 4 rate. As used in this subsection:

5 (a) "District library" means a district library established  
 6 under the district library establishment act, 1989 PA 24, MCL  
 7 397.171 to 397.196.

8 (b) "Participating entity" means a district, intermediate  
 9 district, or district library that is a reporting unit of the  
 10 Michigan public school employees' retirement system under the  
 11 public school employees retirement act of 1979, 1980 PA 300, MCL  
 12 38.1301 to 38.1437, and that reports employees to the Michigan  
 13 public school employees' retirement system for the applicable  
 14 fiscal year.

15 Sec. 147c. From the state school aid fund money appropriated  
 16 in section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount  
 17 not to exceed ~~\$1,000,400,000.00~~, and from the ~~MPERS retirement~~  
 18 ~~obligation reform reserve fund money appropriated in section 11,~~  
 19 ~~there is allocated for 2019-2020 an amount not to exceed~~  
 20 ~~\$30,000,000.00~~, **\$1,219,300,000.00** for payments to districts and  
 21 intermediate districts that are participating entities of the  
 22 Michigan public school employees' retirement system. In addition,  
 23 from the general fund money appropriated in section 11, there is  
 24 allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed  
 25 \$500,000.00 for payments to district libraries that are  
 26 participating entities of the Michigan public school employees'  
 27 retirement system. All of the following apply to funding under this  
 28 subsection:

29 (a) For ~~2019-2020~~, **2020-2021**, the amounts allocated under this



1 subsection are estimated to provide an average MPERS rate cap per  
2 pupil amount of ~~\$693.00~~ **\$827.00** and are estimated to provide a rate  
3 cap per pupil for districts ranging between ~~\$4.00~~ **\$5.00** and  
4 \$4,000.00.

5 (b) Payments made under this subsection are equal to the  
6 difference between the unfunded actuarial accrued liability  
7 contribution rate as calculated pursuant to section 41 of the  
8 public school employees retirement act of 1979, 1980 PA 300, MCL  
9 38.1341, as calculated without taking into account the maximum  
10 employer rate of 20.96% included in section 41 of the public school  
11 employees retirement act of 1979, 1980 PA 300, MCL 38.1341, and the  
12 maximum employer rate of 20.96% included in section 41 of the  
13 public school employees retirement act of 1979, 1980 PA 300, MCL  
14 38.1341.

15 (c) The amount allocated to each participating entity under  
16 this subsection is based on each participating entity's proportion  
17 of the total covered payroll for the immediately preceding fiscal  
18 year for the same type of participating entities. A participating  
19 entity that receives funds under this subsection shall use the  
20 funds solely for the purpose of retirement contributions as  
21 specified in subdivision (d).

22 (d) Each participating entity receiving funds under this  
23 subsection shall forward an amount equal to the amount allocated  
24 under subdivision (c) to the retirement system in a form, manner,  
25 and time frame determined by the retirement system.

26 (e) Funds allocated under this subsection should be considered  
27 when comparing a district's growth in total state aid funding from  
28 1 fiscal year to the next.

29 (f) Not later than December 20, ~~2019~~, **2020**, the department



1 shall publish and post on its website an estimated MPERS rate cap  
2 per pupil for each district.

3 (g) The office of retirement services shall first apply funds  
4 allocated under this subsection to pension contributions and, if  
5 any funds remain after that payment, shall apply those remaining  
6 funds to other postemployment benefit contributions.

7 (h) As used in this section:

8 (i) "District library" means a district library established  
9 under the district library establishment act, 1989 PA 24, MCL  
10 397.171 to 397.196.

11 (ii) "MPERS rate cap per pupil" means an amount equal to the  
12 quotient of the district's payment under this subsection divided by  
13 the district's pupils in membership.

14 (iii) "Participating entity" means a district, intermediate  
15 district, or district library that is a reporting unit of the  
16 Michigan public school employees' retirement system under the  
17 public school employees retirement act of 1979, 1980 PA 300, MCL  
18 38.1301 to 38.1437, and that reports employees to the Michigan  
19 public school employees' retirement system for the applicable  
20 fiscal year.

21 (iv) "Retirement board" means the board that administers the  
22 retirement system under the public school employees retirement act  
23 of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

24 (v) "Retirement system" means the Michigan public school  
25 employees' retirement system under the public school employees  
26 retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

27 Sec. 147e. (1) From the appropriation in section 11, there is  
28 allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed  
29 ~~\$1,900,000.00 from the MPERS retirement obligation reform reserve~~



1 ~~fund and \$26,471,000.00~~ **\$51,400,000.00** from the state school aid  
2 fund for payments to participating entities.

3 (2) The payment to each participating entity under this  
4 section is the sum of the amounts under this subsection as follows:

5 (a) An amount equal to the contributions made by a  
6 participating entity for the additional contribution made to a  
7 qualified participant's Tier 2 account in an amount equal to the  
8 contribution made by the qualified participant not to exceed 3% of  
9 the qualified participant's compensation as provided for under  
10 section 131(6) of the public school employees retirement act of  
11 1979, 1980 PA 300, MCL 38.1431.

12 (b) Beginning October 1, 2017, an amount equal to the  
13 contributions made by a participating entity for a qualified  
14 participant who is only a Tier 2 qualified participant under  
15 section 81d of the public school employees retirement act of 1979,  
16 1980 PA 300, MCL 38.1381d, not to exceed 4%, and, beginning  
17 February 1, 2018, not to exceed 1%, of the qualified participant's  
18 compensation.

19 (c) An amount equal to the increase in employer normal cost  
20 contributions under section 41b(2) of the public school employees  
21 retirement act of 1979, 1980 PA 300, MCL 38.1341b, for a member  
22 that was hired after February 1, 2018 and chose to participate in  
23 Tier 1, compared to the employer normal cost contribution for a  
24 member under section 41b(1) of the public school employees  
25 retirement act of 1979, 1980 PA 300, MCL 38.1341b.

26 (3) As used in this section:

27 (a) "Member" means that term as defined under the public  
28 school employees retirement act of 1979, 1980 PA 300, MCL 38.1301  
29 to 38.1437.



1 (b) "Participating entity" means a district, intermediate  
 2 district, or community college that is a reporting unit of the  
 3 Michigan public school employees' retirement system under the  
 4 public school employees retirement act of 1979, 1980 PA 300, MCL  
 5 38.1301 to 38.1437, and that reports employees to the Michigan  
 6 public school employees' retirement system for the applicable  
 7 fiscal year.

8 (c) "Qualified participant" means that term as defined under  
 9 section 124 of the public school employees retirement act of 1979,  
 10 1980 PA 300, MCL 38.1424.

11 Sec. 152a. (1) As required by the court in the consolidated  
 12 cases known as *Adair v State of Michigan*, 486 Mich 468 (2010), from  
 13 the state school aid fund money appropriated in section 11, there  
 14 is allocated for ~~2019-2020-2020-2021~~ an amount not to exceed  
 15 \$38,000,500.00 to be used solely for the purpose of paying  
 16 necessary costs related to the state-mandated collection,  
 17 maintenance, and reporting of data to this state.

18 (2) From the allocation in subsection (1), the department  
 19 shall make payments to districts and intermediate districts in an  
 20 equal amount per-pupil based on the total number of pupils in  
 21 membership in each district and intermediate district. The  
 22 department shall not make any adjustment to these payments after  
 23 the final installment payment under section 17b is made.

24 Sec. 152b. (1) From the general fund money appropriated under  
 25 section 11, there is allocated an amount not to exceed  
 26 ~~\$2,500,000.00 for 2017-2018 and an amount not to exceed \$250,000.00~~  
 27 **\$100.00** for ~~2018-2019-2020-2021~~ to reimburse actual costs incurred  
 28 by nonpublic schools in complying with a health, safety, or welfare  
 29 requirement mandated by a law or administrative rule of this state.



1 (2) By January 1 of each applicable fiscal year, the  
2 department shall publish a form for reporting actual costs incurred  
3 by a nonpublic school in complying with a health, safety, or  
4 welfare requirement mandated under state law containing each  
5 health, safety, or welfare requirement mandated by a law or  
6 administrative rule of this state applicable to a nonpublic school  
7 and with a reference to each relevant provision of law or  
8 administrative rule for the requirement. The form ~~shall~~**must** be  
9 posted on the department's website in electronic form.

10 (3) By June 30 of each applicable fiscal year, a nonpublic  
11 school seeking reimbursement for actual costs incurred in complying  
12 with a health, safety, or welfare requirement under a law or  
13 administrative rule of this state during each applicable school  
14 year shall submit a completed form described in subsection (2) to  
15 the department. This section does not require a nonpublic school to  
16 submit a form described in subsection (2). A nonpublic school is  
17 not eligible for reimbursement under this section if the nonpublic  
18 school does not submit the form described in subsection (2) in a  
19 timely manner.

20 (4) By August 15 of each applicable fiscal year, the  
21 department shall distribute funds to each nonpublic school that  
22 submits a completed form described under subsection (2) in a timely  
23 manner. The superintendent shall determine the amount of funds to  
24 be paid to each nonpublic school in an amount that does not exceed  
25 the nonpublic school's actual costs in complying with a health,  
26 safety, or welfare requirement under a law or administrative rule  
27 of this state. The superintendent shall calculate a nonpublic  
28 school's actual cost in accordance with this section.

29 (5) If the funds allocated under this section are insufficient





1 to fully fund payments as otherwise calculated under this section,  
2 the department shall distribute funds under this section on a  
3 prorated or other equitable basis as determined by the  
4 superintendent.

5 (6) The department may review the records of a nonpublic  
6 school submitting a form described in subsection (2) only for the  
7 limited purpose of verifying the nonpublic school's compliance with  
8 this section. If a nonpublic school does not allow the department  
9 to review records under this subsection, the nonpublic school is  
10 not eligible for reimbursement under this section.

11 (7) The funds appropriated under this section are for purposes  
12 related to education, are considered to be incidental to the  
13 operation of a nonpublic school, are noninstructional in character,  
14 and are intended for the public purpose of ensuring the health,  
15 safety, and welfare of the children in nonpublic schools and to  
16 reimburse nonpublic schools for costs described in this section.

17 (8) Funds allocated under this section are not intended to aid  
18 or maintain any nonpublic school, support the attendance of any  
19 student at a nonpublic school, employ any person at a nonpublic  
20 school, support the attendance of any student at any location where  
21 instruction is offered to a nonpublic school student, or support  
22 the employment of any person at any location where instruction is  
23 offered to a nonpublic school student.

24 (9) For purposes of this section, "actual cost" means the  
25 hourly wage for the employee or employees performing a task or  
26 tasks required to comply with a health, safety, or welfare  
27 requirement under a law or administrative rule of this state  
28 identified by the department under subsection (2) and is to be  
29 calculated in accordance with the form published by the department



1 under subsection (2), which ~~shall~~**must** include a detailed  
2 itemization of costs. The nonpublic school shall not charge more  
3 than the hourly wage of its lowest-paid employee capable of  
4 performing a specific task regardless of whether that individual is  
5 available and regardless of who actually performs a specific task.  
6 Labor costs under this subsection ~~shall~~**must** be estimated and  
7 charged in increments of 15 minutes or more, with all partial time  
8 increments rounded down. When calculating costs under subsection  
9 (4), fee components ~~shall~~**must** be itemized in a manner that  
10 expresses both the hourly wage and the number of hours charged. The  
11 nonpublic school may not charge any applicable labor charge amount  
12 to cover or partially cover the cost of health or fringe benefits.  
13 A nonpublic school shall not charge any overtime wages in the  
14 calculation of labor costs.

15 (10) For the purposes of this section, the actual cost  
16 incurred by a nonpublic school for taking daily student attendance  
17 ~~shall be~~**is** considered an actual cost in complying with a health,  
18 safety, or welfare requirement under a law or administrative rule  
19 of this state. Training fees, inspection fees, and criminal  
20 background check fees are considered actual costs in complying with  
21 a health, safety, or welfare requirement under a law or  
22 administrative rule of this state.

23 (11) The funds allocated under this section for 2017-2018 are  
24 a work project appropriation, and any unexpended funds for 2017-  
25 2018 are carried forward into 2018-2019. The purpose of the work  
26 project is to continue to reimburse nonpublic schools for actual  
27 costs incurred in complying with a health, safety, or welfare  
28 requirement mandated by a law or administrative rule of this state.  
29 The estimated completion date of the work project is September 30,



1 ~~2020-2022.~~

2 (12) The funds allocated under this section for 2018-2019 are  
 3 a work project appropriation, and any unexpended funds for 2018-  
 4 2019 are carried forward into 2019-2020. The purpose of the work  
 5 project is to continue to reimburse nonpublic schools for actual  
 6 costs incurred in complying with a health, safety, or welfare  
 7 requirement mandated by a law or administrative rule of this state.  
 8 The estimated completion date of the work project is September 30,  
 9 ~~2020-2022.~~

10 (13) **The funds allocated under this section for 2020-2021 are**  
 11 **a work project appropriation, and any unexpended funds for 2020-**  
 12 **2021 are carried forward into 2021-2022. The purpose of the work**  
 13 **project is to continue to reimburse nonpublic schools for actual**  
 14 **costs incurred in complying with a health, safety, or welfare**  
 15 **requirement mandated by a law or administrative rule of this state.**  
 16 **The estimated completion date of the work project is September 30,**  
 17 **2023.**

18 Sec. 163. (1) Except as provided in the revised school code,  
 19 the board of a district or intermediate district shall not permit  
 20 any of the following:

21 (a) ~~Except for an individual engaged to teach under section~~  
 22 ~~1233b of the revised school code, MCL 380.1233b, an~~ **An** individual  
 23 ~~who does not hold~~ **is not appropriately placed under** a valid  
 24 certificate, ~~or who is not working under a valid substitute permit,~~  
 25 authorization, or approval issued under rules promulgated by the  
 26 department to teach in an elementary or secondary school.

27 (b) An individual who does not satisfy the requirements of  
 28 section 1233 of the revised school code, MCL 380.1233, and rules  
 29 promulgated by the department to provide school counselor services



1 to pupils in an elementary or secondary school.

2 (c) An individual who does not satisfy the requirements of  
3 section 1246 of the revised school code, MCL 380.1246, or who is  
4 not working under a valid substitute permit issued under rules  
5 promulgated by the department, to be employed as a superintendent,  
6 principal, or assistant principal, or as an individual whose  
7 primary responsibility is to administer instructional programs in  
8 an elementary or secondary school, or in a district or intermediate  
9 district.

10 (2) Except as provided in the revised school code, a district  
11 or intermediate district employing individuals in violation of this  
12 section shall have deducted the sum equal to the amount paid the  
13 individuals for the period of employment. Each intermediate  
14 superintendent shall notify the department of the name of the  
15 individual employed in violation of this section, and the district  
16 employing that individual and the amount of salary the individual  
17 was paid within a constituent district.

18 (3) If a school official is notified by the department that he  
19 or she is employing an individual in violation of this section and  
20 knowingly continues to employ that individual, the school official  
21 is guilty of a misdemeanor punishable by a fine of \$1,500.00 for  
22 each incidence. This penalty is in addition to all other financial  
23 penalties otherwise specified in this article.

24 Sec. 201. (1) Subject to the conditions set forth in this  
25 article, the amounts listed in this section are appropriated for  
26 community colleges for the fiscal year ending September 30, ~~2020,~~  
27 **2021**, from the funds indicated in this section. The following is a  
28 summary of the appropriations in this section: ~~and section 201c:~~

29 (a) The gross appropriation is ~~\$414,719,000.00.~~



1 **\$425,667,600.00**. After deducting total interdepartmental grants and  
 2 intradepartmental transfers in the amount of \$0.00, the adjusted  
 3 gross appropriation is ~~\$414,719,000.00~~ **\$425,667,600.00**.

4 (b) The sources of the adjusted gross appropriation described  
 5 in subdivision (a) are as follows:

6 (i) Total federal revenues, ~~\$36,273,400.00~~ **\$0.00**.

7 (ii) Total local revenues, \$0.00.

8 (iii) Total private revenues, \$0.00.

9 (iv) Total other state restricted revenues,  
 10 ~~\$378,445,600.00~~ **\$425,667,600.00**.

11 (v) State general fund/general purpose money, \$0.00.

12 (2) Subject to subsection (3), the amount appropriated for  
 13 community college operations is ~~\$289,200,000.00~~ **\$325,440,000.00**,  
 14 allocated as follows:

15 (a) The appropriation for Alpena Community College is  
 16 ~~\$5,127,800.00~~, ~~\$5,058,300.00~~ **\$5,767,500.00**, **\$5,753,300.00** for  
 17 operations, ~~\$50,200.00~~ **\$0.00** for performance funding, and  
 18 ~~\$19,300.00~~ **\$14,200.00** for costs incurred under the North American  
 19 Indian tuition waiver.

20 (b) The appropriation for Bay de Noc Community College is  
 21 ~~\$5,112,800.00~~, ~~\$4,926,700.00~~ **\$5,719,500.00**, **\$5,602,800.00** for  
 22 operations, ~~\$48,200.00~~ **\$0.00** for performance funding, and  
 23 ~~\$137,900.00~~ **\$116,700.00** for costs incurred under the North American  
 24 Indian tuition waiver.

25 (c) The appropriation for Delta College is ~~\$13,502,300.00~~,  
 26 ~~\$13,371,000.00~~ **\$15,208,200.00**, **\$15,160,500.00** for operations,  
 27 ~~\$90,400.00~~ **\$0.00** for performance funding, and ~~\$40,900.00~~ **\$47,700.00**  
 28 for costs incurred under the North American Indian tuition waiver.

29 (d) The appropriation for Glen Oaks Community College is



1 ~~\$2,355,300.00, \$2,323,300.00~~ **\$2,651,200.00, \$2,651,200.00** for  
 2 operations, ~~\$30,800.00~~ **\$0.00** for performance funding, and ~~\$1,200.00~~  
 3 **\$0.00** for costs incurred under the North American Indian tuition  
 4 waiver.

5 (e) The appropriation for Gogebic Community College is  
 6 ~~\$4,387,500.00, \$4,287,700.00~~ **\$4,923,300.00, \$4,873,700.00** for  
 7 operations, ~~\$39,900.00~~ **\$0.00** for performance funding, and  
 8 ~~\$59,900.00~~ **\$49,600.00** for costs incurred under the North American  
 9 Indian tuition waiver.

10 (f) The appropriation for Grand Rapids Community College is  
 11 ~~\$16,909,400.00, \$16,540,900.00~~ **\$19,007,000.00, \$18,773,100.00** for  
 12 operations, ~~\$128,200.00~~ **\$0.00** for performance funding, and  
 13 ~~\$240,300.00~~ **\$233,900.00** for costs incurred under the North American  
 14 Indian tuition waiver.

15 (g) The appropriation for Henry Ford College is  
 16 ~~\$20,049,300.00, \$19,873,500.00~~ **\$22,557,600.00, \$22,533,100.00** for  
 17 operations, ~~\$134,200.00~~ **\$0.00** for performance funding, and  
 18 ~~\$41,600.00~~ **\$24,500.00** for costs incurred under the North American  
 19 Indian tuition waiver.

20 (h) The appropriation for Jackson College is ~~\$11,373,300.00,~~  
 21 ~~\$11,258,700.00~~ **\$12,814,200.00, \$12,756,200.00** for operations,  
 22 ~~\$67,900.00~~ **\$0.00** for performance funding, and ~~\$46,700.00~~ **\$58,000.00**  
 23 for costs incurred under the North American Indian tuition waiver.

24 (i) The appropriation for Kalamazoo Valley Community College  
 25 is ~~\$11,687,700.00, \$11,551,400.00~~ **\$13,163,700.00, \$13,099,900.00**  
 26 for operations, ~~\$80,300.00~~ **\$0.00** for performance funding, and  
 27 ~~\$56,000.00~~ **\$63,800.00** for costs incurred under the North American  
 28 Indian tuition waiver.

29 (j) The appropriation for Kellogg Community College is



1 ~~\$9,195,800.00, \$9,056,400.00~~ **\$10,328,700.00, \$10,267,100.00** for  
 2 operations, ~~\$60,000.00~~ **\$0.00** for performance funding, and  
 3 ~~\$79,400.00~~ **\$61,600.00** for costs incurred under the North American  
 4 Indian tuition waiver.

5 (k) The appropriation for Kirtland Community College is  
 6 ~~\$3,016,600.00, \$2,940,500.00~~ **\$3,394,800.00, \$3,358,400.00** for  
 7 operations, ~~\$41,500.00~~ **\$0.00** for performance funding, and  
 8 ~~\$34,600.00~~ **\$36,400.00** for costs incurred under the North American  
 9 Indian tuition waiver.

10 (l) The appropriation for Lake Michigan College is  
 11 ~~\$5,074,900.00, \$5,028,600.00~~ **\$5,711,300.00, \$5,702,700.00** for  
 12 operations, ~~\$35,000.00~~ **\$0.00** for performance funding, and  
 13 ~~\$11,300.00~~ **\$8,600.00** for costs incurred under the North American  
 14 Indian tuition waiver.

15 (m) The appropriation for Lansing Community College is  
 16 ~~\$29,324,000.00, \$28,992,800.00~~ **\$33,010,000.00, \$32,852,000.00** for  
 17 operations, ~~\$177,300.00~~ **\$0.00** for performance funding, and  
 18 ~~\$153,900.00~~ **\$158,000.00** for costs incurred under the North American  
 19 Indian tuition waiver.

20 (n) The appropriation for Macomb Community College is  
 21 ~~\$30,470,600.00, \$30,227,700.00~~ **\$34,319,500.00, \$34,276,100.00** for  
 22 operations, ~~\$206,900.00~~ **\$0.00** for performance funding, and  
 23 ~~\$36,000.00~~ **\$43,400.00** for costs incurred under the North American  
 24 Indian tuition waiver.

25 (o) The appropriation for Mid Michigan Community College is  
 26 ~~\$4,743,500.00, \$4,528,800.00~~ **\$5,309,200.00, \$5,184,400.00** for  
 27 operations, ~~\$74,600.00~~ **\$0.00** for performance funding, and  
 28 ~~\$140,100.00~~ **\$124,800.00** for costs incurred under the North American  
 29 Indian tuition waiver.



1 (p) The appropriation for Monroe County Community College is  
 2 ~~\$4,215,200.00, \$4,179,000.00~~ **\$4,746,700.00, \$4,746,200.00** for  
 3 operations, ~~\$35,300.00~~ **\$0.00** for performance funding, and ~~\$900.00~~  
 4 **\$500.00** for costs incurred under the North American Indian tuition  
 5 waiver.

6 (q) The appropriation for Montcalm Community College is  
 7 ~~\$3,176,100.00, \$3,144,500.00~~ **\$3,577,700.00, \$3,570,600.00** for  
 8 operations, ~~\$25,900.00~~ **\$0.00** for performance funding, and ~~\$5,700.00~~  
 9 **\$7,100.00** for costs incurred under the North American Indian  
 10 tuition waiver.

11 (r) The appropriation for C.S. Mott Community College is  
 12 ~~\$14,610,900.00, \$14,496,100.00~~ **\$16,464,000.00, \$16,440,000.00** for  
 13 operations, ~~\$101,400.00~~ **\$0.00** for performance funding, and  
 14 ~~\$13,400.00~~ **\$24,000.00** for costs incurred under the North American  
 15 Indian tuition waiver.

16 (s) The appropriation for Muskegon Community College is  
 17 ~~\$8,325,300.00, \$8,195,900.00~~ **\$9,363,000.00, \$9,289,100.00** for  
 18 operations, ~~\$52,100.00~~ **\$0.00** for performance funding, and  
 19 ~~\$77,300.00~~ **\$73,900.00** for costs incurred under the North American  
 20 Indian tuition waiver.

21 (t) The appropriation for North Central Michigan College is  
 22 ~~\$3,187,300.00, \$2,981,700.00~~ **\$3,562,700.00, \$3,389,300.00** for  
 23 operations, ~~\$27,700.00~~ **\$0.00** for performance funding, and  
 24 ~~\$177,900.00~~ **\$173,400.00** for costs incurred under the North American  
 25 Indian tuition waiver.

26 (u) The appropriation for Northwestern Michigan College is  
 27 ~~\$8,741,600.00, \$8,438,400.00~~ **\$9,843,100.00, \$9,567,100.00** for  
 28 operations, ~~\$56,500.00~~ **\$0.00** for performance funding, and  
 29 ~~\$246,700.00~~ **\$276,000.00** for costs incurred under the North American





1 Indian tuition waiver.

2 (v) The appropriation for Oakland Community College is  
 3 ~~\$19,746,000.00, \$19,563,700.00~~ **\$22,246,800.00, \$22,211,700.00** for  
 4 operations, ~~\$158,600.00~~ **\$0.00** for performance funding, and  
 5 ~~\$23,700.00~~ **\$35,100.00** for costs incurred under the North American  
 6 Indian tuition waiver.

7 (w) The appropriation for Schoolcraft College is  
 8 ~~\$11,784,200.00, \$11,614,500.00~~ **\$13,236,500.00, \$13,196,200.00** for  
 9 operations, ~~\$102,700.00~~ **\$0.00** for performance funding, and  
 10 ~~\$67,000.00~~ **\$40,300.00** for costs incurred under the North American  
 11 Indian tuition waiver.

12 (x) The appropriation for Southwestern Michigan College is  
 13 ~~\$6,236,900.00, \$6,155,700.00~~ **\$7,016,600.00, \$6,979,400.00** for  
 14 operations, ~~\$41,500.00~~ **\$0.00** for performance funding, and  
 15 ~~\$39,700.00~~ **\$37,200.00** for costs incurred under the North American  
 16 Indian tuition waiver.

17 (y) The appropriation for St. Clair County Community College  
 18 is ~~\$6,566,000.00, \$6,508,200.00~~ **\$7,388,600.00, \$7,385,200.00** for  
 19 operations, ~~\$49,300.00~~ **\$0.00** for performance funding, and ~~\$8,500.00~~  
 20 **\$3,400.00** for costs incurred under the North American Indian  
 21 tuition waiver.

22 (z) The appropriation for Washtenaw Community College is  
 23 ~~\$12,334,000.00, \$12,191,500.00~~ **\$13,888,200.00, \$13,855,900.00** for  
 24 operations, ~~\$111,500.00~~ **\$0.00** for performance funding, and  
 25 ~~\$31,000.00~~ **\$32,300.00** for costs incurred under the North American  
 26 Indian tuition waiver.

27 (aa) The appropriation for Wayne County Community College is  
 28 ~~\$15,630,100.00, \$15,502,900.00~~ **\$17,608,300.00, \$17,593,400.00** for  
 29 operations, ~~\$118,700.00~~ **\$0.00** for performance funding, and



1 ~~\$8,500.00~~ **\$14,900.00** for costs incurred under the North American  
 2 Indian tuition waiver.

3 (bb) The appropriation for West Shore Community College is  
 4 ~~\$2,315,600.00, \$2,278,500.00~~ **\$2,612,100.00, \$2,585,600.00** for  
 5 operations, ~~\$17,300.00~~ **\$0.00** for performance funding, and  
 6 ~~\$19,800.00~~ **\$26,500.00** for costs incurred under the North American  
 7 Indian tuition waiver.

8 (3) The amount appropriated in subsection (2) for community  
 9 college operations is ~~\$289,200,000.00~~ **\$325,440,000.00** and is  
 10 appropriated from the state school aid fund.

11 (4) From the appropriations described in subsection (1), both  
 12 of the following apply:

13 (a) Subject to section 207a, the amount appropriated for  
 14 fiscal year ~~2019-2020~~ **2020-2021** to offset certain fiscal year ~~2019-~~  
 15 ~~2020-2020-2021~~ retirement contributions is \$1,733,600.00,  
 16 appropriated from the state school aid fund.

17 (b) For fiscal year ~~2019-2020,~~ **2020-2021**, there is allocated  
 18 an amount not to exceed ~~\$12,212,000.00~~ **\$12,394,000.00** for payments  
 19 to participating community colleges, appropriated from the state  
 20 school aid fund. A community college that receives money under this  
 21 subdivision shall use that money solely for the purpose of  
 22 offsetting the normal cost contribution rate.

23 (5) From the appropriations described in subsection (1),  
 24 subject to section 207b, the amount appropriated for payments to  
 25 community colleges that are participating entities of the  
 26 retirement system is ~~\$73,100,000.00,~~ **\$83,900,000.00** appropriated  
 27 from the state school aid fund.

28 (6) From the appropriations described in subsection (1),  
 29 subject to section 207c, the amount appropriated for renaissance



1 zone tax reimbursements is \$2,200,000.00, appropriated from the  
 2 state school aid fund. **Each community college receiving funds in**  
 3 **this subsection shall accrue these payments to its institutional**  
 4 **fiscal year ending June 30, 2021.**

5 ~~(7) If the department of technology, management, and budget~~  
 6 ~~determines that this state has overpaid the amount of operations~~  
 7 ~~and performance funding allocated to a community college under this~~  
 8 ~~article, the department shall establish as a receivable the amount~~  
 9 ~~of overpayment and shall recoup the amount from the community~~  
 10 ~~college in subsequent monthly apportionments of operations and~~  
 11 ~~performance funding. The full amount of overpayment must be~~  
 12 ~~recouped within 1 fiscal year.~~

13 Sec. 202a. As used in this article:

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

16 (b) "Michigan renaissance zone act" means the Michigan  
 17 renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696.

18 (c) "Participating college" means a community college that is  
 19 a reporting unit of the retirement system and that reports  
 20 employees to the retirement system for the state fiscal year.

21 (d) "Retirement board" means the board that administers the  
 22 retirement system under the public school employees retirement act  
 23 of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

24 (e) "Retirement system" means the Michigan public school  
 25 employees' retirement system under the public school employees  
 26 retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

27 ~~(f) "Workforce development agency" means the workforce~~  
 28 ~~development agency within the department of talent and economic~~  
 29 ~~development--talent investment agency.~~



1           Sec. 203. Unless otherwise specified, a community college that  
 2 receives appropriations in section 201 ~~, the workforce development~~  
 3 ~~agency,~~ and the center shall use the internet to fulfill the  
 4 reporting requirements of this article. This requirement ~~may~~  
 5 ~~include~~ **includes** transmission of reports via electronic mail to the  
 6 recipients identified for each reporting requirement ~~or it may~~  
 7 ~~include~~ **and** placement of reports on an internet ~~or intranet~~ site.

8           Sec. 205. ~~The~~ **To the extent possible, the** principal executive  
 9 officer of each community college that receives appropriations in  
 10 section 201 shall take all reasonable steps to ensure businesses in  
 11 deprived and depressed communities compete for and perform  
 12 contracts to provide services or supplies, or both. Each principal  
 13 executive officer shall strongly encourage businesses with which  
 14 the community college contracts to subcontract with certified  
 15 businesses in depressed and deprived communities for services or  
 16 supplies, or both.

17           Sec. 206. (1) The funds appropriated in section 201 are  
 18 appropriated for community colleges with fiscal years ending June  
 19 30, ~~2020-2021~~ and shall be paid out of the state treasury and  
 20 distributed by the state treasurer to the respective community  
 21 colleges in 11 monthly installments on the sixteenth of each month,  
 22 or the next succeeding business day, beginning with October 16,  
 23 ~~2019-2020~~. Each community college shall accrue its July and August  
 24 ~~2020-2021~~ payments to its institutional fiscal year ending June 30,  
 25 ~~2020-2021~~.

26           (2) If the state budget director determines that a community  
 27 college failed to submit any of the information described in  
 28 subdivisions (a) to (f) in the form and manner specified by the  
 29 center, the state treasurer shall, subject to subdivision (g),



1 withhold the monthly installments from that community college until  
2 those data are submitted:

3 (a) The Michigan community colleges verified data inventory  
4 data for the preceding academic year to the center by the first  
5 business day of ~~November~~ **December for fiscal year 2020-2021 and the**  
6 **first business day of November** of each year **thereafter** as specified  
7 in section 217.

8 (b) The college credit opportunity data set as specified in  
9 section 209.

10 (c) The longitudinal data set for the preceding academic year  
11 to the center as specified in section 219.

12 (d) The annual independent audit as specified in section 222.

13 (e) Tuition and mandatory fees information for the current  
14 academic year as specified in section 225.

15 (f) The number and type of associate degrees and other  
16 certificates awarded during the previous academic year as specified  
17 in section 226.

18 (g) The state budget director shall notify the chairs of the  
19 house and senate appropriations subcommittees on community colleges  
20 at least 10 days before withholding funds from any community  
21 college.

22 Sec. 207a. All of the following apply to the allocation of the  
23 fiscal year ~~2019-2020~~ **2020-2021** appropriations described in section  
24 201(4):

25 (a) A community college that receives money under section  
26 201(4) shall use that money solely for the purpose of offsetting a  
27 portion of the retirement contributions owed by the college for  
28 that fiscal year.

29 (b) The amount allocated to each participating community



1 college under section 201(4) shall be based on each college's  
 2 percentage of the total covered payroll for all community colleges  
 3 that are participating colleges in the immediately preceding fiscal  
 4 year.

5 Sec. 207b. All of the following apply to the allocation of the  
 6 fiscal year ~~2019-2020~~**2020-2021** appropriations described in section  
 7 201(5) for payments to community colleges that are participating  
 8 entities of the retirement system:

9 (a) The amount of a payment under section 201(5) shall be the  
 10 difference between the unfunded actuarial accrued liability  
 11 contribution rate as calculated under section 41 of the public  
 12 school employees retirement act of 1979, 1980 PA 300, MCL 38.1341,  
 13 as calculated without taking into account the maximum employer rate  
 14 of 20.96% included in section 41 of the public school employees  
 15 retirement act of 1979, 1980 PA 300, MCL 38.1341, and the maximum  
 16 employer rate of 20.96% under section 41 of the public school  
 17 employees retirement act of 1979, 1980 PA 300, MCL 38.1341.

18 (b) The amount allocated to each community college under  
 19 section 201(5) shall be based on each community college's  
 20 percentage of the total covered payroll for all community colleges  
 21 that are participating colleges in the immediately preceding fiscal  
 22 year. A community college that receives funds under this  
 23 subdivision shall use the funds solely for the purpose of  
 24 retirement contributions under section 201(5).

25 (c) Each participating college that receives funds under  
 26 section 201(5) shall forward an amount equal to the amount  
 27 allocated under subdivision (b) to the retirement system in a form  
 28 and manner determined by the retirement system.

29 Sec. 207c. All of the following apply to the allocation of the



1 appropriations described in section 201(6) to community colleges  
2 described in section 12(3) of the Michigan renaissance zone act,  
3 1996 PA 376, MCL 125.2692:

4 (a) The amount allocated to each community college under  
5 section 201(6) for fiscal year ~~2019-2020~~**2020-2021** shall be based  
6 on that community college's proportion of total revenue lost by  
7 community colleges as a result of the exemption of property taxes  
8 levied in ~~2019-2020~~ under the Michigan renaissance zone act, 1996  
9 PA 376, MCL 125.2681 to 125.2696.

10 (b) The appropriations described in section 201(6) shall be  
11 made to each eligible community college within 60 days after the  
12 department of treasury certifies to the state budget director that  
13 it has received all necessary information to properly determine the  
14 amounts payable to each eligible community college under section 12  
15 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692.

16 Sec. 209. (1) Within 30 days after the board of a community  
17 college adopts its annual operating budget for the following fiscal  
18 year, or after the board adopts a subsequent revision to that  
19 budget, the community college shall make all of the following  
20 available through a link on its website homepage:

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

23 (b) A link to the most recent "Michigan Community College Data  
24 Inventory Report".

25 (c) General fund revenue and expenditure projections for the  
26 current fiscal year and the next fiscal year.

27 (d) A listing of all debt service obligations, detailed by  
28 project, anticipated payment of each project, and total outstanding  
29 debt for the current fiscal year.



1 (e) Links to all of the following for the community college:

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

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

9 (iii) Audits and financial reports for the most recent fiscal  
10 year for which they are available.

11 (iv) A copy of the board of trustees resolution regarding  
12 compliance with best practices for the local strategic value  
13 component described in section 230(2).

14 (f) A map that includes the boundaries of the community  
15 college district.

16 (2) For statewide consistency and public visibility, community  
17 colleges must use the icon badge provided by the department of  
18 technology, management, and budget consistent with the icon badge  
19 developed by the department of education for K-12 school districts.  
20 It must appear on the front of each community college's homepage.  
21 The size of the icon may be reduced to 150 x 150 pixels.

22 (3) The state budget director shall determine whether a  
23 community college has complied with this section. The state budget  
24 director may withhold a community college's monthly installments  
25 described in section 206 until the community college complies with  
26 this section. The state budget director shall notify the chairs of  
27 the house and senate appropriations subcommittee on community  
28 colleges at least 10 days before withholding funds from any  
29 community college.





1 (4) Each community college shall report the following  
 2 information to the senate and house appropriations subcommittees on  
 3 community colleges, the senate and house fiscal agencies, and the  
 4 state budget office by ~~November~~**December** 15 **for fiscal year 2020-**  
 5 **2021 and November 15** of each fiscal year **thereafter** and post that  
 6 information on its website as required under subsection (1):

7 (a) Budgeted current fiscal year general fund revenue from  
 8 tuition and fees.

9 (b) Budgeted current fiscal year general fund revenue from  
 10 state appropriations.

11 (c) Budgeted current fiscal year general fund revenue from  
 12 property taxes.

13 (d) Budgeted current fiscal year total general fund revenue.

14 (e) Budgeted current fiscal year total general fund  
 15 expenditures.

16 (5) By the first business day of November of each year, a  
 17 community college shall ~~report the following information to the~~  
 18 ~~center and~~ post the **following** information on its website under the  
 19 budget transparency icon badge:

20 (a) Opportunities for earning college credit through the  
 21 following programs:

22 (i) State approved career and technical education or a tech  
 23 prep articulated program of study.

24 (ii) Direct college credit or concurrent enrollment.

25 (iii) Dual enrollment.

26 (iv) An early college/middle college program.

27 (b) For each program described in subdivision (a) that the  
 28 community college offers, all of the following information:

29 (i) The number of high school students participating in the



1 program.

2 (ii) The number of school districts that participate in the  
3 program with the community college.

4 (iii) Whether a college professor, qualified local school  
5 district employee, or other individual teaches the course or  
6 courses in the program.

7 (iv) The total cost to the community college to operate the  
8 program.

9 (v) The cost per credit hour for the course or courses in the  
10 program.

11 (vi) The location where the course or courses in the program  
12 are held.

13 (vii) Instructional resources offered to the program  
14 instructors.

15 (viii) Resources offered to the student in the program.

16 (ix) Transportation services provided to students in the  
17 program.

18 Sec. 209a. (1) A public community college shall develop,  
19 maintain, and update a "campus safety information and resources"  
20 link, prominently displayed on the homepage of its website, to a  
21 section of its website containing all of the information required  
22 under subsection (2).

23 (2) The "campus safety information and resources" section of a  
24 public community college's website shall include, but not be  
25 limited to, all of the following information:

26 (a) Emergency contact numbers for police, fire, health, and  
27 other services.

28 (b) Hours, locations, phone numbers, and electronic mail  
29 contacts for campus public safety offices and title IX offices.



1 (c) A list of safety and security services provided by the  
 2 community college, including transportation, escort services,  
 3 building surveillance, anonymous tip lines, and other available  
 4 security services.

5 (d) A public community college's policies applicable to minors  
 6 on community college property.

7 (e) A directory of resources available at the community  
 8 college or surrounding community for students or employees who are  
 9 survivors of sexual assault or sexual abuse.

10 (f) An electronic copy of "A Resource Handbook for Campus  
 11 Sexual Assault Survivors, Friends and Family", published in 2018.  
 12 ~~by the office of the governor in conjunction with the first lady of~~  
 13 ~~Michigan.~~

14 (g) Campus security policies and crime statistics pursuant to  
 15 the student right-to-know and campus security act, Public Law 101-  
 16 542, 104 Stat 2381. Information shall include all material prepared  
 17 pursuant to the public information reporting requirements under the  
 18 crime awareness and campus security act of 1990, title II of the  
 19 student right-to-know and campus security act, Public Law 101-542,  
 20 104 Stat 2381.

21 (3) A community college shall certify to the state budget  
 22 director by October 1, ~~2019 and the last business day of each~~  
 23 ~~August thereafter,~~ **2020** that it is in compliance with this section.  
 24 The state budget director may withhold a public community college's  
 25 monthly installments described in section 206 until the public  
 26 community college complies with this section.

27 Sec. 217. (1) The center shall do all of the following:

28 (a) Establish, maintain, and coordinate the state community  
 29 college database commonly known as the "Michigan Community College



1 Data Inventory".

2 (b) Collect data concerning community colleges and community  
3 college programs in this state, including data required by law.

4 (c) Establish procedures to ensure the validity and  
5 reliability of the data and the collection process.

6 (d) Develop model data collection policies, including, but not  
7 limited to, policies that ensure the privacy of any individual  
8 student data. Privacy policies shall ensure that student ~~social~~  
9 ~~security~~ **Social Security** numbers are not released to the public for  
10 any purpose.

11 (e) Provide data in a useful manner to allow state  
12 policymakers and community college officials to make informed  
13 policy decisions.

14 (f) Compile and publish electronically the demographic  
15 enrollment profile.

16 (g) Compile and publish the community college performance  
17 improvement and performance completion rate data to support the  
18 performance funding formula metrics specified in section 230(1)(c)  
19 and (e).

20 (2) There is created within the center the Michigan Community  
21 College Data Inventory advisory committee. The committee shall  
22 provide advice to the director of the center regarding the  
23 management of the state community college database, including, but  
24 not limited to:

25 (a) Determining what data are necessary to collect and  
26 maintain to enable state and community college officials to make  
27 informed policy decisions.

28 (b) Defining the roles of all stakeholders in the data  
29 collection system.



1 (c) Recommending timelines for the implementation and ongoing  
2 collection of data.

3 (d) Establishing and maintaining data definitions, data  
4 transmission protocols, and system specifications and procedures  
5 for the efficient and accurate transmission and collection of data.

6 (e) Establishing and maintaining a process for ensuring the  
7 accuracy of the data.

8 (f) Establishing and maintaining policies related to data  
9 collection, including, but not limited to, privacy policies related  
10 to individual student data.

11 (g) Ensuring that the data are made available to state  
12 policymakers and citizens of this state in the most useful format  
13 possible.

14 (h) Addressing other matters as determined by the director of  
15 the center or as required by law.

16 (3) The Michigan Community College Data Inventory advisory  
17 committee created in subsection (2) shall consist of the following  
18 members:

19 (a) One representative from the house fiscal agency, appointed  
20 by the director of the house fiscal agency.

21 (b) One representative from the senate fiscal agency,  
22 appointed by the director of the senate fiscal agency.

23 (c) One representative from the ~~workforce development agency,~~  
24 **department of labor and economic opportunity**, appointed by the  
25 director of the ~~workforce development agency.~~**department of labor**  
26 **and economic opportunity.**

27 (d) One representative from the center, appointed by the  
28 director of the center.

29 (e) One representative from the state budget office, appointed



1 by the state budget director.

2 (f) One representative from the governor's policy office,  
3 appointed by that office.

4 (g) Four representatives of the Michigan Community College  
5 Association, appointed by the president of the association, that  
6 represent a diverse mix of college sizes.

7 Sec. 222. Each community college shall have an annual audit of  
8 all income and expenditures performed by an independent auditor and  
9 shall furnish the independent auditor's management letter and an  
10 annual audited accounting of all general and current funds income  
11 and expenditures including audits of college foundations to the  
12 center before ~~November~~ **December 15 for fiscal year 2020-2021 and**  
13 **November 15** of each year **thereafter**. The center shall provide this  
14 information to members of the senate and house appropriations  
15 subcommittees on community colleges, the senate and house fiscal  
16 agencies, the auditor general, the ~~workforce development agency,~~  
17 **department of labor and economic opportunity**, and the state budget  
18 director. If a community college fails to furnish the audit  
19 materials, the monthly state aid installments shall be withheld  
20 from that college until the information is submitted. All reporting  
21 shall conform to the requirements set forth in the "2001 Manual for  
22 Uniform Financial Reporting, Michigan Public Community Colleges". A  
23 community college shall make the information the community college  
24 is required to provide under this section available to the public  
25 on its website.

26 Sec. 223. (1) By ~~February~~ **January** 15 of each year, the  
27 department of civil rights shall annually submit to the state  
28 budget director, the house and senate appropriations subcommittees  
29 on community colleges, and the house and senate fiscal agencies a



1 report on North American Indian tuition waivers for the preceding  
2 academic year that includes, but is not limited to, all of the  
3 following information:

4 (a) The number of waiver applications received and the number  
5 of waiver applications approved.

6 (b) For each community college submitting information under  
7 subsection (2), all of the following:

8 (i) The number of North American Indian students enrolled each  
9 term for the previous academic year.

10 (ii) The number of North American Indian waivers granted each  
11 term, including continuing education students, and the monetary  
12 value of the waivers for the previous academic year.

13 (iii) The number of students attending under a North American  
14 Indian tuition waiver who withdrew from the college each term  
15 during the previous academic year. For purposes of this  
16 subparagraph, a withdrawal occurs when a student who has been  
17 awarded the waiver withdraws from the institution at any point  
18 during the term, regardless of enrollment in subsequent terms.

19 (iv) The number of students attending under a North American  
20 Indian tuition waiver who successfully complete a degree or  
21 certificate program, separated by degree or certificate level, and  
22 the graduation rate for students attending under a North American  
23 Indian tuition waiver who complete a degree or certificate within  
24 150% of the normal time to complete, separated by the level of the  
25 degree or certificate.

26 (2) A community college that receives funds under section 201  
27 **or a tribal institution that receives funding for the North**  
28 **American Indian tuition waiver** shall provide to the department of  
29 civil rights any information necessary for preparing the report



1 described in subsection (1), using guidelines and procedures  
2 developed by the department of civil rights.

3 (3) The department of civil rights may consolidate the report  
4 required under this section with the report required under section  
5 268, but a consolidated report must separately identify data for  
6 universities and data for community colleges.

7 Sec. 226. Each community college shall report to the center by  
8 October 15 of each year the numbers and type of associate degrees  
9 and other certificates awarded by the community college during the  
10 previous academic year ~~using the~~ **for inclusion in the statewide P-**  
11 **20** longitudinal data system.

12 **Sec. 226a. A community college receiving an appropriation in**  
13 **section 201 shall place a prominent link to the website created**  
14 **under section 260 on its website homepage.**

15 **Sec. 226b. (1) By September 30, 2021, each community college**  
16 **receiving an appropriation in section 201 shall submit a report to**  
17 **the senate and house appropriations subcommittees on community**  
18 **colleges, the senate and house fiscal agencies, and the state**  
19 **budget director containing the following information:**

20 (a) **The number of students enrolled during the 2020-2021**  
21 **academic year.**

22 (b) **The number of courses offered by course type.**

23 (c) **The number of students enrolled by course type.**

24 (d) **The drop rate and pass/fail rate by course type.**

25 (e) **The average number of credit hours for which each student**  
26 **was enrolled at the start and end of each semester.**

27 (f) **The number of students residing on campus each semester.**

28 (g) **The number of students residing on campus between**  
29 **semesters.**





1 (2) By November 1, 2020, each community college receiving an  
2 appropriation in section 201 shall submit a report to the senate  
3 and house appropriations subcommittees on community colleges, the  
4 senate and house fiscal agencies, and the state budget director  
5 containing the following information:

6 (a) A list of any student fees assessed related to online  
7 learning, and the amount of those fees.

8 (b) A list of any student fees assessed related to COVID-19,  
9 and the amount of those fees.

10 (c) A timeline of when decisions regarding the course types  
11 offered during the 2020-2021 academic year were made, and whether  
12 there were changes to those decisions before the academic year  
13 began.

14 (d) An overview of COVID-19 mitigation strategies employed or  
15 that may be employed, if necessary.

16 (e) An overview of COVID-19 testing criteria and mitigation  
17 strategies employed for controlling an outbreak on campus.

18 (3) As used in this section, "course type" means the style of  
19 course delivery as being in-person, online, or as a hybrid of in-  
20 person and online learning.

21 Sec. 226d. By February 1, 2021, each community college shall  
22 submit to the senate and house appropriations subcommittees on  
23 community colleges, the senate and house fiscal agencies, and the  
24 state budget director a report on activities related to strategic  
25 planning and internal assessment or reassessment to best provide  
26 for open and free expression and speech, while protecting students  
27 from hate-speech, violence, and discrimination.

28 Sec. 226e. It is the intent of the legislature to ensure that  
29 60% of Michigan's residents achieve a postsecondary credential,



1 **high-quality industry certification, associate degree, or**  
2 **bachelor's degree by 2030.**

3       Sec. 229. (1) Each community college that receives an  
4 appropriation in section 201 is expected to include in its  
5 admission application process a specific question as to whether an  
6 applicant for admission has ever served or is currently serving in  
7 the United States Armed Forces or is the spouse or dependent of an  
8 individual who has served or is currently serving in the United  
9 States Armed Forces, in order to more quickly identify potential  
10 educational assistance available to that applicant.

11       (2) It is expected that each public community college that  
12 receives an appropriation in section 201 shall work with the house  
13 and senate community college subcommittees, the Michigan Community  
14 College Association, and veterans groups to review the issue of in-  
15 district tuition for veterans of this state when determining  
16 tuition rates and fees.

17       **(3) Each community college that receives an appropriation in**  
18 **section 201 is expected to provide reasonable programming and**  
19 **scheduling accommodations necessary to facilitate a student's**  
20 **military, national guard, or military reserves duties and training**  
21 **obligations.**

22       (4) ~~(3)~~As used in this section, "veteran" means an honorably  
23 discharged veteran entitled to educational assistance under the  
24 provisions of section 5003 of the post-911 veterans educational  
25 assistance act of 2008, 38 USC 3301 to 3327.

26       Sec. 229a. Included in the fiscal year ~~2019-2020~~**2020-2021**  
27 appropriations for the department of technology, management, and  
28 budget are appropriations totaling ~~\$34,181,600.00~~**\$35,696,200.00** to  
29 provide funding for the state share of costs for previously



1 constructed capital projects for community colleges. Those  
 2 appropriations for state building authority rent represent  
 3 additional state general fund support for community colleges, and  
 4 the following is an estimate of the amount of that support to each  
 5 community college:

- 6 (a) Alpena Community College, ~~\$702,500.00~~ **\$701,800.00**.
- 7 (b) Bay de Noc Community College, ~~\$679,000.00~~ **\$686,600.00**.
- 8 (c) Delta College, ~~\$3,905,300.00~~ **\$3,845,000.00**.
- 9 (d) Glen Oaks Community College, ~~\$123,400.00~~ **\$124,700.00**.
- 10 (e) Gogebic Community College, ~~\$56,200.00~~ **\$56,800.00**.
- 11 (f) Grand Rapids Community College,  
 12 ~~\$2,208,700.00~~ **\$2,604,800.00**.
- 13 (g) Henry Ford College, ~~\$1,031,000.00~~ **\$1,042,600.00**.
- 14 (h) Jackson College, ~~\$2,170,400.00~~ **\$2,194,800.00**.
- 15 (i) Kalamazoo Valley Community College,  
 16 ~~\$1,947,700.00~~ **\$1,969,600.00**.
- 17 (j) Kellogg Community College, ~~\$715,300.00~~ **\$688,600.00**.
- 18 (k) Kirtland Community College, ~~\$639,100.00~~ **\$228,200.00**.
- 19 (l) Lake Michigan College, ~~\$532,300.00~~ **\$1,032,500.00**.
- 20 (m) Lansing Community College, ~~\$1,144,300.00~~ **\$1,157,200.00**.
- 21 (n) Macomb Community College, ~~\$1,653,900.00~~ **\$1,672,400.00**.
- 22 (o) Mid Michigan Community College,  
 23 ~~\$1,619,700.00~~ **\$1,637,900.00**.
- 24 (p) Monroe County Community College,  
 25 ~~\$1,604,900.00~~ **\$1,585,200.00**.
- 26 (q) Montcalm Community College, ~~\$973,900.00~~ **\$984,800.00**.
- 27 (r) C.S. Mott Community College, ~~\$1,808,300.00~~ **\$2,157,600.00**.
- 28 (s) Muskegon Community College, ~~\$1,076,800.00~~ **\$996,000.00**.
- 29 (t) North Central Michigan College, ~~\$490,900.00~~ **\$694,700.00**.



1 (u) Northwestern Michigan College,

2 ~~\$1,471,300.00.~~ **\$1,857,000.00.**

3 (v) Oakland Community College, ~~\$466,400.00.~~ **\$471,600.00.**

4 (w) Schoolcraft College, ~~\$1,550,600.00.~~ **\$1,770,800.00.**

5 (x) Southwestern Michigan College, ~~\$890,100.00.~~ **\$834,200.00.**

6 (y) St. Clair County Community College,

7 ~~\$799,300.00.~~ **\$758,600.00.**

8 (z) Washtenaw Community College, ~~\$1,680,900.00.~~ **\$1,699,800.00.**

9 (aa) Wayne County Community College,

10 ~~\$1,466,300.00.~~ **\$1,482,800.00.**

11 (bb) West Shore Community College, ~~\$773,100.00.~~ **\$759,600.00.**

12 Sec. 230. (1) ~~Money~~ **With the exception of fiscal year 2020-**

13 **2021, money** included in the appropriations for community college

14 operations under section 201(2) ~~in fiscal year 2019-2020~~ for

15 performance funding is distributed based on the following formula:

16 (a) Allocated proportionate to fiscal year 2018-2019 base  
17 appropriations, 30%.

18 (b) Based on a weighted student contact hour formula as  
19 provided for in the 2016 recommendations of the performance  
20 indicators task force, ~~25%.~~ **30%.**

21 (c) Based on the performance improvement as provided for in  
22 the 2016 recommendations of the performance indicators task force  
23 and based on data provided by the center, 10%.

24 (d) Based on the performance completion number as provided for  
25 in the 2016 recommendations of the performance indicators task  
26 force, 10%.

27 (e) Based on the performance completion rate as provided for  
28 in the 2016 recommendations of the performance indicators task  
29 force and based on data provided by the center, 10%.



1 (f) Based on administrative costs, 5%.

2 (g) Based on the local strategic value component, as developed  
3 in cooperation with the Michigan Community College Association and  
4 described in subsection (2), 5%.

5 ~~(h) Based on the 6 community colleges with the lowest taxable~~  
6 ~~values in the 2017-2018 Michigan community college data inventory~~  
7 ~~report, weighted by fiscal year equated students, 5%.~~

8 (2) Money included in the appropriations for community college  
9 operations under section 201(2) for local strategic value shall be  
10 allocated to each community college that certifies to the state  
11 budget director, through a board of trustees resolution on or  
12 before October 15, ~~2019~~, **2020**, that the college has met 4 out of 5  
13 best practices listed in each category described in subsection (3).  
14 The resolution shall provide specifics as to how the community  
15 college meets each best practice measure within each category. One-  
16 third of funding available under the strategic value component  
17 shall be allocated to each category described in subsection (3).  
18 Amounts distributed under local strategic value shall be on a  
19 proportionate basis to each college's fiscal year ~~2018-2019~~ **2019-**  
20 **2020** operations funding. Payments to community colleges that  
21 qualify for local strategic value funding shall be distributed with  
22 the November installment payment described in section 206.

23 (3) For purposes of subsection (2), the following categories  
24 of best practices reflect functional activities of community  
25 colleges that have strategic value to the local communities and  
26 regional economies:

27 (a) For Category A, economic development and business or  
28 industry partnerships, the following:

29 (i) The community college has active partnerships with local



1 employers including hospitals and health care providers.

2 (ii) The community college provides customized on-site training  
3 for area companies, employees, or both.

4 (iii) The community college supports entrepreneurship through a  
5 small business assistance center or other training or consulting  
6 activities targeted toward small businesses.

7 (iv) The community college supports technological advancement  
8 through industry partnerships, incubation activities, or operation  
9 of a Michigan technical education center or other advanced  
10 technology center.

11 (v) The community college has active partnerships with local  
12 or regional workforce and economic development agencies.

13 (b) For Category B, educational partnerships, the following:

14 (i) The community college has active partnerships with regional  
15 high schools, intermediate school districts, and career-tech  
16 centers to provide instruction through dual enrollment, concurrent  
17 enrollment, direct credit, middle college, or academy programs.

18 (ii) The community college hosts, sponsors, or participates in  
19 enrichment programs for area K-12 students, such as college days,  
20 summer or after-school programming, or Science Olympiad.

21 (iii) The community college provides, supports, or participates  
22 in programming to promote successful transitions to college for  
23 traditional age students, including grant programs such as talent  
24 search, upward bound, or other activities to promote college  
25 readiness in area high schools and community centers.

26 (iv) The community college provides, supports, or participates  
27 in programming to promote successful transitions to college for new  
28 or reentering adult students, such as adult basic education, a high  
29 school equivalency test preparation program and testing, or



1 recruiting, advising, or orientation activities specific to adults.  
2 As used in this subparagraph, "high school equivalency test  
3 preparation program" means that term as defined in section 4.

4 (v) The community college has active partnerships with  
5 regional 4-year colleges and universities to promote successful  
6 transfer, such as articulation, 2+2, or reverse transfer agreements  
7 or operation of a university center.

8 (c) For Category C, community services, the following:

9 (i) The community college provides continuing education  
10 programming for leisure, wellness, personal enrichment, or  
11 professional development.

12 (ii) The community college operates or sponsors opportunities  
13 for community members to engage in activities that promote leisure,  
14 wellness, cultural or personal enrichment such as community sports  
15 teams, theater or musical ensembles, or artist guilds.

16 (iii) The community college operates public facilities to  
17 promote cultural, educational, or personal enrichment for community  
18 members, such as libraries, computer labs, performing arts centers,  
19 museums, art galleries, or television or radio stations.

20 (iv) The community college operates public facilities to  
21 promote leisure or wellness activities for community members,  
22 including gymnasiums, athletic fields, tennis courts, fitness  
23 centers, hiking or biking trails, or natural areas.

24 (v) The community college promotes, sponsors, or hosts  
25 community service activities for students, staff, or community  
26 members.

27 (4) Payments for performance funding under section 201(2)  
28 shall be made to a community college only if that community college  
29 actively participates in the Michigan Transfer Network sponsored by



1 the Michigan Association of Collegiate Registrars and Admissions  
 2 Officers and submits timely updates, including updated course  
 3 equivalencies at least every 6 months, to the Michigan transfer  
 4 network. The state budget director shall determine if a community  
 5 college has not satisfied this requirement. The state budget  
 6 director may withhold payments for performance funding until a  
 7 community college is in compliance with this section.

8 Sec. 236. (1) Subject to the conditions set forth in this  
 9 article, the amounts listed in this section are appropriated for  
 10 higher education for the fiscal year ending September 30, ~~2020,~~  
 11 **2021**, from the funds indicated in this section. The following is a  
 12 summary of the appropriations in this section: ~~and 236g:~~

13 (a) The gross appropriation is ~~\$1,691,395,000.00.~~  
 14 **\$1,699,925,400.00**. After deducting total interdepartmental grants  
 15 and intradepartmental transfers in the amount of \$0.00, the  
 16 adjusted gross appropriation is  
 17 ~~\$1,691,395,000.00.~~ **\$1,699,925,400.00.**

18 (b) The sources of the adjusted gross appropriation described  
 19 in subdivision (a) are as follows:

20 (i) Total federal revenues, ~~\$297,753,000.00.~~ **\$126,026,400.00.**

21 (ii) Total local revenues, \$0.00.

22 (iii) Total private revenues, \$0.00.

23 (iv) Total other state restricted revenues,  
 24 ~~\$185,692,700.00.~~ **\$356,063,300.00.**

25 (v) State general fund/general purpose money,  
 26 ~~\$1,207,949,300.00.~~ **\$1,217,835,700.00.**

27 (2) Amounts appropriated for public universities are as  
 28 follows:

29 (a) The appropriation for Central Michigan University is





1 ~~\$79,406,800.00, \$77,335,600.00~~ **\$89,564,500.00, \$87,600,000.00** for  
 2 operations, ~~\$473,100.00~~ **\$0.00** for performance funding, and  
 3 ~~\$1,598,100.00~~ **\$1,964,500.00** for costs incurred under the North  
 4 American Indian tuition waiver.

5 (b) The appropriation for Eastern Michigan University is  
 6 ~~\$68,897,800.00, \$68,207,300.00~~ **\$77,555,200.00, \$77,253,700.00** for  
 7 operations, ~~\$388,200.00~~ **\$0.00** for performance funding, and  
 8 ~~\$302,300.00~~ **\$301,500.00.00** for costs incurred under the North  
 9 American Indian tuition waiver.

10 (c) The appropriation for Ferris State University is  
 11 ~~\$49,865,900.00, \$48,598,300.00~~ **\$55,934,300.00, \$55,025,500.00** for  
 12 operations, ~~\$260,300.00~~ **\$0.00** for performance funding, and  
 13 ~~\$1,007,300.00~~ **\$908,800.00.00** for costs incurred under the North  
 14 American Indian tuition waiver.

15 (d) The appropriation for Grand Valley State University is  
 16 ~~\$65,284,000.00, \$63,735,600.00~~ **\$73,490,700.00, \$72,313,500.00** for  
 17 operations, ~~\$473,400.00~~ **\$0.00** for performance funding, and  
 18 ~~\$1,075,000.00~~ **\$1,177,200.00** for costs incurred under the North  
 19 American Indian tuition waiver.

20 (e) The appropriation for Lake Superior State University is  
 21 ~~\$12,858,400.00, \$11,853,200.00~~ **\$15,252,100.00, \$13,307,000.00** for  
 22 operations, ~~\$51,200.00~~ **\$0.00** for performance funding, and  
 23 ~~\$954,000.00~~ **\$945,100.00** for costs incurred under the North American  
 24 Indian tuition waiver, **and \$1,000,000.00 for a 1-time pass-through**  
 25 **payment for Bay Mills Community College.**

26 (f) The appropriation for Michigan State University is  
 27 ~~\$321,670,300.00, \$253,773,700.00~~ **\$354,009,100.00, \$287,331,700.00**  
 28 for operations, ~~\$1,355,500.00~~ **\$0.00** for performance funding,  
 29 ~~\$1,467,700.00~~ **\$1,604,000.00** for costs incurred under the North



1 American Indian tuition waiver, \$34,937,300.00 for MSU  
2 AgBioResearch, and \$30,136,100.00 for MSU Extension.

3 (g) The appropriation for Michigan Technological University is  
4 ~~\$44,953,000.00, \$44,250,000.00~~ **\$50,795,200.00, \$50,101,600.00** for  
5 operations, ~~\$236,500.00~~ **\$0.00** for performance funding, and  
6 ~~\$466,500.00~~ **\$693,600.00** for costs incurred under the North American  
7 Indian tuition waiver.

8 (h) The appropriation for Northern Michigan University is  
9 ~~\$43,550,900.00, \$42,244,100.00~~ **\$48,869,700.00, \$47,809,100.00** for  
10 operations, ~~\$206,800.00~~ **\$0.00** for performance funding, and  
11 ~~\$1,100,000.00~~ **\$1,060,600.00** for costs incurred under the North  
12 American Indian tuition waiver.

13 (i) The appropriation for Oakland University is  
14 ~~\$47,476,000.00, \$46,811,300.00~~ **\$53,413,500.00, \$53,147,400.00** for  
15 operations, ~~\$379,600.00~~ **\$0.00** for performance funding, and  
16 ~~\$285,100.00~~ **\$266,100.00** for costs incurred under the North American  
17 Indian tuition waiver.

18 (j) The appropriation for Saginaw Valley State University is  
19 ~~\$27,380,000.00, \$27,043,100.00~~ **\$30,803,300.00, \$30,583,800.00** for  
20 operations, ~~\$113,000.00~~ **\$0.00** for performance funding, and  
21 ~~\$223,900.00~~ **\$219,500.00** for costs incurred under the North American  
22 Indian tuition waiver.

23 (k) The appropriation for University of Michigan - Ann Arbor  
24 is ~~\$286,689,000.00, \$284,363,300.00~~ **\$322,931,100.00,**  
25 **\$321,970,100.00** for operations, ~~\$1,522,200.00~~ **\$0.00** for performance  
26 funding, and ~~\$803,500.00~~ **\$961,000.00** for costs incurred under the  
27 North American Indian tuition waiver.

28 (l) The appropriation for University of Michigan - Dearborn is  
29 ~~\$23,394,600.00, \$23,074,000.00~~ **\$26,334,800.00, \$26,167,000.00** for



1 operations, ~~\$160,400.00~~ **\$0.00** for performance funding, and  
 2 ~~\$160,200.00~~ **\$167,800.00** for costs incurred under the North American  
 3 Indian tuition waiver.

4 (m) The appropriation for University of Michigan - Flint is  
 5 ~~\$21,246,400.00, \$20,860,700.00~~ **\$23,964,400.00, \$23,616,200.00** for  
 6 operations, ~~\$108,700.00~~ **\$0.00** for performance funding, and  
 7 ~~\$277,000.00~~ **\$348,200.00** for costs incurred under the North American  
 8 Indian tuition waiver.

9 (n) The appropriation for Wayne State University is  
 10 ~~\$180,663,300.00, \$179,461,100.00~~ **\$203,458,900.00, \$202,996,700.00**  
 11 for operations, ~~\$785,000.00~~ **\$0.00** for performance funding, and  
 12 ~~\$417,200.00~~ **\$462,200.00** for costs incurred under the North American  
 13 Indian tuition waiver.

14 (o) The appropriation for Western Michigan University is  
 15 ~~\$99,791,300.00, \$98,538,400.00~~ **\$112,363,900.00, \$111,522,200.00** for  
 16 operations, ~~\$485,000.00~~ **\$0.00** for performance funding, and  
 17 ~~\$767,900.00~~ **\$841,700.00** for costs incurred under the North American  
 18 Indian tuition waiver.

19 (3) The amount appropriated in subsection (2) for public  
 20 universities is ~~\$1,373,127,700.00,~~ **\$1,538,740,700.00**, appropriated  
 21 from the following:

22 (a) State school aid fund, ~~\$179,441,700.00~~ **\$343,168,300.00**.

23 (b) State general fund/general purpose money,  
 24 ~~\$1,193,686,000.00~~ **\$1,195,572,400.00**.

25 (4) The amount appropriated for Michigan public school  
 26 employees' retirement system reimbursement is ~~\$5,017,000.00,~~  
 27 **\$11,695,000.00**, appropriated from the state school aid fund.

28 (5) The amount appropriated for state and regional programs is  
 29 \$315,000.00, appropriated from general fund/general purpose money



1 and allocated as follows:

2 (a) Higher education database modernization and conversion,  
3 \$200,000.00.

4 (b) Midwestern Higher Education Compact, \$115,000.00.

5 (6) The amount appropriated for the Martin Luther King, Jr. -  
6 Cesar Chavez - Rosa Parks program is \$2,691,500.00, appropriated  
7 from general fund/general purpose money and allocated as follows:

8 (a) Select student support services, \$1,956,100.00.

9 (b) Michigan college/university partnership program,  
10 \$586,800.00.

11 (c) Morris Hood, Jr. educator development program,  
12 \$148,600.00.

13 (7) Subject to subsection (8), the amount appropriated for  
14 grants and financial aid is \$145,283,200.00, allocated as follows:

15 (a) State competitive scholarships, \$29,861,700.00.

16 (b) Tuition grants, \$42,021,500.00.

17 (c) Tuition incentive program, \$68,800,000.00.

18 (d) Children of veterans and officer's survivor tuition grant  
19 programs, \$1,400,000.00.

20 (e) Project GEAR-UP, \$3,200,000.00.

21 (8) The money appropriated in subsection (7) for grants and  
22 financial aid is appropriated from the following:

23 (a) Federal revenues under the United States Department of  
24 Education, Office of Elementary and Secondary Education, GEAR-UP  
25 program, \$3,200,000.00.

26 (b) Federal revenues under the social security act, temporary  
27 assistance for needy families, ~~\$130,826,400.00.~~ **\$122,826,400.00.**

28 (c) State general fund/general purpose money,  
29 ~~\$11,256,800.00.~~ **\$19,256,800.00.**



1 (9) For fiscal year ~~2019-2020~~**2020-2021** only, in addition to  
 2 the allocation under subsection (4), from the appropriations  
 3 described in subsection (1), there is allocated an amount not to  
 4 exceed ~~\$1,234,000.00~~**\$1,200,000.00** for payments to participating  
 5 public universities, appropriated from the state school aid fund. A  
 6 university that receives money under this subsection shall use that  
 7 money solely for the purpose of offsetting the normal cost  
 8 contribution rate. As used in this subsection, "participating  
 9 public universities" means public universities that are a reporting  
 10 unit of the Michigan public school employees' retirement system  
 11 under the public school employees retirement act of 1979, 1980 PA  
 12 300, MCL 38.1301 to 38.1437, and that pay contributions to the  
 13 Michigan public school employees' retirement system for the state  
 14 fiscal year.

15 ~~(10) If the department of technology, management, and budget~~  
 16 ~~determines that this state has overpaid the amount of operations~~  
 17 ~~and performance funding allocated to a university under this~~  
 18 ~~article, the department shall establish as a receivable the amount~~  
 19 ~~of overpayment and shall recoup the amount from the university in~~  
 20 ~~subsequent monthly apportionments of operations and performance~~  
 21 ~~funding. The full amount of overpayment must be recouped within 1~~  
 22 ~~fiscal year.~~

23 Sec. 236b. In addition to the funds appropriated in section  
 24 236, there is appropriated for grants and financial aid in fiscal  
 25 year ~~2019-2020~~**2020-2021** an amount not to exceed \$6,000,000.00 for  
 26 federal contingency funds. These funds are not available for  
 27 expenditure until they have been transferred under section 393(2)  
 28 of the management and budget act, 1984 PA 431, MCL 18.1393, for  
 29 another purpose under this article.



1           Sec. 236c. In addition to the funds appropriated for fiscal  
 2 year ~~2019-2020-2020-2021~~ in section 236, appropriations to the  
 3 department of technology, management, and budget in the act  
 4 providing general appropriations for fiscal year ~~2019-2020-2020-~~  
 5 **2021** for state building authority rent, totaling an estimated  
 6 ~~\$144,995,300.00~~ **\$145,848,500.00** provide funding for the state share  
 7 of costs for previously constructed capital projects for state  
 8 universities. These appropriations for state building authority  
 9 rent represent additional state general fund support provided to  
 10 public universities, and the following is an estimate of the amount  
 11 of that support to each university:

12           (a) Central Michigan University,

13 ~~\$12,141,800.00~~ **\$13,078,900.00.**

14           (b) Eastern Michigan University, ~~\$7,673,600.00~~ **\$7,074,300.00.**

15           (c) Ferris State University, ~~\$8,434,200.00~~ **\$7,939,200.00.**

16           (d) Grand Valley State University,

17 ~~\$6,752,400.00~~ **\$7,229,800.00.**

18           (e) Lake Superior State University,

19 ~~\$1,856,100.00~~ **\$1,805,200.00.**

20           (f) Michigan State University, ~~\$15,514,900.00~~ **\$15,199,500.00.**

21           (g) Michigan Technological University,

22 ~~\$6,912,500.00~~ **\$6,805,300.00.**

23           (h) Northern Michigan University, ~~\$7,449,600.00~~ **\$7,334,200.00.**

24           (i) Oakland University, ~~\$12,908,600.00~~ **\$12,708,600.00.**

25           (j) Saginaw Valley State University,

26 ~~\$10,670,900.00~~ **\$7,907,100.00.**

27           (k) University of Michigan - Ann Arbor,

28 ~~\$9,795,900.00~~ **\$9,644,100.00.**

29           (l) University of Michigan - Dearborn,



1 ~~\$9,522,700.00.~~ **\$11,106,100.00.**

2 (m) University of Michigan - Flint,

3 ~~\$4,128,900.00.~~ **\$6,413,000.00.**

4 (n) Wayne State University, ~~\$16,008,000.00.~~ **\$16,610,900.00.**

5 (o) Western Michigan University,

6 ~~\$15,225,200.00.~~ **\$14,989,300.00.**

7 Sec. 237b. As used in this article, ÷

8 ~~(a) "Center"~~ **"center"** means the center for educational  
9 performance and information created in section 94a.

10 ~~(b) "Workforce development agency" means the workforce~~  
11 ~~development agency within the department of talent and economic~~  
12 ~~development--talent investment agency.~~

13 Sec. 238. Unless otherwise specified, a public university  
14 receiving appropriations in section 236 shall use the internet to  
15 fulfill the reporting requirements of this article. This  
16 requirement ~~may include~~ **includes** transmission of reports via  
17 electronic mail to the recipients identified for each reporting  
18 requirement ~~, or it may include~~ **and** placement of reports on an  
19 internet ~~or intranet~~ site.

20 Sec. 241. (1) Subject to sections 244 and 265a, the funds  
21 appropriated in section 236 to public universities shall be paid  
22 out of the state treasury and distributed by the state treasurer to  
23 the respective institutions in 11 equal monthly installments on the  
24 sixteenth of each month, or the next succeeding business day,  
25 beginning with October 16, ~~2019.~~ **2020.** Except for Wayne State  
26 University, each institution shall accrue its July and August ~~2020~~  
27 **2021** payments to its institutional fiscal year ending June 30,  
28 ~~2020.~~ **2021.**

29 (2) All public universities shall submit higher education



1 institutional data inventory (HEIDI) data and associated financial  
 2 and program information requested by and in a manner prescribed by  
 3 the state budget director. For public universities with fiscal  
 4 years ending June 30, 2019, these data shall be submitted to the  
 5 state budget director by ~~October~~ **November** 15, ~~2019~~. **for fiscal**  
 6 **year 2020-2021 and October 15 of each fiscal year thereafter.**

7 Public universities with a fiscal year ending September 30, 2019  
 8 **2020** shall submit preliminary HEIDI data by November 15, ~~2019~~ **2020**  
 9 and final data by December 15, ~~2019~~ **2020**. If a public university  
 10 fails to submit HEIDI data and associated financial aid program  
 11 information in accordance with this reporting schedule, the state  
 12 treasurer may withhold the monthly installments under subsection  
 13 (1) to the public university until those data are submitted.

14 Sec. 242. Funds received by the state from the federal  
 15 government or private sources for the use of a college or  
 16 university are appropriated for the purposes for which they are  
 17 provided. ~~The acceptance and use of federal or private funds do not~~  
 18 ~~place an obligation on the legislature to continue the purposes for~~  
 19 ~~which the funds are made available.~~

20 Sec. 245. (1) A public university shall maintain a public  
 21 transparency website available through a link on its website  
 22 homepage. The public university shall update this website within 30  
 23 days after the university's governing board adopts its annual  
 24 operating budget for the next academic year, or after the governing  
 25 board adopts a subsequent revision to that budget.

26 (2) The website required under subsection (1) shall include  
 27 all of the following concerning the public university:

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





1 (b) A summary of current expenditures for the most recent  
2 fiscal year for which they are available, expressed as pie charts  
3 in the following 2 categories:

4 (i) A chart of personnel expenditures, broken into the  
5 following subcategories:

6 (A) Earnings and wages.

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

10 (C) Retirement benefit costs.

11 (D) All other personnel costs.

12 (ii) A chart of all current expenditures the public university  
13 reported as part of its higher education institutional data  
14 inventory data under section 241(2), broken into the same  
15 subcategories in which it reported those data.

16 (c) Links to all of the following for the public university:

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

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

24 (iii) Audits and financial reports for the most recent fiscal  
25 year for which they are available.

26 (d) A list of all positions funded partially or wholly through  
27 institutional general fund revenue that includes the position title  
28 and annual salary or wage amount for each position.

29 (e) General fund revenue and expenditure projections for the



1 current fiscal year and the next fiscal year.

2 (f) A listing of all debt service obligations, detailed by  
3 project, anticipated fiscal year payment for each project, and  
4 total outstanding debt for the current fiscal year.

5 (g) The institution's policy regarding the transferability of  
6 core college courses between community colleges and the university.

7 (h) A listing of all community colleges that have entered into  
8 reverse transfer agreements with the university.

9 (3) On the website required under subsection (1), a public  
10 university shall provide a dashboard or report card demonstrating  
11 the university's performance in several "best practice" measures.  
12 The dashboard or report card shall include at least all of the  
13 following for the 3 most recent academic years for which the data  
14 are available:

15 (a) Enrollment.

16 (b) Student retention rate.

17 (c) Six-year graduation rates.

18 (d) Number of Pell grant recipients and graduating Pell grant  
19 recipients.

20 (e) Geographic origination of students, categorized as in-  
21 state, out-of-state, and international.

22 (f) Faculty to student ratios and total university employee to  
23 student ratios.

24 (g) Teaching load by faculty classification.

25 (h) Graduation outcome rates, including employment and  
26 continuing education.

27 (4) For statewide consistency and public visibility, public  
28 universities must use the icon badge provided by the department of  
29 technology, management, and budget consistent with the icon badge



1 developed by the department of education for K-12 school districts.  
2 It must appear on the front of each public university's homepage.  
3 The size of the icon may be reduced to 150 x 150 pixels. The font  
4 size and style for this reporting must be consistent with other  
5 documents on each university's website.

6 (5) The state budget director shall determine whether a public  
7 university has complied with this section. The state budget  
8 director may withhold a public university's monthly installments  
9 described in section 241 until the public university complies with  
10 this section.

11 (6) By the first business day of November of each year, a  
12 public university shall ~~report the following information to the~~  
13 ~~center and~~ post the **following** information on its website under the  
14 budget transparency icon badge:

15 (a) Opportunities for earning college credit through the  
16 following programs:

17 (i) State approved career and technical education or a tech  
18 prep articulated program of study.

19 (ii) Direct college credit or concurrent enrollment.

20 (iii) Dual enrollment.

21 (iv) An early college/middle college program.

22 (b) For each program described in subdivision (a) that the  
23 public university offers, all of the following information:

24 (i) The number of high school students participating in the  
25 program.

26 (ii) The number of school districts that participate in the  
27 program with the public university.

28 (iii) Whether a university professor, qualified local school  
29 district employee, or other individual teaches the course or



1 courses in the program.

2 (iv) The total cost to the public university to operate the  
3 program.

4 (v) The cost per credit hour for the course or courses in the  
5 program.

6 (vi) The location where the course or courses in the program  
7 are held.

8 (vii) Instructional resources offered to the program  
9 instructors.

10 (viii) Resources offered to the student in the program.

11 (ix) Transportation services provided to students in the  
12 program.

13 (7) A public university shall collect and report the number  
14 and percentage of all enrolled students who complete the Free  
15 Application for Federal Student Aid, broken out by undergraduate  
16 and graduate/professional classifications, to the center and post  
17 the information on its website under the budget transparency icon  
18 badge.

19 Sec. 245a. (1) A public university shall develop, maintain,  
20 and update a "campus safety information and resources" link,  
21 prominently displayed on the homepage of its website, to a section  
22 of its website containing all of the information required under  
23 subsection (2).

24 (2) The "campus safety information and resources" section of a  
25 public university's website shall include, but not be limited to,  
26 all of the following information:

27 (a) Emergency contact numbers for police, fire, health, and  
28 other services.

29 (b) Hours, locations, phone numbers, and electronic mail



1 contacts for campus public safety offices and title IX offices.

2 (c) A listing of safety and security services provided by the  
3 university, including transportation, escort services, building  
4 surveillance, anonymous tip lines, and other available security  
5 services.

6 (d) A public university's policies applicable to minors on  
7 university property.

8 (e) A directory of resources available at the university or  
9 surrounding community for students or employees who are survivors  
10 of sexual assault or sexual abuse.

11 (f) An electronic copy of "A Resource Handbook for Campus  
12 Sexual Assault Survivors, Friends and Family", published in 2018.  
13 ~~by the office of the governor in conjunction with the first lady of~~  
14 ~~Michigan.~~

15 (g) Campus security policies and crime statistics pursuant to  
16 the student right-to-know and campus security act, Public Law 101-  
17 542, 104 Stat 2381. Information shall include all material prepared  
18 pursuant to the public information reporting requirements under the  
19 crime awareness and campus security act of 1990, title II of the  
20 student right-to-know and campus security act, Public Law 101-542,  
21 104 Stat 2381.

22 (3) A public university shall certify to the state budget  
23 director by October 1, ~~2019 and the last business day of each~~  
24 ~~August thereafter~~ **2020** that it is in compliance with this section.  
25 The state budget director may withhold a public university's  
26 monthly installments described in section 241 until the public  
27 university complies with this section.

28 Sec. 256. (1) The funds appropriated in section 236 for the  
29 tuition incentive program must be distributed as provided in this



1 section and pursuant to the administrative procedures for the  
2 tuition incentive program of the department of treasury.

3 (2) As used in this section:

4 (a) "Phase I" means the first part of the tuition incentive  
5 program defined as the academic period of 80 semester or 120 term  
6 credits, or less, leading to an associate degree or certificate.  
7 Students must be enrolled in a certificate or associate degree  
8 program and taking classes within the program of study for a  
9 certificate or associate degree. Tuition will not be covered for  
10 courses outside of a certificate or associate degree program.

11 (b) "Phase II" means the second part of the tuition incentive  
12 program that provides assistance in the third and fourth year of 4-  
13 year degree programs.

14 (c) "Department" means the department of treasury.

15 (d) "High school equivalency certificate" means that term as  
16 defined in section 4.

17 (3) An individual must meet the following basic criteria and  
18 financial thresholds to be eligible for tuition incentive program  
19 benefits:

20 (a) To be eligible for phase I, an individual must meet all of  
21 the following criteria:

22 ~~(i) Apply for certification to the department any time after he~~  
23 ~~or she begins the sixth grade but before August 31 of the school~~  
24 ~~year in which he or she graduates from high school or before~~  
25 ~~achieving a high school equivalency certificate. However, an~~  
26 ~~individual who graduated or achieved a high school equivalency~~  
27 ~~certificate after March 15, 2020 and before September 1, 2020 may~~  
28 ~~apply for certification to the department any time before August~~  
29 ~~31, 2021.~~



1           (i) ~~(ii)~~—Be less than 20 years of age at the time he or she  
 2 graduates from high school with a diploma or certificate of  
 3 completion or achieves a high school equivalency certificate or,  
 4 for students attending a 5-year middle college approved by the  
 5 Michigan department of education, be less than 21 years of age when  
 6 he or she graduates from high school.

7           (ii) ~~(iii)~~—Be a United States citizen and a resident of this  
 8 state according to institutional criteria.

9           (iii) ~~(iv)~~—Be at least a half-time student, earning less than 80  
 10 semester or 120 term credits at a participating educational  
 11 institution within 4 years of high school graduation or achievement  
 12 of a high school equivalency certificate. All program eligibility  
 13 expires ~~6 years from high school graduation or achievement of a~~  
 14 ~~high school equivalency certificate.~~ **10 years after initial**  
 15 **enrollment at a participating educational institution.**

16           (iv) ~~(v)~~—Meet the satisfactory academic progress policy of the  
 17 educational institution he or she attends.

18           (b) To be eligible for phase II, an individual must meet  
 19 either of the following criteria in addition to the criteria in  
 20 subdivision (a):

21           (i) Complete at least 56 transferable semester or 84  
 22 transferable term credits.

23           (ii) Obtain an associate degree or certificate at a  
 24 participating institution.

25           (c) To be eligible for phase I or phase II, an individual must  
 26 be financially eligible as determined by the department. An  
 27 individual is financially eligible for the tuition incentive  
 28 program if he or she was eligible for Medicaid from this state for  
 29 24 months within the 36 consecutive months before application. The



1 department shall accept certification of Medicaid eligibility only  
 2 from the department of health and human services for the purposes  
 3 of verifying if a person is Medicaid eligible for 24 months within  
 4 the 36 consecutive months before application. Certification of  
 5 eligibility may begin in the sixth grade.

6 (4) For phase I, the department shall provide payment on  
 7 behalf of a person eligible under subsection (3). The department  
 8 shall only accept standard per-credit hour tuition billings and  
 9 shall reject billings that are excessive or outside the guidelines  
 10 for the type of educational institution.

11 (5) For phase I, all of the following apply:

12 (a) Payments for associate degree or certificate programs must  
 13 not be made for more than 80 semester or 120 term credits for any  
 14 individual student at any participating institution.

15 (b) For persons enrolled at a Michigan community college, the  
 16 department shall pay the current in-district tuition and mandatory  
 17 fees. For persons residing in an area that is not included in any  
 18 community college district, the out-of-district tuition rate may be  
 19 authorized.

20 (c) For persons enrolled at a Michigan public university, the  
 21 department shall pay lower division resident tuition and mandatory  
 22 fees for the current year.

23 (d) For persons enrolled at a Michigan independent, nonprofit  
 24 degree-granting college or university, or a Michigan federal  
 25 tribally controlled community college, or Focus: HOPE, the  
 26 department shall pay mandatory fees for the current year and a per-  
 27 credit payment that does not exceed the average community college  
 28 in-district per-credit tuition rate as reported ~~on August 1,~~ **by the**  
 29 **last business day of August** for the immediately preceding academic





1 year.

2 (6) A person participating in phase II may be eligible for  
3 additional funds not to exceed \$500.00 per semester or \$400.00 per  
4 term up to a maximum of \$2,000.00 subject to the following  
5 conditions:

6 (a) Credits are earned in a 4-year program at a Michigan  
7 degree-granting 4-year college or university.

8 (b) The tuition reimbursement is for coursework completed  
9 within 30 months of completion of the phase I requirements.

10 (7) The department shall work closely with participating  
11 institutions to ~~develop an application and eligibility~~  
12 ~~determination process that will provide~~ the highest level of  
13 participation and ensure that all requirements of the program are  
14 met.

15 (8) ~~Applications for the tuition incentive program may be~~  
16 ~~approved at any time after the student begins the sixth grade. If a~~  
17 ~~determination of financial eligibility is made, that determination~~  
18 ~~is valid as long as the student meets all other program~~  
19 ~~requirements and conditions.~~ **The department shall notify students of**  
20 **their financial eligibility for the program any time after the**  
21 **student begins sixth grade.**

22 (9) Except as otherwise provided in section 3(d) of the  
23 Michigan reconnect grant act, 2020 PA 84, MCL 390.1703, and section  
24 17 of the Michigan reconnect grant recipient act, 2020 PA 68, MCL  
25 390.1717, each institution shall ensure that all known available  
26 restricted grants for tuition and fees are used prior to billing  
27 the tuition incentive program for any portion of a student's  
28 tuition and fees.

29 (10) The department shall ensure that the tuition incentive



1 program is well publicized and that eligible Medicaid clients are  
 2 provided information on the program. The department shall provide  
 3 the necessary funding and staff to fully operate the program.

4 ~~(11) Any unexpended and unencumbered funds remaining on~~  
 5 ~~September 30, 2020 from the amounts appropriated in section 236 for~~  
 6 ~~the tuition incentive program for fiscal year 2019-2020 do not~~  
 7 ~~lapse on September 30, 2020, but continue to be available for~~  
 8 ~~expenditure for tuition incentive program funds under a work~~  
 9 ~~project account.~~

10 (11) ~~(12)~~ The department of treasury shall collaborate with  
 11 the center to use the P-20 longitudinal data system to report the  
 12 following information for each qualified postsecondary institution:

13 (a) The number of phase I students in the most recently  
 14 completed academic year who in any academic year received a tuition  
 15 incentive program award and who successfully completed a degree or  
 16 certificate program. Cohort graduation rates for phase I students  
 17 shall be calculated using the established success rate methodology  
 18 developed by the center in collaboration with the postsecondary  
 19 institutions.

20 (b) The number of students in the most recently completed  
 21 academic year who in any academic year received a Pell grant at the  
 22 reporting institution and who successfully completed a degree or  
 23 certificate program. Cohort graduation rates for students who  
 24 received Pell grants must be calculated using the established  
 25 success rate methodology developed by the center in collaboration  
 26 with the postsecondary institutions.

27 ~~(13) If a qualified postsecondary institution does not report~~  
 28 ~~the data necessary to comply with subsection (12) to the P-20~~  
 29 ~~longitudinal data system, the institution shall report, in a form~~



1 ~~and manner satisfactory to the department of treasury and the~~  
 2 ~~center, all of the information needed to comply with subsection~~  
 3 ~~(12) by December 1, 2020.~~

4 **(12)** ~~(14)~~ Beginning in fiscal year 2020-2021, if a qualified  
 5 postsecondary institution does not report the data necessary to  
 6 complete the reporting in subsection ~~(12)~~ **(11)** to the P-20  
 7 longitudinal data system by October 15 for the prior academic year,  
 8 the department of treasury shall not award phase I tuition  
 9 incentive program funding to otherwise eligible students enrolled  
 10 in that institution until the data are submitted.

11 **Sec. 259. It is the intent of the legislature that the**  
 12 **department of treasury launch an aggressive campaign to inform high**  
 13 **school students about the financial aid programs offered by this**  
 14 **state and the eligibility requirements for participation in those**  
 15 **financial aid programs.**

16 **Sec. 260. (1) The department of treasury shall work with**  
 17 **student and postsecondary education groups, including the Michigan**  
 18 **College Access Network, the Michigan Association of State**  
 19 **Universities, the Michigan Community College Association, and the**  
 20 **Michigan Independent Colleges and Universities, to provide an**  
 21 **online informational resource for prospective and current student**  
 22 **loan borrowers. The online informational resource must be a website**  
 23 **or a portion of an existing website designed and maintained by the**  
 24 **department of treasury that, to the extent practicable, contains**  
 25 **information including, but not limited to, all of the following:**

26 **(a) A list of public and private community support centers,**  
 27 **student debt clinics, and other organizations and their contact**  
 28 **information submitted by Michigan College Access Network that**  
 29 **provides free information and services for student loan borrowers**



1 to help educate them about repayment options and to help them  
2 access student loan programs or benefits for which they may be  
3 eligible.

4 (b) Links to state and federal financial aid programs,  
5 including FAFSA and College Scorecard.

6 (c) Benefits of federal student loans that may no longer be  
7 available if a borrower refinances a loan.

8 (d) Links to net price calculators for community colleges  
9 receiving an appropriation in section 201 and universities  
10 receiving an appropriation in section 236, if available.

11 (e) A list of loan servicers, including FAFSA.gov for federal  
12 loans, and contact information for each and for federally held  
13 loans made through the William D. Ford Federal Direct Loan Program  
14 and the Federal Family Education Loan Program.

15 (f) Information on the fundamentals of borrowing and  
16 repayment, including, but not limited to, all of the following:

17 (i) Types of student loans and repayment options, including  
18 income-driven repayment, and a listing of employers in this state  
19 offering employment eligible for public service loan-forgiveness.

20 (ii) Deciding how much to borrow.

21 (iii) Creating a plan for borrowing and repayment.

22 (iv) Estimating how much borrowing is needed for a given school  
23 year.

24 (v) Evaluating financial aid offers.

25 (vi) Factors that affect total student loan costs.

26 (vii) Tips for graduating with less student loan debt.

27 (viii) A loan payment calculator or a link to a loan payment  
28 calculator that can be used for different types of loans.



1 (ix) Links to federal student loan entrance and exit counseling  
2 services and the FACT tool.

3 (x) Student loan debt relief scams.

4 (g) A list of student loan providers in this state.

5 (2) A university receiving an appropriation in section 236  
6 shall place a prominent link to the website created under this  
7 section on its website homepage.

8 (3) Independent colleges and universities in this state are  
9 encouraged to place a link to the website created under this  
10 section on their website homepages.

11 Sec. 263. (1) Included in the appropriation in section 236 for  
12 fiscal year ~~2019-2020-2020-2021~~ for MSU AgBioResearch is  
13 \$2,982,900.00 and included in the appropriation in section 236 for  
14 MSU Extension is \$2,645,200.00 for Project GREEN. Project GREEN  
15 is intended to address critical regulatory, food safety, economic,  
16 and environmental problems faced by this state's plant-based  
17 agriculture, forestry, and processing industries. "GREEN" is an  
18 acronym for Generating Research and Extension to Meet Environmental  
19 and Economic Needs.

20 (2) The department of agriculture and rural development and  
21 Michigan State University, in consultation with agricultural  
22 commodity groups and other interested parties, shall develop  
23 Project GREEN and its program priorities.

24 Sec. 264. Included in the appropriation in section 236 for  
25 fiscal year ~~2019-2020-2020-2021~~ for Michigan State University is  
26 \$80,000.00 for the Michigan Future Farmers of America Association.  
27 This \$80,000.00 allocation shall not supplant any existing support  
28 that Michigan State University provides to the Michigan Future  
29 Farmers of America Association.



1           Sec. 265. (1) Payments under section 265a for performance  
 2 funding for fiscal years ~~2019-2020, 2020-2021,~~ **2020-2021, 2021-**  
 3 **2022,** and ~~2021-2022-2022-2023~~ shall only be made to a public  
 4 university that certifies to the state budget director by October  
 5 1, ~~2019-2020~~ that its board did not adopt an increase in tuition  
 6 and fee rates for resident undergraduate students after September  
 7 1, ~~2018-2019~~ for the ~~2018-2019-2019-2020~~ academic year and that its  
 8 board will not adopt an increase in tuition and fee rates for  
 9 resident undergraduate students for the ~~2019-2020-2020-2021~~  
 10 academic year that is greater than ~~4.4%-4.25%~~ or ~~\$587.00,~~ **\$586.00,**  
 11 whichever is greater. As used in this subsection:

12           (a) "Fee" means any board-authorized fee that will be paid by  
 13 more than 1/2 of all resident undergraduate students at least once  
 14 during their enrollment at a public university, as described in the  
 15 higher education institutional data inventory (HEIDI) user manual.  
 16 A university increasing a fee that applies to a specific subset of  
 17 students or courses shall provide sufficient information to prove  
 18 that the increase applied to that subset will not cause the  
 19 increase in the average amount of board-authorized total tuition  
 20 and fees paid by resident undergraduate students in the ~~2019-2020~~  
 21 **2020-2021** academic year to exceed the limit established in this  
 22 subsection.

23           (b) "Tuition and fee rate" means the average of full-time  
 24 rates paid by a majority of students in each undergraduate class,  
 25 based on an unweighted average of the rates authorized by the  
 26 university board and actually charged to students, deducting any  
 27 uniformly rebated or refunded amounts, for the 2 semesters with the  
 28 highest levels of full-time equated resident undergraduate  
 29 enrollment during the academic year, as described in the higher



1 education institutional data inventory (HEIDI) user manual.

2 (2) The state budget director shall implement uniform  
 3 reporting requirements to ensure that a public university receiving  
 4 a payment under section 265a for performance funding has satisfied  
 5 the tuition restraint requirements of this section. The state  
 6 budget director shall have the sole authority to determine if a  
 7 public university has met the requirements of this section.  
 8 Information reported by a public university to the state budget  
 9 director under this subsection shall also be reported to the house  
 10 and senate appropriations subcommittees on higher education and the  
 11 house and senate fiscal agencies.

12 (3) Universities that exceed the tuition and fee rate cap  
 13 described in subsection (1) shall not receive a planning or  
 14 construction authorization for a state-funded capital outlay  
 15 project in fiscal years ~~2020-2021, 2021-2022, 2021-2022, 2022-2023,~~  
 16 or ~~2022-2023. 2023-2024.~~

17 (4) Notwithstanding any other provision of this act, the  
 18 legislature may at any time adjust appropriations for a university  
 19 that adopts an increase in tuition and fee rates for resident  
 20 undergraduate students that exceeds the rate cap established in  
 21 subsection (1).

22 Sec. 265b. (1) Appropriations to public universities in  
 23 section 236 for the fiscal year ending September 30, ~~2020-2021~~ for  
 24 operations funding shall be reduced by 10% pursuant to the  
 25 procedures described in subdivision (a) for a public university  
 26 that fails to submit certification to the state budget director,  
 27 the house and senate appropriations subcommittees on higher  
 28 education, and the house and senate fiscal agencies by October 1,  
 29 ~~2019-2020~~ that the university complies with sections 274c and 274d



1 and that it complies with all of the requirements described in  
2 subdivisions (b) to (i), as follows:

3 (a) If a university fails to submit certification, the state  
4 budget director shall withhold 10% of that university's annual  
5 operations funding until the university submits certification. If a  
6 university fails to submit certification by the end of the fiscal  
7 year, the 10% of its annual operations funding that is withheld  
8 shall lapse to the general fund.

9 (b) For title IX investigations of alleged sexual misconduct,  
10 the university prohibits the use of medical experts that have an  
11 actual or apparent conflict of interest.

12 (c) For title IX investigations of alleged sexual misconduct,  
13 the university prohibits the issuance of divergent reports to  
14 complainants, respondents, and administration and instead requires  
15 that identical reports be issued to them.

16 (d) Consistent with the university's obligations under 20 USC  
17 1092(f), the university notifies each individual who reports having  
18 experienced sexual assault by a student, faculty member, or staff  
19 member of the university that the individual has the option to  
20 report the matter to law enforcement, to the university, to both,  
21 or to neither, as the individual may choose.

22 (e) The university provides both of the following:

23 (i) For all freshmen and incoming transfer students enrolled,  
24 an in-person sexual misconduct prevention presentation or course,  
25 which must include contact information for the title IX office of  
26 the university.

27 (ii) For all students not considered freshmen or incoming  
28 transfer students, an online or electronic sexual misconduct  
29 prevention presentation or course.





1 (f) The university prohibits seeking compensation from the  
2 recipient of any medical procedure, treatment, or care provided by  
3 a medical professional who has been convicted of a felony arising  
4 out of the medical procedure, treatment, or care.

5 (g) The university had a third party review its title IX  
6 compliance office and related policies and procedures by the end of  
7 the 2018-2019 academic year. A copy of the third-party review shall  
8 be transmitted to the state budget director, the house and senate  
9 appropriations subcommittees on higher education, and the house and  
10 senate fiscal agencies. After the third-party review has been  
11 conducted for the 2018-2019 academic year, the university shall  
12 have a third-party review once every three years and a copy of the  
13 third-party review shall be transmitted to the state budget  
14 director, the house and senate appropriations subcommittees on  
15 higher education, and the house and senate fiscal agencies.

16 (h) The university requires that the governing board and the  
17 president or chancellor of the university receive not less than  
18 quarterly reports from their title IX coordinator or title IX  
19 office. The report shall contain aggregated data of the number of  
20 sexual misconduct reports that the office received for the academic  
21 year, the types of reports received, including reports received  
22 against employees, and a summary of the general outcomes of the  
23 reports and investigations. A member of the governing board may  
24 request to review a title IX investigation report involving a  
25 complaint against an employee, and the university shall provide the  
26 report in a manner it considers appropriate. The university shall  
27 protect the complainant's anonymity, and the report shall not  
28 contain specific identifying information.

29 (i) If allegations against an employee are made in more than 1



1 title IX complaint that resulted in the university finding that no  
2 misconduct occurred, the university requires that the title IX  
3 officer promptly notify the president or chancellor and a member of  
4 the university's governing board in writing and take all  
5 appropriate steps to ensure that the matter is being investigated  
6 thoroughly, including hiring an outside investigator for future  
7 cases involving that employee. A third-party title IX investigation  
8 under this subdivision does not prohibit the university from  
9 simultaneously conducting its own title IX investigation through  
10 its own title IX coordinator.

11 (2) Each public university that receives an appropriation in  
12 section 236 shall also certify that its president or chancellor and  
13 a member of its governing board has reviewed all title IX reports  
14 involving the alleged sexual misconduct of an employee of the  
15 university, and shall send the certification to the house and  
16 senate appropriations subcommittees on higher education, the house  
17 and senate fiscal agencies, and the state budget director by  
18 October 1, ~~2019-2020~~.

19 (3) For purposes of this section, "sexual misconduct"  
20 includes, but is not limited to, any of the following:

- 21 (a) Intimate partner violence.
- 22 (b) Nonconsensual sexual conduct.
- 23 (c) Sexual assault.
- 24 (d) Sexual exploitation.
- 25 (e) Sexual harassment.
- 26 (f) Stalking.

27 Sec. 267. All public universities shall submit the amount of  
28 tuition and fees actually charged to a full-time resident  
29 undergraduate student for academic year ~~2019-2020-2020-2021~~ as part



1 of their higher education institutional data inventory (HEIDI) data  
 2 by October 1, ~~2019, 2020~~, and by ~~August 31~~ of **the last business day**  
 3 **of August** each year thereafter. A public university shall report  
 4 any revisions for any semester of the reported academic year ~~2019-~~  
 5 ~~2020-2020-2021~~ tuition and fee charges to HEIDI within 15 days of  
 6 being adopted.

7       Sec. 268. (1) For the fiscal year ending September 30, ~~2020,~~  
 8 **2021**, it is the intent of the legislature that funds be allocated  
 9 for unfunded North American Indian tuition waiver costs incurred by  
 10 public universities under 1976 PA 174, MCL 390.1251 to 390.1253,  
 11 from the general fund.

12       (2) By ~~February~~ **January** 15 of each year, the department of  
 13 civil rights shall annually submit to the state budget director,  
 14 the house and senate appropriations subcommittees on higher  
 15 education, and the house and senate fiscal agencies a report on  
 16 North American Indian tuition waivers for the preceding academic  
 17 year that includes, but is not limited to, all of the following  
 18 information:

19       (a) The number of waiver applications received and the number  
 20 of waiver applications approved.

21       (b) For each university submitting information under  
 22 subsection (3), all of the following:

23       (i) The number of graduate and undergraduate North American  
 24 Indian students enrolled each term for the previous academic year.

25       (ii) The number of North American Indian waivers granted each  
 26 term, including to continuing education students, and the monetary  
 27 value of the waivers for the previous academic year.

28       (iii) The number of graduate and undergraduate students  
 29 attending under a North American Indian tuition waiver who withdrew



1 from the university each term during the previous academic year.  
 2 For purposes of this subparagraph, a withdrawal occurs when a  
 3 student who has been awarded the waiver withdraws from the  
 4 institution at any point during the term, regardless of enrollment  
 5 in subsequent terms.

6 (iv) The number of graduate and undergraduate students  
 7 attending under a North American Indian tuition waiver who  
 8 successfully complete a degree or certificate program, separated by  
 9 degree or certificate level, and the graduation rate for graduate  
 10 and undergraduate students attending under a North American Indian  
 11 tuition waiver who complete a degree or certificate within 150% of  
 12 the normal time to complete, separated by the level of the degree  
 13 or certificate.

14 (3) A public university that receives funds under section 236,  
 15 **or a tribal college receiving pass-through funds under section 269,**  
 16 **270, or 270c,** shall provide to the department of civil rights any  
 17 information necessary for preparing the report detailed in  
 18 subsection (2), using guidelines and procedures developed by the  
 19 department of civil rights.

20 (4) The department of civil rights may consolidate the report  
 21 required under this section with the report required under section  
 22 223, but a consolidated report must separately identify data for  
 23 universities and data for community colleges.

24 Sec. 269. For fiscal year ~~2019-2020,~~ **2020-2021,** from the  
 25 amount appropriated in section 236 to Central Michigan University  
 26 for ~~operations, \$29,700.00~~ **costs incurred under the North American**  
 27 **Indian tuition waiver, \$79,700.00** shall be paid to Saginaw Chippewa  
 28 Tribal College for the costs of waiving tuition for North American  
 29 Indians under 1976 PA 174, MCL 390.1251 to 390.1253. **It is the**



1 intent of the legislature that Saginaw Chippewa Tribal College  
 2 provide the department of civil rights the necessary information  
 3 for the college to be included in the report required under section  
 4 268.

5 Sec. 270. For fiscal year ~~2019-2020, 2020-2021~~, from the  
 6 amount appropriated in section 236 to Lake Superior State  
 7 University for ~~operations, \$100,000.00~~ **costs incurred under the**  
 8 **North American Indian tuition waiver, \$0.00** shall be paid to Bay  
 9 Mills Community College for the costs of waiving tuition for North  
 10 American Indians under 1976 PA 174, MCL 390.1251 to 390.1253. **It is**  
 11 **the intent of the legislature that Bay Mills Community College**  
 12 **provide the department of civil rights the necessary information**  
 13 **for the college to be included in the report required under section**  
 14 **268.**

15 Sec. 270b. (1) For fiscal year 2020-2021, from the amount  
 16 appropriated in section 236 to Lake Superior State University for  
 17 1-time pass-through payment for Bay Mills Community College,  
 18 \$1,000,000.00 is to be paid to Bay Mills Community College for the  
 19 costs of educating non-Native American students.

20 (2) The state treasurer shall direct Lake Superior State  
 21 University to provide the payment described in subsection (1) after  
 22 the state budget director determines that Bay Mills Community  
 23 College submitted all of the information described in subdivisions  
 24 (a) to (f), as follows, in the form and manner specified by the  
 25 center. If the state budget director determines that Bay Mills  
 26 Community College failed to submit any of the following information  
 27 in the form and manner specified by the center, the state treasurer  
 28 shall, subject to subsection (3), direct Lake Superior State  
 29 University to withhold the payment from the community college until



1 that information is submitted:

2 (a) The Michigan community colleges verified data inventory  
3 data for the preceding academic year to the center by the first  
4 business day of December of each year as specified in section 217.

5 (b) The college credit opportunity data set as specified in  
6 section 209.

7 (c) The longitudinal data set for the preceding academic year  
8 to the center as specified in section 219.

9 (d) The annual independent audit as specified in section 222.

10 (e) Tuition and mandatory fees information for the current  
11 academic year as specified in section 225.

12 (f) The number and type of associate degrees and other  
13 certificates awarded during the previous academic year as specified  
14 in section 226.

15 (3) The state budget director shall notify the chairs of the  
16 house and senate appropriations subcommittees on community colleges  
17 at least 10 days before directing funds to be withheld from Bay  
18 Mills Community College under this section.

19 Sec. 270c. For fiscal year 2020-2021, from the amount  
20 appropriated in section 236 to Northern Michigan University for  
21 costs incurred under the North American Indian tuition waiver,  
22 \$50,000.00 is to be paid to Keweenaw Bay Ojibwa Community College  
23 for the costs of waiving tuition for North American Indians under  
24 1976 PA 174, MCL 390.1251 to 390.1253. It is the intent of the  
25 legislature that Keweenaw Bay Ojibwa Community College provide the  
26 department of civil rights the necessary information for the  
27 community college to be included in the report required under  
28 section 268.

29 Sec. 275. (1) Each public university that receives an



1 appropriation in section 236 shall do all of the following:

2 (a) Meet the provisions of section 5003 of the post-911  
3 veterans educational assistance act of 2008, 38 USC 3301 to 3327,  
4 including voluntary participation in the Yellow Ribbon GI Education  
5 Enhancement Program established in that act in 38 USC 3317. By  
6 October 1 of each year, each public university shall report to the  
7 house and senate appropriations subcommittees on higher education,  
8 the house and senate fiscal agencies, and the Michigan Association  
9 of State Universities on whether or not it has chosen to  
10 participate in the Yellow Ribbon GI Education Enhancement Program.  
11 If at any time during the fiscal year a university participating in  
12 the Yellow Ribbon Program chooses to leave the Yellow Ribbon  
13 Program, it shall notify the house and senate appropriations  
14 subcommittees on higher education, the house and senate fiscal  
15 agencies, and the Michigan Association of State Universities.

16 (b) Establish an on-campus veterans' liaison to provide  
17 information and assistance to all student veterans.

18 (c) Provide flexible enrollment application deadlines for all  
19 veterans.

20 (d) Include in its admission application process a specific  
21 question as to whether an applicant for admission is a veteran, an  
22 active member of the military, a member of the National Guard or  
23 military reserves, or the spouse or dependent of a veteran, active  
24 member of the military, or member of the National Guard or military  
25 reserves, in order to more quickly identify potential educational  
26 assistance available to that applicant.

27 (e) Consider all veterans residents of this state for  
28 determining their tuition rates and fees.

29 (f) Waive enrollment fees for all veterans.



1           (g) Provide reasonable programming and scheduling  
2 accommodations necessary to facilitate a student's military,  
3 national guard, or military reserves duties and training  
4 obligations.

5           (2) By October 1 of each year, each public university shall  
6 report to the house and senate appropriations subcommittees on  
7 higher education, the house and senate fiscal agencies, and the  
8 department of military and veterans affairs regarding services  
9 provided specifically to veterans and active military duty  
10 personnel, including, but not limited to, the services described in  
11 subsection (1).

12           (3) As used in this section, "veteran" means an honorably  
13 discharged veteran entitled to educational assistance under the  
14 provisions of section 5003 of the post-911 veterans educational  
15 assistance act of 2008, 38 USC 3301 to 3327.

16           **Sec. 275f. By February 1, 2021, each public university**  
17 **receiving an appropriation in section 236 shall submit to the**  
18 **senate and house appropriations subcommittees on higher education,**  
19 **the senate and house fiscal agencies, and the state budget director**  
20 **a report on activities related to strategic planning and internal**  
21 **assessment or reassessment to best provide for open and free**  
22 **expression and speech, while protecting students from hate-speech,**  
23 **violence, and discrimination.**

24           **Sec. 275g. (1) By September 30, 2021, each public university**  
25 **receiving an appropriation in section 236 shall submit a report to**  
26 **the senate and house appropriations subcommittees on higher**  
27 **education, the senate and house fiscal agencies, and the state**  
28 **budget director containing the following information:**

29           (a) The number of students enrolled during the 2020-2021





1 academic year.

2 (b) The number of courses offered by course type.

3 (c) The number of students enrolled by course type.

4 (d) The drop rate and pass/fail rate by course type.

5 (e) The average number of credit hours for which each student  
6 was enrolled at the start and end of each semester.

7 (f) The number of students residing on campus each semester.

8 (g) The number of students residing on campus between  
9 semesters.

10 (2) By November 1, 2020, each public university receiving an  
11 appropriation in section 236 shall submit a report to the senate  
12 and house appropriations subcommittees on higher education, the  
13 senate and house fiscal agencies, and the state budget director  
14 containing the following information:

15 (a) A list of any student fees assessed related to online  
16 learning, and the amount of those fees.

17 (b) A list of any student fees assessed related to COVID-19,  
18 and the amount of those fees.

19 (c) A timeline of when decisions regarding the course types  
20 offered during the 2020-2021 academic year were made, and whether  
21 there were changes to those decisions before the academic year  
22 began.

23 (d) An overview of COVID-19 mitigation strategies employed or  
24 that may be employed, if necessary.

25 (e) An overview of COVID-19 testing criteria and mitigation  
26 strategies employed for controlling an outbreak on campus.

27 (3) As used in this section, "course type" means the style of  
28 course delivery as being in-person, online, or as a hybrid of in-  
29 person and online learning.



1           Sec. 275h. It is the intent of the legislature to ensure that  
2 60% of Michigan's residents achieve a postsecondary credential,  
3 high-quality industry certification, associate degree, or  
4 bachelor's degree by 2030.

5           Sec. 275i. (1) Each public university receiving an  
6 appropriation in section 236 shall use a portion of those funds to  
7 collect demographic information about students with dependent  
8 children to better identify the needs of those students, barriers  
9 to degree and certification completion for them, and campus support  
10 structures and resources available to them. This demographic  
11 information must include at least all of the following:

12           (a) The number of students with dependent children enrolled  
13 per semester.

14           (b) The number of students with dependent children enrolled  
15 living in university residence halls, in dormitories, and in  
16 apartments.

17           (c) The names of programs and resources available to students  
18 with dependent children, as well as offices that support those  
19 students.

20           (d) Identified barriers to certificate or degree completion  
21 for students with dependent children.

22           (2) A public university shall collect demographic information  
23 from students with dependent children through a method best  
24 determined by the institution using best practice research  
25 methodology. This may include admission application questions,  
26 incoming-student orientation surveys, campus-wide climate surveys,  
27 financial aid surveys, housing surveys, or partnerships with  
28 government and nonprofit agencies that can provide general data  
29 that protects the individual privacy rights of students with



1 dependent children.

2 (3) Student privacy rights must be protected during the  
3 collection process. Reporting must be voluntary on the part of  
4 students with dependent children. The public university shall  
5 include privacy protections for students and a description of the  
6 rationale for collecting the data.

7 (4) Each public university shall report to the senate and  
8 house appropriations subcommittees on higher education, the senate  
9 and house fiscal agencies, and the state budget director its  
10 collected data and survey results by the first business day of  
11 February.

12 (5) The collected data on students with dependent children  
13 will be used by the legislature to inform future appropriation  
14 decisions.

15 Sec. 276. (1) Included in the appropriation for fiscal year  
16 ~~2019-2020~~ **2020-2021** for each public university in section 236 is  
17 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks  
18 future faculty program that is intended to increase the pool of  
19 academically or economically disadvantaged candidates pursuing  
20 faculty teaching careers in postsecondary education. Preference may  
21 not be given to applicants on the basis of race, color, ethnicity,  
22 gender, or national origin. Institutions should encourage  
23 applications from applicants who would otherwise not adequately be  
24 represented in the graduate student and faculty populations. Each  
25 public university shall apply the percentage change applicable to  
26 every public university in the calculation of appropriations in  
27 section 236 to the amount of funds allocated to the future faculty  
28 program.

29 (2) The program shall be administered by each public



1 university in a manner prescribed by the ~~workforce development~~  
 2 ~~agency.~~ **department of labor and economic opportunity.** The ~~workforce~~  
 3 ~~development agency~~ **department of labor and economic opportunity**  
 4 shall use a good faith effort standard to evaluate whether a  
 5 fellowship is in default.

6       Sec. 277. (1) Included in the appropriation for fiscal year  
 7 ~~2019-2020-2020-2021~~ for each public university in section 236 is  
 8 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks  
 9 college day program that is intended to introduce academically or  
 10 economically disadvantaged schoolchildren to the potential of a  
 11 college education. Preference may not be given to participants on  
 12 the basis of race, color, ethnicity, gender, or national origin.  
 13 Public universities should encourage participation from those who  
 14 would otherwise not adequately be represented in the student  
 15 population.

16       (2) Individual program plans of each public university shall  
 17 include a budget of equal contributions from this program, the  
 18 participating public university, the participating school district,  
 19 and the participating independent degree-granting college. College  
 20 day funds shall not be expended to cover indirect costs. Not more  
 21 than 20% of the university match shall be attributable to indirect  
 22 costs. Each public university shall apply the percentage change  
 23 applicable to every public university in the calculation of  
 24 appropriations in section 236 to the amount of funds allocated to  
 25 the college day program.

26       (3) The program described in this section shall be  
 27 administered by each public university in a manner prescribed by  
 28 the ~~workforce development agency.~~ **department of labor and economic**  
 29 **opportunity.**



1           Sec. 278. (1) Included in section 236 for fiscal year ~~2019-~~  
 2 ~~2020-2020-2021~~ is funding for the Martin Luther King, Jr. - Cesar  
 3 Chavez - Rosa Parks select student support services program for  
 4 developing academically or economically disadvantaged student  
 5 retention programs for 4-year public and independent educational  
 6 institutions in this state. Preference may not be given to  
 7 participants on the basis of race, color, ethnicity, gender, or  
 8 national origin. Institutions should encourage participation from  
 9 those who would otherwise not adequately be represented in the  
 10 student population.

11           (2) An award made under this program to any 1 institution  
 12 shall not be greater than \$150,000.00, and the amount awarded shall  
 13 be matched on a 70% state, 30% college or university basis.

14           (3) The program described in this section shall be  
 15 administered by the ~~workforce development agency.~~**department of**  
 16 **labor and economic opportunity.**

17           Sec. 279. (1) Included in section 236 for fiscal year ~~2019-~~  
 18 ~~2020-2020-2021~~ is funding for the Martin Luther King, Jr. - Cesar  
 19 Chavez - Rosa Parks college/university partnership program between  
 20 4-year public and independent colleges and universities and public  
 21 community colleges, which is intended to increase the number of  
 22 academically or economically disadvantaged students who transfer  
 23 from community colleges into baccalaureate programs. Preference may  
 24 not be given to participants on the basis of race, color,  
 25 ethnicity, gender, or national origin. Institutions should  
 26 encourage participation from those who would otherwise not  
 27 adequately be represented in the transfer student population.

28           (2) The grants shall be made under the program described in  
 29 this section to Michigan public and independent colleges and



1 universities. An award to any 1 institution shall not be greater  
 2 than \$150,000.00, and the amount awarded shall be matched on a 70%  
 3 state, 30% college or university basis.

4 (3) The program described in this section shall be  
 5 administered by the ~~workforce development agency~~**department of**  
 6 **labor and economic opportunity.**

7 Sec. 280. (1) Included in the appropriation for fiscal year  
 8 ~~2019-2020~~**2020-2021** for each public university in section 236 is  
 9 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks  
 10 visiting professors program which is intended to increase the  
 11 number of instructors in the classroom to provide role models for  
 12 academically or economically disadvantaged students. Preference may  
 13 not be given to participants on the basis of race, color,  
 14 ethnicity, gender, or national origin. Public universities should  
 15 encourage participation from those who would otherwise not  
 16 adequately be represented in the student population.

17 (2) The program described in this section shall be  
 18 administered by the ~~workforce development agency~~**department of**  
 19 **labor and economic opportunity.**

20 Sec. 281. (1) Included in the appropriation for fiscal year  
 21 ~~2019-2020~~**2020-2021** in section 236 is funding under the Martin  
 22 Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the  
 23 Morris Hood, Jr. educator development program which is intended to  
 24 increase the number of academically or economically disadvantaged  
 25 students who enroll in and complete K-12 teacher education programs  
 26 at the baccalaureate level. Preference may not be given to  
 27 participants on the basis of race, color, ethnicity, gender, or  
 28 national origin. Institutions should encourage participation from  
 29 those who would otherwise not adequately be represented in the



1 teacher education student population.

2 (2) The program described in this section shall be  
3 administered by each state-approved teacher education institution  
4 in a manner prescribed by the ~~workforce development~~  
5 ~~agency.~~ **department of labor and economic opportunity.**

6 (3) Approved teacher education institutions may and are  
7 encouraged to use student support services funding in coordination  
8 with the Morris Hood, Jr. funding to achieve the goals of the  
9 program described in this section.

10 **Sec. 281a. (1) Each public university that receives an amount**  
11 **of the appropriations in section 236 for the Martin Luther King,**  
12 **Jr. - Cesar Chavez - Rosa Parks initiatives shall submit a report**  
13 **to the department of labor and economic opportunity by December 15**  
14 **of each year containing, at a minimum, all of the following**  
15 **information from the immediately preceding academic year:**

16 (a) For the future faculty program detailed in section 276,  
17 the number of completions by degree type, and the fellowship  
18 default rate.

19 (b) For the college day program detailed in section 277, the  
20 number of students served and the amount of matching funds from  
21 each college and participating school district.

22 (c) For the select student support services program detailed  
23 in section 278, the number of students served, the amount of any  
24 university matching funds for the program, and the number and  
25 percentage of program participants who graduate.

26 (d) For the college/university partnership program detailed in  
27 section 279, the number of students served, the number of  
28 bachelor's degrees conferred to program participants, the 6-year  
29 graduation rate of program participants, and the amount of any



1 university matching funds for the program.

2 (e) For the visiting professors program detailed in section  
3 280, the number of students who took a class taught by an  
4 instructor hired using program funds, the number of instructors  
5 hired using program funds, the number of class sections taught by  
6 instructors hired using program funds, and the amount of any  
7 university matching funds for the program.

8 (f) For the educator development program detailed in section  
9 281, the number of students participating in the program and the  
10 number of education-related bachelor's degrees conferred to  
11 participants in the program.

12 (2) By February 15 of each year, the department of labor and  
13 economic opportunity shall compile the reports submitted under  
14 subsection (1) and submit them to the house and senate  
15 appropriations subcommittees on higher education, the house and  
16 senate fiscal agencies, and the state budget director.

17 Sec. 282. Each institution receiving funds for fiscal year  
18 ~~2019-2020-2020-2021~~ under section 278, 279, or 281 shall provide to  
19 the ~~workforce development agency~~ **department of labor and economic**  
20 **opportunity** by April 15, ~~2020-2021~~ the unobligated and unexpended  
21 funds as of March 31, ~~2020-2021~~ and a plan to expend the remaining  
22 funds by the end of the fiscal year. Notwithstanding the award  
23 limitations in sections 278 and 279, the amount of funding reported  
24 as not being expended will be reallocated to the institutions that  
25 intend to expend all funding received under section 278, 279, or  
26 281.

27 Sec. 289. (1) ~~At~~ **In accordance with section 299(4) of the**  
28 **management and budget act, 1984 PA 431, MCL 18.1299, at** least once  
29 every 4 years, the auditor general shall audit higher education





1 institutional data inventory (HEIDI) data submitted by all public  
2 universities under section 241 and may perform audits of selected  
3 public universities if determined necessary. The audits shall be  
4 based upon the definitions, requirements, and uniform reporting  
5 categories established by the state budget director in consultation  
6 with the HEIDI advisory committee. The auditor general shall submit  
7 a report of findings to the house and senate appropriations  
8 committees and the state budget director no later than July 1 of  
9 each year an audit takes place.

10 (2) Student credit hours reports shall not include the  
11 following:

12 (a) Student credit hours generated through instructional  
13 activity by faculty or staff in classrooms located outside  
14 Michigan, with the exception of instructional activity related to  
15 study-abroad programs or field programs.

16 (b) Student credit hours generated through credit by  
17 examination.

18 (c) Student credit hours generated in new degree programs  
19 created on or after January 1, 1975 and before January 1, 2013,  
20 that were not specifically authorized for funding by the  
21 legislature, except spin-off programs converted from existing core  
22 programs, and student credit hours generated in any new degree  
23 programs created after January 1, 2013, that are specifically  
24 excluded from reporting by the legislature under this section.

25 Sec. 296. (1) If the maximum amount appropriated under this  
26 act from the state school aid fund for a fiscal year exceeds the  
27 amount necessary to fully fund allocations under this act from the  
28 state school aid fund, that excess amount shall not be expended in  
29 that state fiscal year and shall not lapse to the general fund, but



1 instead shall be deposited into the school aid stabilization fund  
2 created in section 11a.

3 (2) If the total maximum amount appropriated under all  
4 articles of this act from the state school aid fund and the school  
5 aid stabilization fund exceeds the amount available for expenditure  
6 from the state school aid fund for that fiscal year, payments under  
7 sections ~~11f, 11g, 11j~~, **11m**, 22a, 26a, 26b, **26c**, 31d, 31f, 51a(2),  
8 ~~51a(12)~~, **51a(11)**, 51c, 53a, 56, **147c**, **147e(2)(a)**, and 152a shall be  
9 made in full. In addition, for districts beginning operations after  
10 1994-95 that qualify for payments under section 22b, payments under  
11 section 22b shall be made so that the qualifying districts receive  
12 the lesser of an amount equal to the 1994-95 foundation allowance  
13 of the district in which the district beginning operations after  
14 1994-95 is located or \$5,500.00. The amount of the payment to be  
15 made under section 22b for these qualifying districts shall be as  
16 calculated under section 22a, with the balance of the payment under  
17 section 22b being subject to the proration otherwise provided under  
18 this subsection and subsection (3). If proration is necessary,  
19 state payments under each of the other sections of article I from  
20 all state funding sources, and state appropriations to community  
21 colleges and public universities under articles II and III from the  
22 state school aid fund, shall be prorated in the manner prescribed  
23 in subsection (3) as necessary to reflect the amount available for  
24 expenditure from the state school aid fund for the affected fiscal  
25 year. However, if the department of treasury determines that  
26 proration will be required under this subsection, or if the  
27 department of treasury determines that further proration is  
28 required under this subsection after an initial proration has  
29 already been made for a fiscal year, the department of treasury



1 shall notify the state budget director, and the state budget  
2 director shall notify the legislature at least 30 calendar days or  
3 6 legislative session days, whichever is more, before the  
4 department reduces any payments under this act because of the  
5 proration. During the 30-calendar-day or 6-legislative-session-day  
6 period after that notification by the state budget director, the  
7 department shall not reduce any payments under this act because of  
8 proration under this subsection. The legislature may prevent  
9 proration from occurring by, within the 30-calendar-day or 6-  
10 legislative-session-day period after that notification by the state  
11 budget director, enacting legislation appropriating additional  
12 funds from the general fund, countercyclical budget and economic  
13 stabilization fund, state school aid fund balance, or another  
14 source to fund the amount of the projected shortfall.

15 (3) If proration is necessary under subsection (2), the  
16 department shall calculate the proration in district and  
17 intermediate district payments under article I that is required  
18 under subsection (2), and the department of treasury shall  
19 calculate the proration in community college and public university  
20 payments under articles II and III that is required under  
21 subsection (2), as follows:

22 (a) The department and the department of treasury shall  
23 calculate the percentage of total state school aid fund money that  
24 is appropriated and allocated under this act for the affected  
25 fiscal year for each of the following:

26 (i) Districts.

27 (ii) Intermediate districts.

28 (iii) Entities receiving funding from the state school aid fund  
29 under article I other than districts or intermediate districts.



1 (iv) Community colleges and public universities that receive  
2 funding from the state school aid fund.

3 (b) The department shall recover a percentage of the proration  
4 amount required under subsection (2) that is equal to the  
5 percentage calculated under subdivision (a) (i) for districts by  
6 reducing payments to districts. This reduction shall be made by  
7 calculating an equal dollar amount per pupil as necessary to  
8 recover this percentage of the proration amount and reducing each  
9 district's total state school aid from state sources, other than  
10 payments under sections ~~11f, 11g, 11j~~, **11m**, 22a, 26a, 26b, **26c**,  
11 31d, 31f, 51a(2), ~~51a(12)~~, **51a(11)**, 51c, 53a, **147c**, **147e(2)(a)**, and  
12 152a, by that amount.

13 (c) The department shall recover a percentage of the proration  
14 amount required under subsection (2) that is equal to the  
15 percentage calculated under subdivision (a) (ii) for intermediate  
16 districts by reducing payments to intermediate districts. This  
17 reduction shall be made by reducing the payments to each  
18 intermediate district, other than payments under sections ~~11f, 11g,~~  
19 26a, 26b, **26c**, 51a(2), ~~51a(12)~~, **51a(11)**, 53a, 56, **147c**, **147e(2)(a)**,  
20 and 152a, on an equal percentage basis.

21 (d) The department shall recover a percentage of the proration  
22 amount required under subsection (2) that is equal to the  
23 percentage calculated under subdivision (a) (iii) for entities  
24 receiving funding from the state school aid fund under article I  
25 other than districts and intermediate districts by reducing  
26 payments to these entities. This reduction shall be made by  
27 reducing the payments to each of these entities, other than  
28 payments under sections 11j, **11m**, 26a, ~~and 26b~~, **and 26c** on an equal  
29 percentage basis.



1 (e) The department of treasury shall recover a percentage of  
 2 the proration amount required under subsection (2) that is equal to  
 3 the percentage calculated under subdivision (a) (iv) for community  
 4 colleges and public universities that receive funding from the  
 5 state school aid fund by reducing that portion of the payments  
 6 under articles II and III to these community colleges and public  
 7 universities, **other than payments under sections 201(5) and 236(4)**,  
 8 that is from the state school aid fund on an equal percentage  
 9 basis.

10 Enacting section 1. (1) In accordance with section 30 of  
 11 article IX of the state constitution of 1963, total state spending  
 12 on school aid under article I of the state school aid act of 1979,  
 13 1979 PA 94, MCL 388.1601 to 388.1772, as amended by 2019 PA 58,  
 14 2019 PA 162, 2020 PA 146, and this amendatory act, from state  
 15 sources for fiscal year 2019-2020 is estimated at  
 16 \$13,051,648,700.00 and state appropriations for school aid to be  
 17 paid to local units of government for fiscal year 2019-2020 are  
 18 estimated at \$12,845,578,900.00. In accordance with section 30 of  
 19 article IX of the state constitution of 1963, total state spending  
 20 on school aid under article I of the state school aid act of 1979,  
 21 1979 PA 94, MCL 388.1601 to 388.1772, as amended by 2020 PA 147,  
 22 2020 PA 148, 2020 PA 149, and this amendatory act, from state  
 23 sources for fiscal year 2020-2021 is estimated at  
 24 \$13,718,286,400.00 and state appropriations for school aid to be  
 25 paid to local units of government for fiscal year 2020-2021 are  
 26 estimated at \$13,546,289,200.00.

27 (2) In accordance with section 30 of article IX of the state  
 28 constitution of 1963, total state spending from state sources for  
 29 community colleges for fiscal year 2020-2021 under article II of



1 the state school aid act of 1979, 1979 PA 94, MCL 388.1801 to  
2 388.1830, is estimated at \$425,667,600.00 and the amount of that  
3 state spending from state sources to be paid to local units of  
4 government for fiscal year 2020-2021 is estimated at  
5 \$425,667,600.00.

6 (3) In accordance with section 30 of article IX of the state  
7 constitution of 1963, total state spending from state sources for  
8 higher education for fiscal year 2020-2021 under article III of the  
9 state school aid act of 1979, 1979 PA 94, MCL 388.1836 to 388.1891,  
10 is estimated at \$1,573,899,000.00 and the amount of that state  
11 spending from state sources to be paid to local units of government  
12 for fiscal year 2020-2021 is estimated at \$0.00.

13 Enacting section 2. (1) Article V of the state school aid act  
14 of 1979, 1979 PA 94, MCL 388.1897 to 388.1897I, is repealed  
15 effective October 1, 2020.

16 (2) Sections 31b, 35c, 54e, 61f, 64d, 74a, 95a, 99v, 102d,  
17 201a, 201c, 210f, 236a, 236g, and 265c of the state school aid act  
18 of 1979, MCL 388.1631b, 388.1635c, 388.1654e, 388.1661f, 388.1664d,  
19 388.1674a, 388.1695a, 388.1699v, 388.1702d, 388.1801a, 388.1801c,  
20 388.1810f, 388.1836a, 388.1836g, and 388.1865c, are repealed  
21 effective October 1, 2020.

22 Enacting section 3. (1) Except as otherwise provided in  
23 subsection (2), this amendatory act takes effect October 1, 2020.

24 (2) Sections 11, 11p, 22a, 22b, 31n, 51c, 56, 62, and 99w of  
25 the state school aid act of 1979, MCL 388.1611, 388.1611p,  
26 388.1622a, 388.1622b, 388.1631n, 388.1651c, 388.1656, 388.1662, and  
27 388.1699w, as amended by this amendatory act, take effect upon  
28 enactment of this amendatory act.

