SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4411

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending sections 4, 6, 6a, 11, 11a, 11j, 11k, 11m, 11n, 11s,
15, 18, 19, 20, 20d, 20f, 21f, 21h, 22a, 22b, 22d, 22m, 22p, 24,
24a, 25f, 25g, 25i, 26a, 26b, 26c, 28, 29a, 31a, 31d, 31f, 31j,
31m, 31n, 32d, 32p, 35a, 35b, 35d, 35e, 35f, 39, 39a, 41, 51a, 51c,
51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61c, 61d, 62, 65,
67, 67a, 74, 81, 94, 94a, 95b, 98, 98d, 99h, 99i, 99s, 99t, 99u,
99w, 99x, 101, 104, 104a, 104c, 104f, 104g, 105, 105c, 107, 147,
147a, 147b, 147c, 147e, 152a, and 152b (MCL 388.1604, 388.1606,
388.1606a, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m,
388.1611n, 388.1611s, 388.1615, 388.1618, 388.1619, 388.1620,
388.1620d, 388.1620f, 388.1621f, 388.1621h, 388.1622a, 388.1622b,
THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 4. (1) "Elementary pupil" means a pupil in membership in
grades K to 8 in a district not maintaining classes above the eighth grade 8 or in grades K to 6 in a district maintaining classes above the eighth grade 8 or a child enrolled and in regular attendance in a publicly funded prekindergarten setting.

(2) "Extended school year" means an educational program conducted by a district in which pupils must be enrolled but not necessarily in attendance on the pupil membership count day in an extended year program. The mandatory clock hours must be completed by each pupil not more than 365 calendar days after the pupil's first day of classes for the school year prescribed. The department shall prescribe pupil, personnel, and other reporting requirements for the educational program.

(3) "Fiscal year" means the state fiscal year that commences October 1 and continues through September 30.

(4) "High school equivalency certificate" means a certificate granted for the successful completion of a high school equivalency test.

(5) "High school equivalency test" means the G.E.D. test developed by the GED Testing Service, the Test Assessing Secondary Completion (TASC) developed by CTS/McGraw-Hill, the HISET exam developed by Educational Testing Service (ETS), or another comparable test approved by the department of labor and economic opportunity.

(6) "High school equivalency test preparation program" means a program that has high school level courses in English language arts, social studies, science, and mathematics and that prepares an individual to successfully complete a high school equivalency test.

(7) "High school pupil" means a pupil in membership in grades 7 to 12, except in a district not maintaining grades above the
eighth grade 8.

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

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

(3) "District and high school graduation report" means a report of the number of pupils, excluding adult education participants, in the district for the immediately preceding school year, adjusted for those pupils who have transferred into or out of the district or high school, who leave high school with a diploma or other credential of equal status.
(4) "Membership", except as otherwise provided in this subsection or this article, means for a district, a public school academy, or an intermediate district the sum of the product of .90 times the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, or intermediate district on the pupil membership count day for the current school year, plus the product of .10 times the final audited count from the supplemental count day of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, or intermediate district for the immediately preceding school year. A district's, public school academy's, or intermediate district's membership is adjusted as provided under section 25e for pupils who enroll after the pupil membership count day in a strict discipline academy operating under sections 1311b to 1311m of the revised school code, MCL 380.1311b to 380.1311m. For 2020-2021 only, membership means for a district, a public school academy, or an intermediate district, the sum of the product of .75 times the district's, public school academy's, or intermediate district's 2019-2020 membership as calculated under this section in 2019-2020 number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, or intermediate district on the pupil membership count day for the current school year and the product of .25 .10 times [the sum of (the product of .90 times the number of full-time equated pupils engaged in pandemic learning for fall 2020 or, for a public school academy that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, the number of full-time equated pupils in grades K to 12
actually enrolled and in regular daily attendance in the public school academy on pupil membership count day for the current school year) and (the product of .10 times the final audited count from the supplemental count day of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, or intermediate district for the immediately preceding school year)]. the final audited count of the number of full-time equated pupils engaged in pandemic learning for spring 2021, or, for a public school academy that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, the final audited count from the supplemental count day of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the public school academy for the immediately preceding school year. All pupil counts used in this subsection are as determined by the department and calculated by adding the number of pupils registered for attendance plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent, and as corrected by a subsequent department audit. The amount of the foundation allowance for a pupil in membership is determined under section 20. In making the calculation of membership, all of the following, as applicable, apply to determining the membership of a district, a public school academy, or an intermediate district:

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

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

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

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

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

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

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

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

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

(ii) Except as otherwise provided in this subparagraph, if operations begin before the pupil membership count day for the fiscal year, membership is the average number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance on the pupil membership count day for the current school year and on the supplemental count day for the current school year, as determined by the department and calculated by adding the number of pupils registered for attendance on the pupil membership count day plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent, and as corrected by a subsequent department audit, plus the final audited count from the supplemental count day for the current school year, and dividing that sum by 2. However, for 2020-2021 only, if operations begin before the pupil membership count day for the fiscal year, except for a public school academy that operates as a cyber school, as that term is defined in section 551 of the revised
school code, MCL 380.551, membership is the average number of full-
time equated pupils engaged in pandemic learning for fall 2020 and
full-time equated pupils engaged in pandemic learning for spring
2021, as that term is defined in section 6a, as determined by the
department and calculated by adding the number of pupils registered
for attendance on the pupil membership count day plus pupils
received by transfer and minus pupils lost as defined by rules
determined by the superintendent, and as corrected by a subsequent
department audit, plus the final audited count from the
supplemental count day for the current school year, and dividing
that sum by 2.

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

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

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

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

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

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

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

(B) Had dropped out of school.

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

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

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

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

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

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

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

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

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

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

(s) For a district or a public school academy that has pupils enrolled in a grade level that was not offered by the district or public school academy in the immediately preceding school year, the number of pupils enrolled in that grade level to be counted in membership is the average of the number of those pupils enrolled and in regular daily attendance on the pupil membership count day and the supplemental count day of the current school year. But for 2020-2021 only, except for a public school academy that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, the number of pupils
enrolled in that grade level to be counted in membership is the average of the number of those pupils engaged in pandemic learning for fall 2020 and the number of those pupils engaged in pandemic learning for spring 2021, as that term is defined in section 6a, as determined by the department. Membership is calculated by adding the number of pupils registered for attendance in that grade level on the pupil membership count day plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent, and as corrected by subsequent department audit, plus the final audited count from the supplemental count day for the current school year, and dividing that sum by 2.

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

(u) If, as a result of a disciplinary action, a district determines through the district's alternative or disciplinary education program that the best instructional placement for a pupil is in the pupil's home or otherwise apart from the general school population, if that placement is authorized in writing by the district superintendent and district alternative or disciplinary education supervisor, and if the district provides appropriate instruction as described in this subdivision to the pupil at the pupil's home or otherwise apart from the general school population, the district may count the pupil in membership on a pro rata basis, with the proration based on the number of hours of instruction the district actually provides to the pupil divided by the number of hours required under section 101 for full-time equivalency. For the purposes of this subdivision, a district is considered to be providing appropriate instruction if all of the following are met:
(i) The district provides at least 2 nonconsecutive hours of instruction per week to the pupil at the pupil's home or otherwise apart from the general school population under the supervision of a certificated teacher.

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

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

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

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

(w) For a public school academy that has been in operation for at least 2 years and that suspended operations for at least 1 semester and is resuming operations, membership is the sum of the product of .90 times the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance on the first pupil membership count day or supplemental count day, whichever is first, occurring after operations resume, plus the product of .10 times the final audited count from the most recent pupil membership count day or supplemental count day that occurred before suspending operations, as determined by the superintendent. But, for 2020-2021 only, except for a public school academy that
operates as a cyber school, as that term is defined in section 551
of the revised school code, MCL 380.551, membership is the sum of
the product of .90 times the number of full-time equated pupils
engaged in pandemic learning for fall 2020 or the number of full-
time equated pupils engaged in pandemic learning for spring 2021,
as that term is defined in section 6a, whichever applies first
after operations resume, plus the product of .10 times the final
audited count from the most recent pupil membership count day or
supplemental count day that occurred before suspending operations,
as determined by the superintendent.

(x) If a district's membership for a particular fiscal year,
as otherwise calculated under this subsection, would be less than
1,550 pupils, the district has 4.5 or fewer pupils per square mile,
as determined by the department, and the district does not receive
funding under section 22d(2), the district's membership is
considered to be the membership figure calculated under this
subdivision. If a district educates and counts in its membership
pupils in grades 9 to 12 who reside in a contiguous district that
does not operate grades 9 to 12 and if 1 or both of the affected
districts request the department to use the determination allowed
under this sentence, the department shall include the square
mileage of both districts in determining the number of pupils per
square mile for each of the districts for the purposes of this
subdivision. If a district has established a community engagement
advisory committee in partnership with the department of treasury,
is required to submit a deficit elimination plan or an enhanced
deficit elimination plan under section 1220 of the revised school
code, MCL 380.1220, and is located in a city with a population
between 9,000 and 11,000, as determined by the department, that is
in a county with a population between 155,000–150,000 and 160,000, as determined by the department, the district's membership is considered to be the membership figure calculated under this subdivision. The membership figure calculated under this subdivision is the greater of the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Except as provided in subdivision (b), the first Wednesday in October each school year or, for a district or building in which school is not in session on that Wednesday due to conditions not within the control of school authorities, with the approval of the
superintendent, the immediately following day on which school is in session in the district or building. A district is considered to be in session for purposes of this subdivision when the district is providing pupil instruction pursuant to an extended COVID-19 learning plan approved under section 98a.

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

(i) Fourth Wednesday in July.

(ii) First Wednesday in October.

(iii) Second Wednesday in February.

(iv) Fourth Wednesday in April.

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

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

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

(9) "Pupils engaged in pandemic learning for fall 2020"—spring
2021" means pupils in grades K to 12 who are enrolled in a
district, excluding a district that operates as a cyber school, as
that term is defined in section 551 of the revised school code, MCL
380.551, or intermediate district and to which any of the following
apply:

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

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

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

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

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

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

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

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

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

(iv) The pupil accesses an ongoing lesson that is not a login on 2020-2021 pupil membership count day and the access is documented by the district or intermediate district.
(c) At a minimum, 1 2-way interaction has occurred between the pupil and the pupil's teacher or at least 1 of the pupil's teachers or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress during the week on which 2020-2021 pupil membership count day falls and during each week for the 3 consecutive weeks after the week on which 2020-2021 pupil membership count day falls. A district may utilize 2-way interactions that occur under this subdivision toward meeting the requirement under section 101(3)(h). As used in this subdivision:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) For a pupil who is using sequential learning, any of the following occurs for each of the pupil's scheduled courses:
(i) The pupil attends a virtual course where synchronous, live instruction occurs with the pupil's teacher or at least 1 of the pupil's teachers on 2020-2021 supplemental count day and the attendance is documented by the district or intermediate district.

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

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

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

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

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

(A) Electronic mail. Email.

(B) Telephone.

(C) Instant messaging.

(D) Face-to-face conversation.

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

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

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

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

Sec. 11. (1) For the fiscal year ending September 30, 2021,
there is appropriated for the public schools of this state and certain other state purposes relating to education the sum of $13,759,819,500.00–$13,715,807,900.00 from the state school aid fund, the sum of $50,964,600.00–$54,464,600.00 from the general fund, an amount not to exceed $77,700,000.00–$79,800,000.00 from the community district education trust fund created under section 12 of the Michigan trust fund act, 2000 PA 489, MCL 12.262, and an amount not to exceed $100.00 from the water emergency reserve fund. For the fiscal year ending September 30, 2022, there is appropriated for the public schools of this state and certain other state purposes relating to education the sum of $14,797,232,100.00 from the state school aid fund, the sum of $85,400,000.00 from the general fund, an amount not to exceed $72,000,000.00 from the community district education trust fund created under section 12 of the Michigan trust fund act, 2000 PA 489, MCL 12.262, and an amount not to exceed $100.00 from the water emergency reserve fund. In addition, all available federal funds are only appropriated as allocated in this article for the fiscal years ending September 30, 2021 and September 30, 2022.

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

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

Sec. 11a. (1) The school aid stabilization fund is created as a separate account within the state school aid fund.
(2) The state treasurer may receive money or other assets from
any source for deposit into the school aid stabilization fund. The
state treasurer shall deposit into the school aid stabilization
fund all of the following:

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

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

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

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

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

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

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

(7) For 2020-2021, 2021-2022, in addition to the appropriations in section 11, there is appropriated from the school aid stabilization fund to the state school aid fund the amount necessary to fully fund the allocations under this article.

Sec. 11j. From the appropriation state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $111,000,000.00 for 2020-2021, 2021-2022 for payments to the school loan bond redemption fund in the department of treasury on behalf of districts and intermediate districts. Notwithstanding section 296 or any other provision of this act, funds allocated under this section are not subject to proration and must be paid in full.

Sec. 11k. For 2020-2021, 2021-2022, there is appropriated from the general fund to the school loan revolving fund an amount equal to the amount of school bond loans assigned to the Michigan finance authority, not to exceed the total amount of school bond loans held in reserve as long-term assets. As used in this section, "school loan revolving fund" means that fund created in section 16c of the shared credit rating act, 1985 PA 227, MCL 141.1066c.

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

Sec. 11n. (1) From the federal fund money—funds appropriated under section 11, there is allocated for 2020-2021 an amount not to exceed $125,658,900.00 from the federal funding awarded to this state from the governor's emergency education relief (GEER) fund under the coronavirus response and relief supplemental appropriations act, 2021, division M of Public Law 116-260, and there is allocated for 2020-2021 an amount not to exceed $1,650,759,800.00 from the federal funding awarded to this state from the elementary and secondary school emergency relief (ESSER) fund under the coronavirus response and relief supplemental appropriations act, 2021, division M of Public Law 116-260.

(2) From the federal funds appropriated under section 11, there is allocated for 2020-2021 an amount not to exceed $3,712,213,800.00 from the federal funding awarded to this state from the elementary and secondary school emergency relief (ESSER) fund under the American rescue plan act of 2021, title II, subtitle A, part 1 of Public Law 117-2, there is allocated for 2020-2021 an amount not to exceed $93,023,000.00 from the federal funding awarded to this state under section 2002 of the American rescue plan act of 2021, title II, subtitle A, part 1 of Public Law 117-2, for emergency assistance to nonpublic schools, and there is allocated for 2020-2021 an amount not to exceed $357,000,000.00 from the federal funding awarded to this state from the coronavirus state fiscal recovery fund under the American rescue plan act of

(3) From the funds allocated under subsection (2), $2,380,800.00 from the federal funding awarded to this state from the elementary and secondary school emergency relief (ESSER) fund under the American rescue plan act of 2021, title II, subtitle A, part 1 of Public Law 117-2, is allocated for payments to districts as provided under this subsection. The department shall distribute the funds allocated under this subsection in the same manner as funds under section 11r(8) were distributed and for the purposes described under section 11r(9).

Sec. 11s. (1) From the state school aid fund money appropriated in section 11, there is allocated $5,000,000.00 for 2020-2021-2021-2022 and from the general fund money appropriated in section 11, there is allocated $3,075,000.00 for 2020-2021-2021-2022 for the purpose of providing services and programs to children who reside within the boundaries of a district with the majority of its territory located within the boundaries of a city for which an executive proclamation of emergency concerning drinking water is issued in the current or immediately preceding 5-6 fiscal years under the emergency management act, 1976 PA 390, MCL 30.401 to 30.421. From the funding appropriated in section 11, there is allocated for 2020-2021-2021-2022 $100.00 from the water emergency reserve fund for the purposes of this section.

(2) From the general fund money allocated in subsection (1), there is allocated to a district with the majority of its territory located within the boundaries of a city for which an executive proclamation of emergency concerning drinking water is issued in the current or immediately preceding 5-6 fiscal years and that has at least 4,500 pupils in membership for the 2016-2017 fiscal year
or has at least 3,000 pupils in membership for a fiscal year after 2016-2017, an amount not to exceed $2,425,000.00 for 2020-2021 for the purpose of employing school nurses, classroom aides, and school social workers. The district shall provide a report to the department in a form, manner, and frequency prescribed by the department. The department shall provide a copy of that report to the governor, the house and senate school aid subcommittees, the house and senate fiscal agencies, and the state budget director within 5 days after receipt. The report must provide at least the following information:

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

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

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

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

(3) For 2020-2021, only, from the state school aid fund money appropriated in section 11, there is allocated $2,400,000.00, and, for 2021-2022, from the state school aid fund money allocated in subsection (1), there is allocated an amount not to exceed $2,400,000.00- $2,000,000.00 to an intermediate district that has a constituent district described in subsection (2) to provide state early intervention services for children described in subsection (1) who are between age 3 and age 5. The intermediate district shall use these funds to provide state early intervention services that are similar to the services described in the early on Michigan
state plan, including ensuring that all children described in subsection (1) who are less than 4 years of age as of September 1, 2016 are assessed and evaluated at least twice annually.

(4) From the state school aid fund money allocated in subsection (1), there is allocated an amount not to exceed $1,000,000.00 for 2020-2021-2021-2022 to the intermediate district described in subsection (3) to enroll children described in subsection (1) in school-day great start readiness programs, regardless of household income eligibility requirements contained in section 32d. The department shall administer this funding consistent with all other provisions that apply to great start readiness programs under sections 32d and 39.

(5) For 2020-2021, 2021-2022, from the general fund money allocated in subsection (1), there is allocated an amount not to exceed $650,000.00 for nutritional services to children described in subsection (1).

(6) For 2020-2021, 2021-2022, from the state school aid fund money allocated in subsection (1), there is allocated an amount not to exceed $1,600,000.00 to $2,000,000.00 to the intermediate district described in subsection (3) for interventions and supports for students in K to 12 who were impacted by an executive proclamation of emergency described in subsection (1) concerning drinking water. Funds under this subsection must be used for behavioral supports, social workers, counselors, psychologists, nursing services, including, but not limited to, vision and hearing services, transportation services, parental engagement, community coordination, and other support services.

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

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

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

(i) A coordinated information campaign.

(ii) Coordinated eligibility determination and preferences.

(iii) A coordinated application.

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

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

(b) The enrollment program selected by the collaborative for
purposes of this subsection has a record of improving enrollment in
New Orleans.
(c) The enrollment program selected by the collaborative for purposes of this subsection received funds from the C.S. Mott Foundation for the project.

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

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

(9) In addition to other funding allocated and appropriated in this section, there is appropriated an amount not to exceed $5,000,000.00 for 2020-2021-2021-2022 for state restricted contingency funds. These contingency funds are not available for expenditure until they have been transferred to a section within this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

Sec. 11t. (1) From the federal funds allocated under section 11n, there is allocated for 2020-2021 an amount not to exceed $361,983,300.00 from the federal funding awarded to this state from the elementary and secondary school emergency relief (ESSER) fund under the American rescue plan act of 2021, title II, subtitle A, part 1 of Public Law 117-2, to eligible districts as provided in this section. The department shall pay each eligible district under this subsection an amount equal to the product of the district's 2020-2021 pupils in membership multiplied by the difference between $1,093.00 and the district's ESSER III formula payment per pupil. A
district that has an ESSER III formula payment per pupil that is
less than $1,093.00 is an eligible district under this subsection.

(2) Both of the following apply to the funding under
subsection (1):

(a) An eligible district shall dedicate the following
percentages of a payment received under subsection (1) as follows,
in accordance with the requirements under section 2001(f) of the
American rescue plan act of 2021, title II, subtitle A, part 1 of
Public Law 117-2:

(i) At least 51.4% for activities to address learning loss by
supporting the implementation of evidence-based interventions.

(ii) At least 10.3% for the implementation of evidence-based
summer enrichment programs.

(iii) At least 10.3% for the implementation of evidence-based
comprehensive after-school programs.

(b) In accordance with section 2001(f) of the American rescue
plan act of 2021, title II, subtitle A, part 1 of Public Law 117-2,
an eligible district must ensure that the interventions,
activities, and programs under subdivision (a) respond to students'
academic, social, and emotional needs and address the
disproportionate impact of COVID-19 on the student subgroups
described in section 6311(b)(2)(B)(xi) of 20 USC 6311; students
experiencing homelessness; and children and youth in foster care.

(3) In order to receive funding under subsection (1), a
district must submit a spending plan to the department by not later
than 45 days after the effective date of the amendatory act that
added this section. A spending plan described in this subsection
must include the district's estimated spending of funds received
under subsection (1) for the purposes described subsection (2),
disaggregated by the type of service provided. A district shall also post the spending plan described in this subsection on its website.

(4) As used in this section, "ESSER III formula payment per pupil" means an amount equal to the amount of funds the district receives under section 11r(8) divided by the district's pupils in membership for the 2020-2021 school year as calculated under section 6.

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

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

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

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

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

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

(7) In addition to funds appropriated in section 11 for all programs and services, there is appropriated for 2020-2021-2021-2022 for obligations in excess of applicable appropriations an amount equal to the collection of overpayments, but not to exceed amounts available from overpayments.
Sec. 18. (1) Except as provided in another section of this article, each district or other entity shall apply the money received by the district or entity under this article to salaries and other compensation of teachers and other employees, tuition, transportation, lighting, heating, ventilation, water service, the purchase of textbooks, other supplies, and any other school operating expenditures defined in section 7. However, not more than 20% of the total amount received by a district under sections 22a and 22b or received by an intermediate district under section 81 may be transferred by the board to either the capital projects fund or to the debt retirement fund for debt service. A district or other entity shall not apply or take the money for a purpose other than as provided in this section. The department shall determine the reasonableness of expenditures and may withhold from a recipient of funds under this article the apportionment otherwise due upon a violation by the recipient. A district must not be prohibited or limited from using funds appropriated or allocated under this article that are permitted for use for noninstructional services to contract or subcontract with an intermediate district, third party, or vendor for the noninstructional services.

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

(a) The annual operating budget and subsequent budget revisions.
(b) Using data that have already been collected and submitted to the department, a summary of district expenditures for the most recent fiscal year for which they are available, expressed in the following 2 visual displays:

(i) A chart of personnel expenditures, broken into the following subcategories:
   (A) Salaries and wages.
   (B) Employee benefit costs, including, but not limited to, medical, dental, vision, life, disability, and long-term care benefits.
   (C) Retirement benefit costs.
   (D) All other personnel costs.

(ii) A chart of all district expenditures, broken into the following subcategories:
   (A) Instruction.
   (B) Support services.
   (C) Business and administration.
   (D) Operations and maintenance.

(c) Links to all of the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) All of the following must be done not later than November 1 each year for reporting the prior fiscal year data: but, for 2020-2021 only, not later than December 1 for reporting the 2019-2020 data:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) Virtual courses created and offered by a district or intermediate district.
(15) An allocation to a district or another entity under this article is contingent upon the district's or entity's compliance with this section.

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

Sec. 19. (1) A district or intermediate district shall comply with all applicable reporting requirements specified in state and federal law. Data provided to the center, in a form and manner prescribed by the center, shall be aggregated and disaggregated as required by state and federal law. In addition, a district or intermediate district shall cooperate with all measures taken by the center to establish and maintain a statewide P-20 longitudinal data system.

(2) Each district shall furnish to the center not later than 5 weeks after the pupil membership count day and by the last business day in June of the school fiscal year ending in the fiscal year, in a manner prescribed by the center, the information necessary for the preparation of the district and high school graduation report, information regarding completion of early middle college credentials obtained and postsecondary credits obtained in any college acceleration program, and information necessary for the preparation of the state and federal accountability reports. This information shall meet requirements established in the pupil
auditing manual approved and published by the department. The
center shall calculate an annual graduation and pupil dropout rate
for each high school, each district, and this state, in compliance
with nationally recognized standards for these calculations. The
center shall report all graduation and dropout rates to the senate
and house education committees and appropriations committees, the
state budget director, and the department not later than 30 days
after the publication of the list described in subsection (5).
Before reporting these graduation and dropout rates, the department
shall allow a school or district to appeal the calculations. The
department shall consider and act upon the appeal within 30 days
after it is submitted and shall not report these graduation and
dropout rates until after all appeals have been considered and
decided.

(3) By the first business day in December and by the last
business day in June of each year, a district shall furnish to the
center, in a manner prescribed by the center, information related
to educational personnel as necessary for reporting required by
state and federal law. For the purposes of this subsection, the
center shall only require districts and intermediate districts to
report information that is not already available from the office of
retirement services in the department of technology, management,
and budget.

(4) If a district or intermediate district fails to meet the
requirements of this section, the department shall withhold 5% of
the total funds for which the district or intermediate district
qualifies under this article until the district or intermediate
district complies with all of those subsections, this section. If
the district or intermediate district does not comply with all of
those subsections this section by the end of the fiscal year, the department shall place the amount withheld in an escrow account until the district or intermediate district complies with all of those subsections this section.

(5) Before publishing a list of school or district accountability designations as required by the no child left behind act of 2001, Public Law 107-110, or the every student succeeds act, Public Law 114-95, and utilizing data that were certified as accurate and complete after districts and intermediate districts adhered to deadlines, data quality reviews, and correction processes leading to local certification of final student data in subsection (2), the department shall allow a school or district to appeal any calculation errors used in the preparation of accountability metrics. The department shall consider and act upon the appeal within 30 days after it is submitted and shall not publish the list until after all appeals have been considered and decided.

(6) Beginning in 2016-2017, the department shall implement statewide standard reporting requirements for education data approved by the department in conjunction with the center. The department shall work with the center, intermediate districts, districts, and other interested stakeholders to implement this policy change. A district or intermediate district shall implement the statewide standard reporting requirements not later than 2017-2018 or when a district or intermediate district updates its education data reporting system, whichever is later.

Sec. 20. (1) For 2020-2021, 2021-2022, both of the following apply:

(a) The target foundation allowance is $8,529.00-$8,700.00.
(b) The minimum foundation allowance is $8,111.00.

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

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

4 (a) Except as otherwise provided in this subdivision, except
for 2021-2022, for a district that had a foundation allowance for
the immediately preceding fiscal year that was at least equal to
the minimum foundation allowance for the immediately preceding
fiscal year, but less than the target foundation allowance for the
immediately preceding fiscal year, the district receives a
foundation allowance in an amount equal to the sum of the
district's foundation allowance for the immediately preceding
fiscal year plus the difference between twice the dollar amount of
the adjustment from the immediately preceding fiscal year to the
current fiscal year made in the target foundation allowance and
[(the difference between the target foundation allowance for the
current fiscal year and target foundation allowance for the
immediately preceding fiscal year minus $40.00) times (the
difference between the district's foundation allowance for the
immediately preceding fiscal year and the minimum foundation
allowance for the immediately preceding fiscal year) divided by the
difference between the target foundation allowance for the current
fiscal year and the minimum foundation allowance for the
immediately preceding fiscal year.] However, the foundation allowance for a district that had less than the target foundation allowance for the immediately preceding fiscal year must not exceed the target foundation allowance for the current fiscal year. For 2021-2022, for a district that had a foundation allowance for the immediately preceding fiscal year that was at least equal to the minimum foundation allowance for the immediately preceding fiscal year, but less than the target foundation allowance for the immediately preceding fiscal year, the district's foundation allowance is $8,700.00.

(b) Except as otherwise provided in this subsection, for a district that in the immediately preceding fiscal year had a foundation allowance in an amount equal to the amount of the target foundation allowance for the immediately preceding fiscal year, the district receives a foundation allowance for 2021-2022 in an amount equal to the target foundation allowance for 2020-2021.

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

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

(4) Except as otherwise provided in this subsection, beginning
in 2014-2015, 2021-2022, the state portion of a district's
foundation allowance is an amount equal to the district's
foundation allowance or the target foundation allowance for the
current fiscal year, whichever is less, minus the local portion of
the district's foundation allowance. For a district described in
subsection (3)(c), beginning in 2014-2015, the state portion of the
district's foundation allowance is an amount equal to $6,962.00
plus the difference between the district's foundation allowance for
the current fiscal year and the district's foundation allowance for
1998-99, minus the local portion of the district's foundation
allowance. For a district that has a millage reduction required
under section 31 of article IX of the state constitution of 1963,
the department shall calculate the state portion of the district's
foundation allowance as if that reduction did not occur. For a
receiving district, if school operating taxes continue to be levied
on behalf of a dissolved district that has been attached in whole
or in part to the receiving district to satisfy debt obligations of
the dissolved district under section 12 of the revised school code,
MCL 380.12, the taxable value per membership pupil of property in
the receiving district used for the purposes of this subsection
does not include the taxable value of property within the
geographic area of the dissolved district. For a community
district, if school operating taxes continue to be levied by a
qualifying school district under section 12b of the revised school code, MCL 380.12b, with the same geographic area as the community district, the taxable value per membership pupil of property in the community district to be used for the purposes of this subsection does not include the taxable value of property within the geographic area of the community district.

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

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

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

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

The calculation under this subsection must take into account a
district's per-pupil allocation under section 20m.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(m) "Receiving district" means a district to which all or part of the territory of a dissolved district is attached under section 12 of the revised school code, MCL 380.12.
(n) "School operating purposes" means the purposes included in the operation costs of the district as prescribed in sections 7 and 18 and purposes authorized under section 1211 of the revised school code, MCL 380.1211.

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

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

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

Sec. 20d. In making the final determination required under former section 20a of a district's combined state and local revenue per membership pupil in 1993-94 and in making calculations under section 20 for 2020-2021, 2021-2022, the department and the department of treasury shall comply with all of the following:

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

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

Sec. 20f. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $18,000,000.00 for 2020-2021-2021-2022 for payments to eligible districts under this section.
(2) The funding under this subsection is from the allocation under subsection (1). A district is eligible for funding under this subsection if the district received a payment under this section as it was in effect for 2013-2014. A district was eligible for funding in 2013-2014 if the sum of the following was less than $5.00:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 20m. (1) Foundation allowance supplemental payments for the current fiscal year to districts that in the immediately preceding fiscal year had a foundation allowance greater than the target foundation allowance must be calculated under this section.

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

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

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

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

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

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

(3) Except as otherwise provided under subsection (15), a pupil may be enrolled in more than 2 virtual courses in a specific academic term, semester, or trimester if all of the following conditions are met:
(a) The primary district has determined that it is in the best interest of the pupil.
(b) The pupil agrees with the recommendation of the primary district.
(c) The primary district, in collaboration with the pupil, has developed an education development plan, in a form and manner specified by the department, that is kept on file by the district. This subdivision does not apply to a pupil enrolled as a part-time pupil under section 166b.

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

(5) Except as otherwise provided under subsection (15), a primary district may not establish additional requirements beyond those specified in this subsection that would prohibit a pupil from taking a virtual course. Except as otherwise provided under subsection (15), a pupil's primary district may deny the pupil enrollment in a virtual course if any of the following apply, as determined by the district:
(a) The pupil is enrolled in any of grades K to 5.
(b) The pupil has previously gained the credits that would be provided from the completion of the virtual course.
(c) The virtual course is not capable of generating academic credit.
(d) The virtual course is inconsistent with the remaining graduation requirements or career interests of the pupil.
(e) The pupil has not completed the prerequisite coursework for the requested virtual course or has not demonstrated proficiency in the prerequisite course content.
(f) The pupil has failed a previous virtual course in the same subject during the 2 most recent academic years.
(g) The virtual course is of insufficient quality or rigor. A primary district that denies a pupil enrollment request for this reason shall enroll the pupil in a virtual course in the same or a similar subject that the primary district determines is of acceptable rigor and quality.
(h) The cost of the virtual course exceeds the amount identified in subsection (10), unless the pupil or the pupil's parent or legal guardian agrees to pay the cost that exceeds this amount.
(i) The request for a virtual course enrollment did not occur within the same timelines established by the primary district for enrollment and schedule changes for regular courses.
(j) The request for a virtual course enrollment was not made in the academic term, semester, trimester, or summer preceding the enrollment. This subdivision does not apply to a request made by a pupil who is newly enrolled in the primary district.
(6) Except as otherwise provided under subsection (15), if
a pupil is denied enrollment in a virtual course by the pupil's primary district, the primary district shall provide written notification to the pupil of the denial, the reason or reasons for the denial under subsection (5), and a description of the appeal process. The pupil may appeal the denial by submitting a letter to the superintendent of the intermediate district in which the pupil's primary district is located. The letter of appeal must include the reason provided by the primary district for not enrolling the pupil and the reason why the pupil is claiming that the enrollment should be approved. The intermediate district superintendent or designee shall respond to the appeal within 5 days after it is received. If the intermediate district superintendent or designee determines that the denial of enrollment does not meet 1 or more of the reasons specified in subsection (5), the primary district shall enroll the pupil in the virtual course.

(7) Except as otherwise provided under subsection (15), to provide a virtual course to an eligible pupil under this section, a provider must do all of the following:

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

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

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

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

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

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

(8) Except as otherwise provided under subsection (15), to provide a virtual course under this section, a community college shall ensure that each virtual course it provides under this section generates postsecondary credit.

(9) Except as otherwise provided under subsection (15), for any virtual course a pupil enrolls in under this section, the pupil's primary district must assign to the pupil a mentor and shall supply the provider with the mentor's contact information.

(10) Except as otherwise provided under subsection (15), for a pupil enrolled in 1 or more virtual courses, the primary district shall use foundation allowance or per-pupil funds calculated under section 20 to pay for the expenses associated with the virtual course or courses. Except as otherwise provided under subsection (15), a primary district is not required to pay toward
the cost of a virtual course an amount that exceeds 6.67% of the 
minimum foundation allowance for the current fiscal year as 
calculated under section 20.

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

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

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

(14) As used in this section:
(a) "Instructor" means an individual who is employed by or 
contracted through a community college.
(b) "Mentor" means a professional employee of the primary district who monitors the pupil's progress, ensures the pupil has access to needed technology, is available for assistance, and ensures access to the teacher of record. A mentor may also serve as the teacher of record if the primary district is the provider for the virtual course and the mentor meets the requirements under subdivision (e).

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

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

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

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

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

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

(iv) Has a personnel identification code provided by the center.
(v) If the provider is a community college, is an instructor employed by or contracted through the providing community college.

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

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

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

(ii) The virtual course content outline.

(iii) The virtual course required assessments.

(iv) The virtual course prerequisites.

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

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

(vii) The virtual course learning outcomes and objectives.

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

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

(x) The course titles assigned by the provider and the course titles and course codes from the National Center for Education Statistics (NCES) school codes for the exchange of data (SCED).
(xi) The number of eligible pupils that will be accepted by the provider in the virtual course. A primary district that is also the provider may limit the enrollment to those pupils enrolled in the primary district.

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

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

(15) The requirements under this section concerning virtual courses do not apply to virtual courses offered as part of pandemic learning. As used in this subsection, "pandemic learning" means a mode of pupil instruction provided as a result of the COVID-19 pandemic.

Sec. 21h. (1) From the appropriation state school aid fund money appropriated in section 11, there is allocated $6,137,400.00 for 2020-2021-2021-2022 for assisting districts assigned by the superintendent to participate in a partnership and districts that have established a community engagement advisory committee in partnership with the department of treasury, are required to submit a deficit elimination plan or an enhanced deficit elimination plan under section 1220 of the revised school code, MCL 380.1220, and are located in a city with a population between 9,000 and 11,000, as determined by the department, that is in a county with a population between 150,000-155,000 and 160,000, as determined by the department, to improve student achievement and district financial stability. The superintendent shall collaborate with the state treasurer to identify any conditions that may be contributing to low academic performance within a district being considered for
assignment to a partnership. The purpose of the partnership is to identify district needs, develop intervention plans, and partner with public, private, and nonprofit organizations to coordinate resources and improve student achievement. Assignment of a district to a partnership is made by the superintendent in consultation with the state treasurer.

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

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

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

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

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

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

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

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

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

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

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

(5) From the funds allocated under subsection (1), there is allocated for 2020-2021-2021-2022 an amount not to exceed $137,400.00 for the purchase of a data analytics tool to be used by districts described in subsection (1). The superintendent of public instruction shall require districts described in subsection (1) to purchase a data analytics tool funded under this subsection as part of the agreements described in this section.

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

Sec. 22a. (1) From the appropriation of state school aid fund money appropriated in section 11, there is allocated an amount not
to exceed $4,916,000,000.00–$4,836,000,000.00 for 2019–2020–2021 and there is allocated an amount not to exceed $4,880,500,000.00–$4,742,000,000.00 for 2020–2021–2021–2022 for payments to districts and qualifying public school academies to guarantee each district and qualifying public school academy an amount equal to its 1994–95 total state and local per-pupil per-pupil revenue for school operating purposes under section 11 of article IX of the state constitution of 1963. Pursuant to section 11 of article IX of the state constitution of 1963, this guarantee does not apply to a district in a year in which the district levies a millage rate for school district operating purposes less than it levied in 1994. However, subsection (2) applies to calculating the payments under this section. Funds allocated under this section that are not expended in the fiscal year for which they were allocated, as determined by the department, may be used to supplement the allocations under sections 22b and 51c to fully fund those allocations for the same fiscal year. For each fund transfer as described in the immediately preceding sentence that occurs, the state budget director shall send notification of the transfer to the house and senate appropriations subcommittees on state school aid and the house and senate fiscal agencies by not later than 14 calendar days after the transfer occurs.

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

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

(b) For a district that had a 1994-95 foundation allowance greater than $6,500.00, the state payment under this subsection is the sum of the amount calculated under subdivision (a) plus the amount calculated under this subdivision. The amount calculated under this subdivision must be equal to the difference between the district's 1994-95 foundation allowance minus $6,500.00 and the current year hold harmless school operating taxes per pupil. If the result of the calculation under subdivision (a) is negative, the negative amount is an offset against any state payment calculated under this subdivision. If the result of a calculation under this subdivision is negative, there is not a state payment or a deduction under this subdivision. The taxable values per membership pupil used in the calculations under this subdivision are as adjusted by ad valorem property tax revenue captured under tax increment financing acts divided by the district's membership. For a receiving district, if school operating taxes are to be levied on behalf of a dissolved district that has been attached in whole or in part to the receiving district to satisfy debt obligations of the dissolved district under section 12 of the revised school code, MCL 380.12, ad valorem property tax revenue captured under tax increment financing acts do not include ad valorem property tax revenue captured within the geographic boundaries of the dissolved district under tax increment financing acts.
(3) Beginning in 2003-2004, for pupils in membership in a qualifying public school academy, there is allocated under this section to the authorizing body that is the fiscal agent for the qualifying public school academy for forwarding to the qualifying public school academy an amount equal to the 1994-95 per pupil per-pupil payment to the qualifying public school academy under section 20.

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

(5) Except as otherwise provided in this subsection, for a district that is formed or reconfigured after June 1, 2000 by consolidation of 2 or more districts or by annexation, the resulting district's 1994-95 foundation allowance under this section beginning after the effective date of the consolidation or annexation is the average of the 1994-95 foundation allowances of each of the original or affected districts, calculated as provided in this section, weighted as to the percentage of pupils in total membership in the resulting district in the fiscal year in which the consolidation takes place who reside in the geographic area of each of the original districts. If an affected district's 1994-95 foundation allowance is less than the 1994-95 basic foundation allowance, the amount of that district's 1994-95 foundation allowance is considered for the purpose of calculations under this subsection to be equal to the amount of the 1994-95 basic foundation allowance. This subsection does not apply to a receiving district unless there is a subsequent consolidation or annexation that affects the district.
(6) Payments under this section are subject to section 25g.

(7) As used in this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 22b. (1) For discretionary nonmandated payments to districts under this section, there is allocated for 2019-2020 2020-2021 an amount not to exceed $4,499,100,000.00 $4,782,200,000.00 from the state school aid fund and general fund appropriations in section 11 and an amount not to exceed $75,900,000.00 $79,800,000.00 from the community district education trust fund appropriation in section 11, and there is allocated for 2020-2021 2021-2022 an amount not to exceed $4,488,600,000.00 $5,132,000,000.00 from the state school aid fund and general fund appropriations in section 11 and an amount not to exceed $77,700,000.00 $72,000,000.00 from the community district education trust fund appropriation in section 11. Of the funds allocated under this section for 2021-2022, $13,600,000.00 represents the amount of the general fund revenue deposited into the state school aid fund to reimburse the state school aid fund for community
District education trust fund costs in excess of $72,000,000.00.

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

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

(3) In order to receive an allocation under subsection (1),
each district must do all of the following:
(a) Comply with section 1280b of the revised school code, MCL 380.1280b.

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

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

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

(e) Comply with section 21f.

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

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

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

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

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

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

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

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

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

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

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

(a) "Eligible district" means a district for which the local school operating revenue per membership pupil exceeds the district's foundation allowance as calculated under section 20.

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

Sec. 22d. (1) From the state school aid fund money appropriated under section 11, an amount not to exceed $7,000,000.00-$8,420,000.00 is allocated for 2020-2021-2021-2022 for supplemental payments to rural districts under this section.

(2) From the allocation under subsection (1), there is allocated for 2020-2021-2021-2022 an amount not to exceed $957,300.00-$1,557,300.00 for payments under this subsection to districts that meet all of the following:

(a) Operates grades K to 12.

(b) Has fewer than 250 pupils in membership.

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

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

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

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

(4) Subject to subsection (6)-(7), from the allocation in subsection (1), there is allocated for 2020-2021 2021-2022 an amount not to exceed $6,042,700.00 for payments under this subsection to districts that have fewer than 10.0 pupils per square mile as determined by the department.

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

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

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

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

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

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

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

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

Sec. 22g. (1) From the state school aid fund money
appropriated under section 11, there is allocated for 2021-2022 an
amount not to exceed $25,500,000.00 to a qualifying intermediate
district for paying the outstanding operating debt and accrued
school bond loan fund interest of a dissolved school district. For
purposes of this subsection, an intermediate district is a
qualifying intermediate district if it is required to perform the
functions and satisfy the responsibilities of a dissolved school
district under section 12(3) of the revised school code, MCL
380.12. The department of treasury shall determine which qualifying
intermediate district is eligible for payments under this section based on the ability of the dissolved school district to repay the balance of accrued school bond loan fund interest.

(2) Notwithstanding section 17b, the department shall make payments to a qualifying intermediate district under this section on a schedule determined by the department.

(3) As used in this section, "dissolved school district" means a school district that has been declared dissolved under section 12 of the revised school code, MCL 380.12.

Sec. 22m. (1) From the appropriations—state school aid fund money appropriated in section 11, there is allocated for 2020-2021 2021-2022 an amount not to exceed $2,200,000.00 for supporting the integration of local data systems into the Michigan data hub network based on common standards and applications that are in compliance with section 19(6).

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

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

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

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

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

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

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

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

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

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

(d) Promoting 100% district adoption of the Michigan data hub

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

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

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

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

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

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

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

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

(ii) Either of the following, as applicable:

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

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

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

(c) For a public school academy assigned as a partnership district as described in this subsection, a requirement that, if reconstitution is imposed on a school that is operated by the public school academy and that is subject to the partnership agreement, the school must be reconstituted as described in section 507, 528, or 561, as applicable, of the revised school code, MCL 380.507, 380.528, and 380.561.
(d) For a district assigned as a partnership district as described in this subsection, a provision that, if reconstitution is imposed on a school that is operated by the district and that is subject to the partnership agreement, reconstitution may require closure of the school building, but, if the school building remains open, reconstitution must include, but is not limited to, all of the following:

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

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

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

(2) If a district or public school academy is assigned as a partnership district as described in subsection (1) during the current fiscal year, it shall ensure that it has a signed partnership agreement as described in subsection (1) in place by not later than 90 days after the date that it is assigned as a partnership district. If a district or public school academy described in this subsection does not comply with this subsection, the department shall withhold funding under section 22b for that district or public school academy until the district or public school academy has a signed partnership agreement as described in subsection (1) in place.
Sec. 24. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2020-2021 an amount not to exceed $7,150,000.00-$7,650,000.00 and there is allocated for 2021-2022 an amount not to exceed $7,650,000.00 for payments to the educating district or intermediate district for educating pupils assigned by a court or the department of health and human services to reside in or to attend a juvenile detention facility or child caring institution licensed by the department of health and human services and approved by the department to provide an on-grounds education program. The amount of the payment under this section to a district or intermediate district is calculated as prescribed under subsection (2).

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

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

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

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

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

Sec. 24a. From the appropriation state school aid fund money
appropriated in section 11, there is allocated an amount not to
exceed $1,355,700.00 for 2020-2021 2021-2022 for payments to
intermediate districts for pupils who are placed in juvenile
justice service facilities operated by the department of health and
human services. The amount of the payment to each intermediate
district is an amount equal to the state share of those costs that
are clearly and directly attributable to the educational programs
for pupils placed in facilities described in this section that are
located within the intermediate district's boundaries. The intermediate districts receiving payments under this section shall cooperate with the department of health and human services to ensure that all funding allocated under this section is utilized by the intermediate district and department of health and human services for educational programs for pupils described in this section. Pupils described in this section are not eligible to be funded under section 24. However, a program responsibility or other fiscal responsibility associated with these pupils must not be transferred from the department of health and human services to a district or intermediate district unless the district or intermediate district consents to the transfer.

Sec. 25f. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $1,600,000.00 for 2020-2021-2021-2022 for payments to strict discipline academies established under sections 1311b to 1311m of the revised school code, MCL 380.1311b to 380.1311m, as provided under this section.

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

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

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

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

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

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

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

Sec. 25g. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $750,000.00 for 2020–2021–2021–2022 for the purposes of this section. Except as otherwise provided in this section, if the operation of the special membership counting provisions under section 6(4)(dd) and the other membership counting provisions under section 6(4) result in a pupil being counted as more than 1.0 FTE in a fiscal year, then the payment made for the pupil under sections 22a and 22b must not be based on more than 1.0 FTE for that pupil, and that portion of the FTE that exceeds 1.0 is paid under this section in an amount equal to that portion multiplied by the educating district's foundation allowance or per-pupil payment calculated under section 20.

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

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

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

Sec. 25i. (1) From the general fund money appropriated in section 11, there is allocated for 2020–2021–2021–2022 an amount not to exceed $2,000,000.00–$6,000,000.00 for an eligible attendance recovery program as described in subsection (3). The
funds allocated under this section must be used to administer an eligible attendance recovery program for all districts that opt into the program to serve eligible pupils described in subsection (2).

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

(a) The pupil did not engage in the district's remote continuous education offerings in spring 2020-2021.

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

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

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

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

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

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

(3) An attendance recovery program that meets all of the following received funding under this section in 2020-2021 is an eligible attendance recovery program under this section.:

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

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

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

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

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

(4) The department shall choose and designate the provider of the eligible attendance recovery program under this section by not later than November 1, 2020. The provider chosen and designated by the department under this subsection in 2020-2021 must continue to do all of the following:

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

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

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

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

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

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

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

(5) Notwithstanding section 17b, the department shall make payments under this section by not later than December 1, 2020–2021.

Sec. 26a. From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $15,300,000.00 for 2020-2021 to reimburse districts and intermediate districts under section 12 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692, for taxes levied in 2020-2021. The department shall pay the allocations not later than 60 days after the department of treasury certifies to the department and to the state budget director that the department of treasury has received all necessary information to properly determine the amounts due to each eligible recipient.

Sec. 26b. (1) From the appropriation state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $4,645,000.00 $4,710,000.00 for 2020-2021 for payments to districts, intermediate districts, and community college districts for the portion of the payment in lieu of taxes obligation that is attributable to districts, intermediate districts, and community college districts under section 2154 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2154.
(2) If the amount appropriated under this section is not sufficient to fully pay obligations under this section, payments are prorated on an equal basis among all eligible districts, intermediate districts, and community college districts.

Sec. 26c. (1) From the state school aid fund money appropriated under section 11, there is allocated an amount not to exceed $9,700,000.00 for 2020-2021 and there is allocated an amount not to exceed $11,300,000.00 for 2021-2022 to the promise zone fund created in subsection (3). The funds allocated under this section reflect the amount of revenue from the collection of the state education tax captured under section 17 of the Michigan promise zone authority act, 2008 PA 549, MCL 390.1677.

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

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

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

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

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

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

Sec. 26d. (1) From the state school aid fund money appropriated under section 11, there is allocated an amount not to exceed $7,500,000.00 for 2021-2022 for reimbursements to intermediate districts as required under section 15b of the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2665b.

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

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

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

Sec. 28. (1) To recognize differentiated instructional costs
for different types of pupils in 2020-2021, 2021-2022, the following sections provide a weighted foundation allocation or an additional payment of some type in the following amounts, as allocated under those sections:

(a) Section 22d, isolated and rural districts, $7,000,000.00 - $8,420,000.00.
(b) Section 31a, at risk, standard programming, $510,000,000.00 - $512,500,000.00.
(c) Section 31a, at risk, additional payment, $12,000,000.00.
(d) Section 41, bilingual education for English language learners, $13,000,000.00 - $25,200,000.00.
(e) Section 51c, special education, mandated percentages, $713,400,000.00 - $733,400,000.00.
(f) Section 51f, special education, additional percentages, $60,207,000.00 - $90,207,000.00.
(g) Section 61a, career and technical education, standard reimbursement, $37,611,300.00.
(h) Section 61d, career and technical education incentives, $5,000,000.00.

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

Sec. 29a. (1) From the state school aid fund money appropriated under section 11, there is allocated for 2020-2021 an amount not to exceed $66,000,000.00 - $50,000,000.00 for payments as provided under this section to eligible districts described in subsection (2).

(2) A district for which its 2020-2021 pupils in membership exceeds the calculation of membership for that district under
section 6(4) for 2020-2021 is an eligible district under this section.

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

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

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

Sec. 31a. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2020-2021-2022 an amount not to exceed $535,150,000.00-$537,650,000.00, and from the general fund money appropriated in section 11 there is allocated for 2021-2022 an amount not to exceed $1,500,000.00, for payments to eligible districts and eligible public school academies
for the purposes of ensuring that pupils are proficient in English
ing language arts by the end of grade 3, that pupils are proficient in
mathematics by the end of grade 8, that pupils are attending school
regularly, that high school graduates are career and college ready,
and for the purposes under subsections (7) and (8).

(2) For a district that has combined state and local revenue
per membership pupil under section 20 that is greater than the
target foundation allowance under section 20 for the current fiscal
year and that, for the immediately preceding fiscal year, had
combined state and local revenue per membership pupil under section
20 that was greater than the target foundation allowance under
section 20 that was in effect for that fiscal year, the allocation
under this section—subsection (4) is an amount equal to 30%–35% of
the allocation for which it would otherwise be eligible under this
section—subsection (4) before any proration under subsection (14).
(15). It is the intent of the legislature that, if revenues are
sufficient and if districts with combined state and local revenue
per membership pupil under section 20 that is below the target
foundation allowance are receiving nonprorated payments under this
section—subsection (4), the percentage in the immediately
preceding sentence must be increased annually until it reaches
100%. If a district has combined state and local revenue per
membership pupil under section 20 that is greater than the target
foundation allowance under section 20 for the current fiscal year,
but for the 2018-2019 fiscal year had combined state and local
revenue per membership pupil under section 20 that was less than
the basic foundation allowance under section 20 that was in effect
for the 2018-2019 fiscal year, the district shall receive an amount
per pupil equal to 11.5% of the statewide weighted average
foundation allowance, as applied under subsection (4), and before any proration under subsection (14)-(15).

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

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

(4) From the funds—state school aid fund money allocated under subsection (1), there is allocated for 2020-2021-2021-2022 an amount not to exceed $510,000,000.00—$512,500,000.00 to continue a weighted foundation per pupil payment for districts and public school academies enrolling economically disadvantaged pupils. The department shall pay under this section—subsection to each eligible
district or eligible public school academy an amount per pupil
equal to 11.5% of the statewide weighted average foundation
allowance for the following, as applicable:

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

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

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

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

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

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

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

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

(7) From the funds—state school aid fund money allocated under subsection (1), there is allocated for 2020-2021–2021-2022 an amount not to exceed $8,000,000.00 to support primary health care services provided to children and adolescents up to age 21. These funds must be expended in a form and manner determined jointly by the department and the department of health and human services. If any funds allocated under this subsection are not used for the purposes of this subsection for the fiscal year in which they are allocated, those unused funds must be used that fiscal year to avoid or minimize any proration that would otherwise be required under subsection (14)–(15) for that fiscal year.

(8) From the funds—state school aid fund money allocated under subsection (1), there is allocated for 2020-2021–2021-2022 an amount not to exceed $5,150,000.00 for the state portion of the hearing and vision screenings as described in section 9301 part 93 of the public health code, 1978 PA 368, MCL 333.9301 to 333.9329, and, from the general fund money allocated under subsection (1), there is allocated for 2021-2022 an amount not to exceed $1,500,000.00 for the state portion of the dental screenings as described in part 93 of the public health code, 1978 PA 368, MCL
333.9301 to 333.9329. A local public health department shall pay at least 50% of the total cost of the screenings. The frequency of the vision screenings must be as required under R 325.13091 to R 325.13096 of the Michigan Administrative Code and the frequency of the hearing screenings must be as required under R 325.3271 to R 325.3276 of the Michigan Administrative Code. Funds must be awarded in a form and manner approved jointly by the department and the department of health and human services. Notwithstanding section 17b, the department shall make payments to eligible entities under this subsection on a schedule determined by the department.

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

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

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

(12) A district or public school academy that receives funds
under this section may use up to 7.5% of those funds to provide
research based professional development and to implement a coaching
model that supports the multi-tiered system of supports framework.
Professional development may be provided to district and school
leadership and teachers and must be aligned to professional
learning standards; integrated into district, school building, and
classroom practices; and solely related to the following:
(a) Implementing the multi-tiered system of supports required in subsection (3) with fidelity and utilizing the data from that system to inform curriculum and instruction.

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

(13) A district or public school academy that receives funds under this section—subsection (4) or (17)—may use funds received under this section to—subsection (4) or (17)—for support instructional or behavioral coaches. Funds used for this purpose are not subject to the cap under subsection (12). Staff providing services to at-risk pupils.

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

(15) If necessary, and before any proration required under section 296, the department shall prorate payments under this section, except payments under subsection (7), (8), or (16)-(17), by reducing the amount of the allocation as otherwise calculated under this section by an equal percentage per district.

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

(17) (16) From the funds state school aid fund money allocated under subsection (1), there is allocated for 2020-2021-2021-2022 an amount not to exceed $12,000,000.00 for payments to districts and public school academies that otherwise received an allocation under this subsection for 2019-2020, 2020-2021 and whose allocation under this section for 2019-2020, 2020-2021, excluding any payments under subsection (7) or (8), would have been more than the district's or public school academy's allocation under this section for 2020-2021-2021-2022 as calculated under subsection (4) only and as adjusted under subsection (14)-(15). The allocation for each district or public school academy under this subsection is an amount equal to its allocation under this section for 2019-2020-2020-2021 minus its allocation as otherwise calculated under subsection (4) for 2020-2021-2021-2022 as adjusted by subsection (14)-(15), using in those calculations the 2017-2018 number of pupils determined to be economically disadvantaged. However, if the allocation as otherwise calculated under this subsection would have been less than $0.00, the allocation under this subsection is $0.00. If necessary, and before any proration required under section 296, the department shall prorate payments under this subsection by reducing the amount of the allocation as otherwise calculated under this subsection by an equal percentage per district or public school academy. Any unexpended funds under this subsection are to be distributed through payments made under subsection (4) as provided under subsection (4), but those funds must not be factored into calculating payments under this subsection.

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

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

(20) As used in this section:

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

(i) The pupil is economically disadvantaged.

(ii) The pupil is an English language learner.

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

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

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

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

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

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

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

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

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

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

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

Sec. 31d. (1) From the appropriations in section 11, there is allocated an amount not to exceed $23,144,000.00 for 2020-2021 and there is allocated an amount not to exceed $23,838,400.00 for 2021-2022 for the purpose of making payments to districts and other eligible entities under this section.

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

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

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

(5) From the federal funds appropriated in section 11, there is allocated for 2020-2021 all available federal funding, estimated at $545,000,000.00—$800,000,000.00, and there is allocated for 2021-2022 all available federal funding, estimated at $545,000,000.00 for child nutrition programs and, for 2020-2021, all available federal funding, estimated at $5,000,000.00, $15,712,000.00 for food distribution programs, $50,000,000.00 for the child nutrition program pandemic electronic benefit transfer cost reimbursement program, $50,000,000.00 for child nutrition program emergency operational cost reimbursement programs, and
$259,600.00 for commodity supplemental fund programs, and, for 2021-2022, all available federal funding, estimated at $11,000,000.00, for food distribution programs.

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

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

Sec. 31f. (1) From the appropriations—state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $4,500,000.00 $11,900,000.00 for 2020-2021 and there is allocated an amount not to exceed $11,900,000.00 for 2021-2022 for the purpose of making payments to districts to reimburse for the cost of providing breakfast.

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

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

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

(3) The payment for a district under this section is at a per meal rate equal to the lesser of the district's actual cost or 100% of the statewide average cost of a meal served, as determined and approved by the department, less federal reimbursement, participant payments, and other state reimbursement. The department shall
133
determine the statewide average cost using costs as reported in a manner approved by the department for the preceding school year.

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

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

Sec. 31j. (1) From the general fund money appropriated in section 11, there is allocated an amount not to exceed $200,000.00

$500,000.00 and from the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed

$1,800,000.00–$4,500,000.00 for 2020–2021 2021–2022 for a program to support districts and sponsors of child care centers other non-school sponsors in the purchase of locally grown fruits and vegetables as described in this section.

(2) Funding retained by districts and the sponsors of child care centers that administer the program must not exceed 10%, and funding retained by the department for administration must not exceed 6%. A district or the sponsor of a child care center may enter into a memorandum of understanding with the department or another district or sponsor of a child care center, or both, to administer the program. If the department administers the program for a district or the sponsor of a child care center, the department may retain up to 10% of that district's or sponsor's funding for administration or may distribute some or all of that 10% to project partners as appropriate. Funding under this section retained by the department for administration must not exceed 5%.
Funding under this section retained by project partners for data collection outreach and training must not exceed 1% for each partner.

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

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

(5) A district or the sponsor of a child care center other non-school sponsor that receives a grant under this section shall use those funds for the costs incurred by the district or the sponsor to purchase whole or minimally processed fruits, vegetables, and legumes that meet all of the following:
(a) Were purchased for the 2020-2021 fiscal year, including purchases to launch meals in August 2020 and September 2020, use in school meals served between September 1, 2021 through August 30, 2022.

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

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

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

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

(8) In awarding grants under this section, the department shall work in conjunction with districts and sponsors of child care centers, in consultation with Michigan-based farm to school resource organizations, to develop scoring criteria that assess an applicant's ability to procure Michigan-grown products, prepare and menu Michigan-grown products, promote and market Michigan-grown products, and submit letters of intent from districts or the sponsors of child care centers or other non-school sponsors on plans for educational activities that promote the goals of the program.
(9) The department shall give preference to districts or other non-school sponsors that propose educational activities that meet 1 or more of the following: promote healthy food activities; have clear educational objectives; involve parents or the community; connect to a school's or child care center's farm-to-school or farm-to-early-child-care procurement activities; and market and promote the program, leading to increased pupil knowledge and consumption of Michigan-grown products. The department shall give stronger weighting and consideration to applications with robust marketing and promotional activities.

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

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

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

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

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

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

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

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

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

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

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

(12) The department shall compile the reports provided by
districts and sponsors of child care centers other non-school
sponsors under subsection (11) into 1 legislative report. The
department shall provide this report not later than November 1,
2021-2022 to the house and senate subcommittees responsible for state school aid, the house and senate fiscal agencies, and the state budget director.

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

Sec. 31m. (1) The school mental health and support services fund is created as a separate account within the state school aid fund.

(2) The state treasurer may receive money or other assets from any source for deposit into the school mental health and support services fund. The state treasurer shall direct the investment of the school mental health and support services fund and shall credit to the school mental health and support services fund interest and earnings from the school mental health and support services fund.

(3) Money available in the school mental health and support services fund shall not be expended without a specific appropriation.

(4) Money in the school mental health and support services fund at the close of the fiscal year shall remain in the school mental health and support services fund and shall not lapse to the state school aid fund or to the general fund. The department of treasury shall be the administrator of the school mental health and support services fund for auditing purposes.

(5) For the fiscal year ending September 30, 2018, $30,000,000.00 from the state school aid fund shall be deposited into the school mental health and support services fund to be used to support efforts to improve mental health and support services for K-12 pupils in this state, including, but not limited to,
improved access to counseling services, educational awareness programs, and enhanced mental health and clinical services.

Sec. 31n. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2020-2021-2021-2022 for the purposes of this section an amount not to exceed $55,600,000.00-$52,600,000.00 and from the general fund money appropriated in section 11, there is allocated for 2020-2021-2021-2022 for the purposes of this section an amount not to exceed $1,300,000.00. The department and the department of health and human services shall continue a program to distribute this funding to add licensed behavioral health providers for general education pupils, and shall continue to seek federal Medicaid match funding for all eligible mental health and support services.

(2) The department and the department of health and human services shall maintain an advisory council for programs funded under this section. The advisory council shall define goals for implementation of programs funded under this section, and shall provide feedback on that implementation. At a minimum, the advisory council shall consist of representatives of state associations representing school health, school mental health, school counseling, education, health care, and other organizations, representatives from the department and the department of health and human services, and a representative from the school safety task force created under Executive Order No. 2018-5. The department and department of health and human services, working with the advisory council, shall determine an approach to increase capacity for mental health and support services in schools for general education pupils, and shall determine where that increase in capacity qualifies for federal Medicaid match funding.
(3) The advisory council shall develop a fiduciary agent checklist for intermediate districts to facilitate development of a plan to submit to the department and to the department of health and human services. The department and department of health and human services shall determine the requirements and format for intermediate districts to submit a plan for possible funding under subsection (5)-(6). The department shall make applications for funding for this program available to districts and intermediate districts not later than December 1, 2020-2021 for the 2021-2022 fiscal year and shall award the funding not later than February 1, 2021-2022 for the 2020-2021-2021-2022 fiscal year.

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

(5) From the state school aid fund money allocated under subsection (1), there is allocated for 2020-2021-2021-2022 an amount not to exceed $9,300,000.00-$14,300,000.00 to be distributed to the network of child and adolescent health centers to place a licensed master's level behavioral health provider in schools that do not currently have services available to general education students. Child and adolescent health centers that are part of the network described in this subsection shall provide a commitment to
maintain services and implement all available federal Medicaid
match methodologies. The department of health and human services
shall use all existing or additional federal Medicaid match
opportunities to maximize funding allocated under this subsection.
The department shall provide funds under this subsection to child
and adolescent health centers that are part of the network
described in this subsection in the same proportion that funding
under section 31a(7) is provided to child and adolescent health
centers that are part of the network described in this subsection
and that are located and operating in those districts. A payment
from funding allocated under this subsection must not be paid to an
entity that is not part of the network described in this
subsection.

(6) From the state school aid fund money allocated under
subsection (1), there is allocated for 2020-2021-2021-2022 an
amount not to exceed $45,800,000.00-$37,800,000.00 to be
distributed to intermediate districts for the provision of mental
health and support services to general education students. If a
district or intermediate district is not able to procure the
services of a licensed master's level behavioral health provider,
the district or intermediate district shall notify the department
and the department of health and human services and, if the
department and department of health and human services verify that
the district or intermediate district attempted to procure services
from a master's level behavioral health provider and was not able
to do so, then the district or intermediate district may instead
procure services from a provider with less than a master's degree
in behavioral health. To be able to use the exemption in the
immediately preceding sentence, the district or intermediate
district must submit evidence satisfactory to the department and
department of health and human services demonstrating that the
district or intermediate district took measures to procure the
services of a licensed master's level behavioral health provider
but was unable to do so, and the department and department of
health and human services must be able to verify this evidence.
From the first $32,200,000.00 of the funds allocated under this
subsection, the department shall distribute $817,800.00 -- $575,000.00
for 2020-2021--2021-2022 to each intermediate district that submits
a plan approved by the department and the department of health and
human services. The department shall distribute the remaining
$5,600,000.00 of the funds allocated under this subsection for
2021-2022 to intermediate districts on an equal per-pupil basis
based on the combined total number of pupils in membership in the
intermediate district and its constituent districts, including
public school academies that are considered to be constituent
districts under section 705(7) of the revised school code, MCL
380.705. The department and department of health and human services
shall work cooperatively in providing oversight and assistance to
intermediate districts during the plan submission process and shall
monitor the program upon implementation. An intermediate district
shall use funds awarded under this subsection to provide funding to
its constituent districts, including public school academies that
are considered to be constituent districts under section 705(7) of
the revised school code, MCL 380.705, for the provision of mental
health and support services to general education students. In
addition to the criteria identified under subsection (7), an
intermediate district shall consider geography, cost, or other
challenges when awarding funding to its constituent districts. For
2020-2021 only, even if grants under this subsection have already 
been received by constituent districts of an intermediate district 
under this subsection, the intermediate district may award 
additional grants to its constituent districts from funding 
allocated through the amendatory act that added this sentence, 
based on applications as described in subsection (7) that have 
already been submitted for the fiscal year, and, if a constituent 
district did not apply for initial grants as described in 
subsection (7) before the effective date of the amendatory act that 
added this sentence and asks to apply for the additional grant 
described in this sentence, the intermediate district must allow 
the constituent district to submit an application for the 
additional grant funding. Districts receiving funding under this 
subsection are encouraged to provide suicide prevention and 
awareness education and counseling. If funding awarded to an 
intermediate district remains after funds are provided by the 
intermediate district to its constituent districts, the 
intermediate district may hire or contract for experts to provide 
mental health and support services to general education students 
residing within the boundaries of the intermediate district, 
including, but not limited to, expanding, hiring, or contracting 
for staff and experts to provide those services directly or to 
increase access to those services through coordination with outside 
mental health agencies; and the intermediate district is encouraged 
to provide suicide prevention and awareness education and 
counseling. If funding awarded to an intermediate district under 
this section for 2018-2019 or 2019-2020 remains unspent as of April 
1, 2022, the department, in conjunction with the intermediate 
district, may reallocate the funds to another intermediate district
or other intermediate districts capable of expending the funds before September 30, 2022 in accordance with this section as if those funds were originally allocated to the intermediate district or intermediate districts to which the funds are being reallocated.

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

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

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

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

(d) The extent of the district's existing partnerships with community health care providers or the ability of the district to establish such partnerships.
(e) The district's documentation of need, including gaps in current mental health and support services for the general education population.

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

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

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

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

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

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

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

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

(a) For 2020–2021, 2021–2022, an amount not to exceed $1,000,000.00 for the purpose of upgrading technology and systems infrastructure and other administrative requirements to support the programs funded under this section.

(b) For 2020–2021, 2021–2022, an amount not to exceed $300,000.00 for the purpose of administering the programs under this section and working on generating additional Medicaid funds as
(10) From the state school aid fund money allocated under subsection (1), there is allocated for 2020-2021-2021-2022 an amount not to exceed $500,000.00 to intermediate districts on an equal per intermediate district basis for the purpose of administering programs funded under this section.

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

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

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

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

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

(a) 1 school psychologist for every 500 full-time equated pupils counted in the district.

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

(c) 1 school counselor for every 250 full-time equated pupils counted in the district.

(d) 1 school nurse for every 750 full-time equated pupils counted in the district.
counted in the district.

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

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

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

(b) In the second year funds are distributed under this section, the department shall pay eligible districts 66% of the amount paid to the eligible district under subdivision (a).

(c) In the third year funds are distributed under this section, the department shall pay eligible districts 33% of the amount paid to the eligible district under subdivision (a).

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

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

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

Sec. 31p. (1) From the state school aid fund money appropriated under section 11, there is allocated for 2020-2021 an amount not to exceed $5,400,000.00 for grants to intermediate districts to implement a TRAILS program as described in subsection (2).

(2) Intermediate districts receiving funding under this section must use the funding to implement a TRAILS program within the boundaries of the intermediate district. The TRAILS program described in this subsection must improve youth access to evidence-based mental health services by training school mental health professionals in effective practices, such as cognitive behavioral therapy and mindfulness.

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

(4) The department shall award, in an equal amount, grants
under this section to each intermediate district that has an
approved grant application for funding under this section.

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

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

Sec. 31y. (1) From the state school aid fund money
appropriated in section 11, there is allocated for 2021-2022 an
amount not to exceed $60,000,000.00 to make payments to districts
that operate year-round, balanced calendars during the 2021-2022
school year. Payments to districts made under this section must be
in an amount equal to 3% applied to the district's foundation
allowance as calculated under section 20, for each pupil enrolled
and educated in a year-round balanced calendar by the district. If
the funds allocated under this section are insufficient to fully
fund the calculations under this section, funding must be prorated
on an equal per-pupil basis.

(2) The funds allocated under this section for 2021-2022 are a
work project appropriation, and any unexpended funds for 2021-2022
are carried forward into 2022-2023. The purpose of the work project
is to provide operational payments for districts utilizing a
balanced calendar. The estimated completion date of the work
project is September 30, 2024.

Sec. 31z. (1) From the federal funds allocated under section
11n, there is allocated $75,000,000.00 for 2021-2022 from the
federal funding awarded to this state from the coronavirus state fiscal recovery fund under the American rescue plan act of 2021, title IX, subtitle M of Public Law 117-2, to provide capital infrastructure grants to districts.

(2) From the funds allocated under subsection (1), $75,000,000.00 must be allocated for matching grants to districts for HVAC and other one-time infrastructure or equipment costs necessary to operate a year-round, balanced calendar. A district that receives a grant under this subsection shall commit to operating a year-round, balanced calendar in the 2022-2023 school year, and if it is unable to do so, the department must deduct the amount of the grant paid under this subsection from the district's state aid payments that are otherwise due to the district under this article during the 2022-2023 school year. The department shall establish a sliding scale for grant payments under this section such that districts that received higher total ESSER payments under Section 11r, evaluated on a per-pupil and total dollar basis, receive smaller matching grants than those with lower total ESSER payments, evaluated on a per-pupil and total dollar basis.

Sec. 32d. (1) From the funds appropriated in section 11, there is allocated to eligible intermediate districts and consortia of intermediate districts for great start readiness programs an amount not to exceed $249,600,000.00 for 2020-2021. In addition, from the federal funds allocated in section 11n, there is allocated to eligible intermediate districts and consortia of intermediate districts for great start readiness programs an amount not to exceed $121,000,000.00 for 2021-2022 from the coronavirus state fiscal recovery funds under the American rescue plan act of
2021, title IX, subtitle M of Public Law 117-2. An intermediate district or consortium shall use funds allocated under this section for great start readiness programs to provide part-day, school-day, or GSRP/Head Start blended comprehensive free compensatory classroom programs designed to improve the readiness and subsequent achievement of educationally disadvantaged children who meet the participant eligibility and prioritization guidelines as defined by the department. For a child to be eligible to participate in a program under this section, the child must be at least 4, but less than 5, years of age as of September 1 of the school year in which the program is offered and must meet those eligibility and prioritization guidelines. A child who is not 4 years of age as of September 1, but who will be 4 years of age not later than December 1, is eligible to participate if the child's parent or legal guardian seeks a waiver from the September 1 eligibility date by submitting a request for enrollment in a program to the responsible intermediate district, if the program has capacity on or after September 1 of the school year, and if the child meets eligibility and prioritization guidelines.

(2) From the state school aid fund money allocated under subsection (1), an amount not to exceed $247,600,000.00 and $295,120,000.00 and from the federal funds allocated under subsection (1), an amount not to exceed $121,000,000.00 is allocated to intermediate districts or consortia of intermediate districts based on the formula in section 39. An intermediate district or consortium of intermediate districts receiving funding under this section shall act as the fiduciary for the great start readiness programs. An intermediate district or consortium of intermediate districts receiving funding under this section may
collaborate with local governments to identify children eligible for programs funded under this section and may contract with local governments to provide services. In order to be eligible to receive funds allocated under this subsection from an intermediate district or consortium of intermediate districts, a district, a consortium of districts, a local government, or a public or private for-profit or nonprofit legal entity or agency must comply with this section and section 39. The funds allocated under this subsection for 2021-2022 are a work project appropriation, and any unexpended funds for 2021-2022 are carried forward into 2022-2023. The purpose of the work project is to continue to improve access to preschool programming for economically disadvantaged children. The estimated completion date of the work project described in the immediately preceding sentence is September 30, 2023.

(3) In addition to the allocation under subsection (1), from the general fund money appropriated under section 11, there is allocated an amount not to exceed $350,000.00 for 2021-2022 for a competitive grant to continue a longitudinal evaluation of children who have participated in great start readiness programs. This evaluation must include, to the extent, for 2020-2021, that data from the kindergarten readiness assessment are available, a comparative analysis of the relationship between great start readiness programs and performance on the kindergarten readiness assessment funded under section 104. The evaluation must use children wait-listed under this section for comparison, must include a determination of the specific great start readiness program in which the kindergarten students were enrolled and attended in the previous school year, and must, to the extent, for 2020-2021, that data from the Michigan kindergarten entry
observation tool are available, analyze Michigan kindergarten entry
observation tool scores for students taking the Michigan
kindergarten entry observation tool each year and produce a report
as required under section 104. The performance data on the
kindergarten readiness assessment must be submitted to the center
at the same time as the fall Michigan student data system
collection. The responsibility for the analysis required under this
subsection may be added to the requirements that the department
currently has with its competitively designated current grantee.

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

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

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

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

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

(e) Referral services for families of program participants to
community social service agencies, including mental health
services, as appropriate.
(f) Active and continuous involvement of the parents or guardians of the program participants.

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

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

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

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

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

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

(b) Except as otherwise provided in this subdivision, or section, ensure that at least 85% of the children participating in an eligible great start readiness program for whom the intermediate district is receiving funds under this section are children who live with families with a household income that is
equal to or less than 250% of the federal poverty guidelines. If the intermediate district determines that all eligible children are being served and that there are no children on the waiting list who live with families with a household income that is equal to or less than 250% of the federal poverty guidelines, the intermediate district may then enroll children who live with families with a household income that is equal to or less than 300% of the federal poverty guidelines. The enrollment process must consider income and risk factors, such that children determined with higher need are enrolled before children with lesser need. For purposes of this subdivision, and subsection (27), all age-eligible children served in foster care or who are experiencing homelessness or who have individualized education programs recommending placement in an inclusive preschool setting are considered to live with families with household income equal to or less than 250% of the federal poverty guidelines regardless of actual family income and are prioritized for enrollment within the lowest quintile.

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

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

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

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

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

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

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

(9) An intermediate district or consortium of intermediate
districts may retain for administrative services provided by the
intermediate district or consortium of intermediate districts an
amount not to exceed 4% of the grant amount. Expenses incurred by
subrecipients engaged by the intermediate district or consortium of
intermediate districts for directly running portions of the program
are considered program costs or a contracted program fee for
service. Subrecipients operating with a federally approved indirect
rate for other early childhood programs may include indirect costs,
not to exceed the federal 10% de minimis.
(10) An intermediate district or consortium of intermediate districts may expend not more than 2% of the total grant amount for outreach, recruiting, and public awareness of the program.

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

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

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

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

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

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

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

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

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

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

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

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

(17) As used in this section:
(a) "GSRP/Head Start blended program", except as otherwise
provided in this section, means a part-day program funded under
this section and a Head Start program, which are combined for a
school-day program.
(b) "Federal poverty guidelines" means the guidelines
published annually in the Federal Register by the United States
Department of Health and Human Services under its authority to
revise the poverty line under 42 USC 9902.
(c) "Part-day program", except as otherwise provided in this
section, means a program that operates at least 4 days per week, 30
weeks per year, for at least 3 hours of teacher-child contact time per day but for fewer hours of teacher-child contact time per day than a school-day program.

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

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

(19) From the amount allocated in subsection (2), there is allocated for 2020-2021-2021-2022 an amount not to exceed $10,000,000.00 for reimbursement of transportation costs for children attending great start readiness programs funded under this section. To receive reimbursement under this subsection, not later than November 1 of each year, a program funded under this section that provides transportation shall submit to the intermediate district that is the fiscal agent for the program a projected transportation budget. The amount of the reimbursement for transportation under this subsection is no more than the projected transportation budget or $300.00 multiplied by the number of
children funded for the program under this section. If the amount allocated under this subsection is insufficient to fully reimburse the transportation costs for all programs that provide transportation and submit the required information, the department shall prorate the reimbursement in an equal amount per child funded. The department shall make payments to the intermediate district that is the fiscal agent for each program, and the intermediate district shall then reimburse the program provider for transportation costs as prescribed under this subsection.

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

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

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

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

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

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

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

(24) From the funds allocated under subsection (1), there is
allocated for 2020-2021 2021-2022 an amount not to exceed
$2,000,000.00 for payments to intermediate districts or consortia
of intermediate districts for professional development and training
materials for educators in programs implementing new curricula or
child assessment tools approved for use in the great start
readiness program.

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

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

As used in this subsection, "pandemic learning" means a mode of instruction provided as a result of the COVID-19 pandemic.

(27) For the 2020-2021 program year only, household income eligibility thresholds requiring household incomes that are equal to or less than 250% of the federal poverty guidelines under subsections (5)(b) and (11) do not apply for all grantees and subrecipients under this section. However, for the 2020-2021 program year, all grantees and subrecipients must continue to enroll children in the quintile with the lowest household income first before enrolling the next quintile and must implement the ranking process described in subsection (11) by first enrolling children from households with incomes that are equal to or less than 250% of the federal poverty guidelines, then enrolling children from households with incomes that are equal to an amount
that is greater than 250% but less than or equal to 300% of the federal poverty guidelines, then enrolling children from households with incomes equal to an amount that is greater than 300% but less than or equal to 350% of the federal poverty guidelines, and then continuing enrollment in an order increasing in percentage from a percentage greater than 350% in relation to the federal poverty guidelines until all available slots are filled.

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

(a) An intermediate district and its subrecipients under this section must conform to typical expenditures related to the operation of great start readiness programs to ensure the stability of the programs, including, but not limited to, ongoing program and staff costs.
(b) Funding remaining after serving all eligible children, in accordance with subsections (5)(b) and (11), subject to subsection (27), or remaining from other program savings due to pandemic learning must be used for the betterment of the program under this section and must be approved by the department. Intermediate districts and subrecipients under this section may only spend in accordance with the provisions of this subdivision if the intermediate district or subrecipient has demonstrated to the satisfaction of the department that no eligible children are on waitlists for the programs operated by the intermediate district or subrecipients under this section.

Sec. 32p. (1) From the appropriation state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $13,400,000.00 to intermediate districts for 2020-2021 2021-2022 for the purpose of providing early childhood funding to intermediate districts to support the goals and outcomes under subsection (2) and subsection (4), and to provide early childhood programs for children from birth through age 8. The funding provided to each intermediate district under this section is determined by the distribution formula established by the department's office of great start to provide equitable funding statewide. In order to receive funding under this section, each intermediate district must provide an application to the office of great start not later than September 15 of the immediately preceding fiscal year indicating the strategies planned to be provided.

(2) Each intermediate district or consortium of intermediate districts that receives funding under this section shall convene a local great start collaborative and a parent coalition that
includes an active partnership with at least 1 community-based organization. The goal of each great start collaborative and parent coalition is to ensure the coordination and expansion of local early childhood infrastructure and programs that allow every child in the community to achieve the following outcomes:

(a) Children born healthy.
(b) Children healthy, thriving, and developmentally on track from birth to third grade.
(c) Children developmentally ready to succeed in school at the time of school entry.
(d) Children prepared to succeed in fourth grade and beyond by reading proficiently by the end of third grade.

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

(a) Physical health.
(b) Social-emotional health.
(c) Family supports and basic needs.
(d) Parent education.
(e) Early education, including the child's development of skills linked to success in foundational literacy, and care.

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

(5) Not later than December 1 of each year, each intermediate
district shall provide a report to the department detailing the
strategies actually implemented during the immediately preceding
school year and the families and children actually served. At a
minimum, the report must include an evaluation of the services
provided with additional funding under subsection (4) for home
visits, using the goals identified in subsection (4) as the basis
for the evaluation, including the degree to which school readiness
was improved, the degree to which positive parenting practices were
improved, the degree to which there was improved family economic
self-sufficiency, and the degree to which community resources and
referrals were utilized. The department shall compile and summarize
these reports and submit its summary to the house and senate
appropriations subcommittees on school aid and to the house and
senate fiscal agencies not later than February 15 of each year.
(6) An intermediate district or consortium of intermediate districts that receives funding under this section may carry over any unexpended funds received under this section into the next fiscal year and may expend those unused funds through June 30 of the next fiscal year. However, an intermediate district or consortium of intermediate districts that receives funding for the purposes described in subsection (2) in fiscal year 2021-2022 shall not carry over into the next fiscal year any amount exceeding 20% of the amount awarded to the intermediate district or consortium in the 2021-2022 fiscal year. It is intended that the amount carried over from funding awarded for the purposes described in subsection (2) in fiscal year 2021-2022 not exceed 20% of the amount awarded in that fiscal year and the amount carried over from funding awarded for the purposes described in subsection (2) in fiscal year 2022-2023 not exceed 15% of the amount awarded in that fiscal year. A recipient of a grant shall return any unexpended grant funds to the department in the manner prescribed by the department not later than September 30 of the next fiscal year after the fiscal year in which the funds are received.

Sec. 34a. (1) From the federal funds allocated under section 11n, there is allocated $155,000,000.00 for 2021-2022 from the federal funding awarded to this state from the coronavirus state fiscal recovery fund under the American rescue plan act of 2021, title IX, subtitle M of Public Law 117-2, to Grand Valley State University for, subject to subsection (7), the purposes described in subsections (2) and (3) to address learning loss among students, including, but not limited to, low-income students, children with disabilities, English learners, migrant students, students
experiencing homelessness, and children in foster care, by
providing information and assistance to parents and families to
effectively support students, including in a distance learning
environment.

(2) Subject to subsection (7), Grand Valley State University
shall use the funding it receives under subsection (1) toward the
establishment of a grant program as provided under this subsection.
By not later than August 1, 2021, Grand Valley State University
shall establish a grant program for reading scholarships to
eligible children.

(3) Grand Valley State University shall directly apply funding
it receives under subsection (1) for each eligible child as a
reading scholarship described in subsection (2) toward the payment
of eligible services selected by the eligible child's parent or
legal guardian in the application described in subsection (5).
Grand Valley State University may apply funding under subsection
(1) only toward eligible services, as provided under this
subsection, for eligible children. Grand Valley State University
may apply, from the funding under subsection (1), only an amount
not to exceed $1,000.00 for each eligible child.

(4) Grand Valley State University shall develop a catalog of
eligible services and shall provide this catalog to the parent or
legal guardian of each eligible child. The catalog developed under
this subsection must be provided to all districts and must be
available to the general public through Grand Valley State
University's website homepage. The catalog described in this
subsection must include only services that provide any of the
following that are designed to improve reading or literacy:

(a) Instructional materials or curricula.
(b) Part-time tutoring services.
(c) Specialized summer education programming.
(d) After-school education programming.
(5) Grand Valley State University shall establish an application process for applicants to apply for reading scholarships through the grant program described in subsection (2). The application process must provide for both of the following:
(a) The verification of the identity of the eligible child's parent or legal guardian.
(b) Require the parent or legal guardian of the eligible child who is seeking the reading scholarship to select, from the catalog developed under subsection (4), which services the parent or legal guardian would like his or her child to participate in through the reading scholarship.
(6) A child to whom all of the following apply is an eligible child under this section:
(a) The child is enrolled in kindergarten or any of grades 1, 2, 3, 4, or 5 in a district.
(b) The child is less than proficient in reading, based on available assessment data, including benchmark assessment data and state summative assessment data.
(c) The child has applied for a reading scholarship through the grant program described in subsection (2) through the application process described in subsection (5).
(7) From the funding allocated under subsection (1), an amount not to exceed $1,000,000.00 may be utilized by Grand Valley State University for administrative costs associated with the administration of the grant program described in subsection (2). Grand Valley State University may charge a fee not exceeding 3% of
the total administrative costs associated with the administration of the grant program described in subsection (2) for each application submitted through the process described in subsection (5).

(8) Each district shall notify the parent and legal guardian of each eligible child enrolled in the district that his or her child meets the criteria of an eligible child under this section.

(9) If the funds allocated under this section are insufficient to provide for reading scholarships under this section in amount equal to $1,000.00 for each eligible child, Grand Valley State University shall prorate the reading scholarships awarded under this section on an equal dollar basis.

Sec. 35a. (1) From the appropriations in section 11, there is allocated for 2020-2021-2021-2022 for the purposes of this section an amount not to exceed $55,400,000.00-$61,400,000.00 from the state school aid fund and there is allocated for 2020-2021-2021-2022 for the purposes of subsection (8) an amount not to exceed $2,773,000.00-$3,500,000.00 from the general fund. The Excluding staff or contracted employees funded under subsection (8), the superintendent shall designate staff or contracted employees funded under this section as critical shortage. Programs funded under this section are intended to ensure that this state will be a top 10 state in grade 4 reading proficiency by 2025 according to the National Assessment of Educational Progress (NAEP). By December 31, 2021, the superintendent of public instruction shall do both of the following:

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

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

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

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

- (a) Phonemic awareness - segmentation, blending, and sound manipulation (deletion and substitution).
- (b) Phonics - decoding (reading) and encoding (spelling).
- (c) Fluency - reading rate, accuracy, and expression.
- (d) Comprehension - making meaning of text.

(4) From the allocation under subsection (1), there is allocated an amount not to exceed $31,500,000.00 for 2020-2021 2021-2022 for the purpose of providing early literacy coaches at intermediate districts to assist teachers in developing and implementing instructional strategies for pupils in grades pre-K to 3 so that pupils are reading at grade level by the end of grade 3. All of the following apply to funding under this subsection:

- (a) The department shall develop an application process consistent with the provisions of this subsection. An application must provide assurances that literacy coaches funded under this subsection are knowledgeable about at least the following:
  - (i) Current state literacy standards for pupils in grades pre-K to 3.
  - (ii) Implementing an instructional delivery model based on frequent use of formative, screening, and diagnostic tools, known as a multi-tiered system of support, supports, to determine individual progress for pupils in grades pre-K to 3 so that pupils are reading at grade level by the end of grade 3.
  - (iii) The use of data from diagnostic tools to determine the necessary additional supports and interventions needed by
individual pupils in grades pre-K to 3 in order to be reading at grade level.

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

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

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

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

(5) From the allocation under subsection (1), there is allocated an amount not to exceed $19,900,000.00 for 2020-2021 2021-2022 to districts that provide additional instructional time to those pupils in grades pre-K to 3 , or, for 2020-2021 only, those pupils in grades pre-K to 12, who have been identified by using department-approved screening and diagnostic tools as needing
additional supports and interventions in order to be reading at
grade level by the end of grade 3. or, for 2020-2021 only,
reading at the applicable grade level. Additional instructional
time may be provided before, during, and after regular school hours
or as part of a year-round balanced school calendar. All of the
following apply to funding under this subsection:

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

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

(A) Team-based leadership.

(B) A tiered delivery system.

(C) Selection and implementation of instruction,

interventions, and supports.

(D) A comprehensive screening and assessment system.

(E) Continuous data-based decision making.

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

(iii) Used a reading instruction method that focuses on the 5
fundamental building blocks of reading: phonics, phonemic
awareness, fluency, vocabulary, and comprehension and content
knowledge.
(iv) Provided teachers of pupils in grades pre-K to 3 with research-based professional development in diagnostic data interpretation.

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

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

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

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

(a) For pupils in grades pre-K to 3, or pre-K to 12, as applicable, the teachers, pupils, schools, and grades served with funds under this section and the categories of services provided.

(b) For pupils in grades pre-K to 3, or pre-K to 12, as applicable, pupil proficiency and growth data that allows analysis both in the aggregate and by each of the following subgroups, as applicable:

   (i) School.

   (ii) Grade level.

   (iii) Gender.

   (iv) Race.

   (v) Ethnicity.
(vi) Economically disadvantaged status.

(vii) Disability.

(viii) Pupils identified as having reading deficiencies.

(7) From the allocation under subsection (1), there is allocated an amount not to exceed $4,000,000.00-$6,000,000.00 for 2020-2021-2021-2022 to an intermediate district in which the combined total number of pupils in membership of all of its constituent districts is the fewest among all intermediate districts. All of the following apply to the funding under this subsection:

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

(i) Literacy essentials teacher and principal training modules.

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

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

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

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

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

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

(8) From the general fund money allocated in subsection (1), the department shall allocate the amount of $2,773,000.00 $3,500,000.00 for 2020-2021-2021-2022 to the Michigan Education
Corps for the PreK Reading Corps, the K3 Reading Corps, and the
Math Corps. All of the following apply to funding under this
subsection:

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

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

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

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

(A) Growth rate by grade or age level, in comparison to
targeted growth rate.

(B) Average linear growth rates.
(C) Exit rates.

(D) Percentage of children who exit who also meet or exceed spring benchmarks.

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

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

(c) The department may not reserve any portion of the allocation provided under this subsection for an evaluation of the Michigan Education Corps, the Michigan Education Corps' funding, or the Michigan Education Corps' programming unless agreed to in writing by the Michigan Education Corps. The department shall award the entire $2,773,000.00 – $3,500,000.00 allocated under this subsection to the Michigan Education Corps and shall not condition the awarding of this funding on the implementation of an independent evaluation.

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

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

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

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

(ii) Appropriate use of assessments and differentiated
instruction.

(iii) Selection of appropriate instructional materials.

(iv) Application of research-based instructional practices.

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

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

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

(i) The department must open voluntary enrollment for any pre-K
through grade 3 teacher on a first-come, first-served basis, with
voluntary enrollment prioritized for pre-K, kindergarten, and grade
(ii) The department must maintain open enrollment until all funds are expended.

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

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

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

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

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

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

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

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

(i) Team-based leadership.

(ii) A tiered delivery system.

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

(iv) A comprehensive screening and assessment system.

(v) Continuous data-based decision making.

(12) Notwithstanding section 17b, the department shall make payments made under subsections (7) and (8) on a schedule determined by the department.

(13) As used in this section:

(a) "Dyslexia" means both of the following:

(i) A specific learning disorder that is neurobiological in origin and characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities that
typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction.

(ii) A specific learning disorder that may include secondary consequences, such as problems in reading comprehension and a reduced reading experience that can impede the growth of vocabulary and background knowledge and lead to social, emotional, and behavioral difficulties.

(b) "Evidence-based" means an activity, program, process, service, strategy, or intervention that demonstrates statistically significant effects on improving pupil outcomes or other relevant outcomes and that meets at least both of the following:

(i) At least 1 of the following:

(A) Is based on strong evidence from at least 1 well-designed and well-implemented experimental study.

(B) Is based on moderate evidence from at least 1 well-designed and well-implemented quasi-experimental study.

(C) Is based on promising evidence from at least 1 well-designed and well-implemented correlational study with statistical controls for selection bias.

(D) Demonstrates a rationale based on high-quality research findings or positive evaluation that the activity, program, process, service, strategy, or intervention is likely to improve pupil outcomes or other relevant outcomes.

(ii) Includes ongoing efforts to examine the effects of the activity, program, process, service, strategy, or intervention.

(c) "Explicit" means direct and deliberate instruction through continuous pupil-teacher interaction that includes teacher modeling, guided practice, and independent practice.
(d) "Fluency" means the ability to read with speed, accuracy, and proper expression.

(e) "Multi-tiered system of supports" means a comprehensive framework that includes 3 distinct tiers of instructional support and is composed of a collection of evidence-based strategies designed to meet the individual needs and assets of a whole pupil at all achievement levels.

(f) "Phonemic awareness" means the conscious awareness of all of the following:

(i) Individual speech sounds, including, but not limited to, consonants and vowels, in spoken syllables.

(ii) The ability to consciously manipulate through, including, but not limited to, matching, blending, segmenting, deleting, or substituting, individual speech sounds described in subparagraph (i).

(iii) All levels of the speech sound system, including, but not limited to, word boundaries, rhyme recognition, stress patterns, syllables, onset-rime units, and phonemes.

(g) "Phonological" means relating to the system of contrastive relationships among the speech sounds that constitute the fundamental components of a language.

(h) "Progress monitoring" means the assessing of students' academic performance, quantifying students' rates of improvement or progress toward goals, and determining how students are responding to instruction.

(i) "Rapid automatized naming (RAN)" means a task that measures how quickly individuals can name objects; pictures; colors; or symbols, including letters and digits, aloud, which can predict later reading abilities for preliterate children.
Sec. 35b. (1) From the general fund money appropriated in section 11, there is allocated for 2020-2021 an amount not to exceed $250,000.00 for a grant to be distributed by the department to the Children's Choice Initiative for a program to use a multisensory structured language education method to improve reading proficiency rates and to comply with section 1280f of the revised school code, MCL 380.1280f.

(2) Grant funds awarded under this section must be expended for the following purposes:

(a) Professional development including training staff and tutors in a multisensory, sequential, systematic education approach.

(b) Additional instructional time before, during, or after school for pupils in grades K to 3 identified as having an early literacy delay or reading deficiency using a multisensory, sequential, systematic education approach.

(3) Not later than December 1, 2021, an entity that receives grant funds under this section shall report to the house and senate appropriations subcommittees on school aid, the house and senate fiscal agencies, and the state budget director on all of the following for the grant funds awarded under this section:

(a) The number of staff and tutors trained.

(b) The number of pupils in grades K to 3 identified as having an early literacy delay or reading deficiency served.

(c) The number of hours of added instructional time provided to pupils served.

(d) Pupil reading proficiency and growth data of pupils served necessary to evaluate the effectiveness of the program.

Sec. 35d. (1) From the general fund money appropriated under
section 11, for 2020-2021, 2021-2022, there is allocated an amount not to exceed $500,000.00 $1,000,000.00 for the department to provide grants to districts and intermediate districts for the purchase of 1 or more components or trainings through an eligible 1-on-1 tutoring teacher training program for children with dyslexia from a provider of an eligible 1-on-1 tutoring teacher training program for children with dyslexia as provided under this section.

(2) A provider that provides programming that meets all of the following is considered to be a provider of an eligible 1-on-1 tutoring teacher training program for purposes of this section:

(a) Allows teachers to incorporate the 5 components essential to an effective reading program into their daily lessons. The 5 components described in this subdivision are phonemic awareness, phonics, vocabulary, fluency, and comprehension.

(b) Trains educators to teach reading using a proven, multisensory approach.

(c) Educates teachers on how to explicitly and effectively teach reading to beginning readers.

(d) Breaks reading and spelling down into smaller skills involving letters and sounds, and then builds on these skills over time.

(e) Uses multisensory teaching strategies to teach reading by using sight, hearing, touch, and movement to help students connect and learn the concepts being taught.

(3) Districts and intermediate districts may apply to the department for grants to purchase components or training through an eligible 1-on-1 tutoring teacher training program from a provider of an eligible 1-on-1 tutoring teacher training program, and, upon receiving an application but except as otherwise provided in this
subsection, the department shall make payments to districts and
intermediate districts for those purchases. The department shall
make payments under this section on a first-come, first-served
basis until funds are depleted.

Sec. 35e. (1) From the general fund money appropriated under
section 11, there is allocated an amount not to exceed
$1,000,000.00 $2,000,000.00 for 2020-2021 2021-2022 for a grant to
be distributed by the department to an organization to provide
early literacy and academic support to at-need youth in this state.

(2) To qualify for a grant under this section, an organization
must be exempt from federal income tax under section 501(c)(3) of
the internal revenue code, 26 USC 501, and must be affiliated and
in good standing with a national congressionally chartered
organization's standards under 36 USC 20101 to 240112, and must
meet both of the following:

(a) Is facility-based and provides proven and tested
recreational, educational, and character building programs for
children ages 6 to 18.

(b) Provides after-school and summer programs in at least 25
communities statewide, with youth development services available at
least 20 hours per week during the school year and 30 hours per
week during summer programming.

(3) A grant recipient under this section shall administer an
early learning literacy program targeted at students in grades K-3.
At least 60% of the participants in the program must qualify for
free or reduced-priced lunch. Each entity receiving funds to
implement the program shall report to the department on the number
of children served, the types of services, and the outcome of those
services.
(4) Notwithstanding section 17b, the department shall make grant payments under this section on a schedule determined by the department.

Sec. 35f. From the general fund money appropriated in section 11, there is allocated for 2020-2021-2021-2022 an amount not to exceed $500,000.00-$750,000.00 for the department to award to the Chaldean community foundation. The Chaldean community foundation shall use funds received under this section to support and expand early childhood learning opportunities, improve early literacy achievement, increase high school graduation rates for new Americans, and assist with diploma acquisition, skills training, and postsecondary education.

Sec. 35g. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $1,000,000.00 for 2021-2022 for competitive grants to eligible districts that have established innovative community libraries.

(2) A district that has established an innovative community library that meets all of the following is an eligible district under this section:

(a) The library provides for the engagement and connection of readers.

(b) The library provides for resources that are used to further reading skills.

(c) The library provides for the involvement of community volunteers and donations.

(3) An eligible district may partner with an existing library to provide an innovative community library described in subsection (2).
(4) For the purpose of this section, an innovative community library described in subsection (2) does not need to be in a physical building.

(5) To receive funding under this section, an eligible district must apply for the funding to the department's innovation council, in a form and manner prescribed by the department's innovation council, by not later than March 15, 2022. The department's innovation council must develop an application process for the submission of applications for funding under this section by not later than December 15, 2021. The department's innovation council must score applications and award up to 20 grants under this section based on the following criteria by not later than July 15, 2022:

(a) How the innovative community library has addressed early childhood literacy gaps.

(b) How community partners of the innovative community library have engaged in addressing literacy gaps.

(c) How the innovative community library has connected different readers together.

(d) How the innovative community library will promote its approach to other districts or communities in addressing early literacy gaps.

(6) The grant awards under subsection (5) must be ranked in a manner in which there are 2 first-place grant awards, 2 second-place grant awards, 2 third-place grant awards, 2 fourth-place grant awards, 2 fifth-place grant awards, 2 sixth-place grant awards, 2 seventh-place grant awards, 2 eighth-place grant awards, 2 ninth-place grant awards, and 2 tenth-place grant awards. The first-place grant awards described in this subsection must receive
the highest award of funding under this section and the amount of
funding awarded under this section must decline sequentially with
each numerical-place award described in this subsection, with the
lowest award of funding under this section going to the tenth-place
grant award recipients.

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

Sec. 35h. From the general fund money appropriated in section
11, there is allocated for 2021-2022 an amount not to exceed
$1,700,000.00 to the Jewish Federation of Metro Detroit to support
day schools, day camps, and summer programming to help mitigate the
impact of remote learning on students' mental health and physical
well-being.

Sec. 39. (1) An eligible applicant receiving funds under
section 32d shall submit an application, in a form and manner
prescribed by the department, by a date specified by the department
in the immediately preceding fiscal year. An eligible applicant is
not required to amend the applicant's current accounting cycle or
adopt this state's fiscal year accounting cycle in accounting for
financial transactions under this section. The application must
include all of the following:

(a) The estimated total number of children in the community
who meet the criteria of section 32d, as provided to the applicant
by the department utilizing the most recent population data
available from the American Community Survey conducted by the
United States Census Bureau. The department shall ensure that it
provides updated American Community Survey population data at least
once every 3 years.
(b) The estimated number of children in the community who meet the criteria of section 32d and are being served exclusively by Head Start programs operating in the community.

(c) The number of children whom the applicant has the capacity to serve who meet the criteria of section 32d including a verification of physical facility and staff resources capacity.

(2) After notification of funding allocations, an applicant receiving funds under section 32d shall also submit an implementation plan for approval, in a form and manner prescribed by the department, by a date specified by the department, that details how the applicant complies with the program components established by the department pursuant to section 32d.

(3) The initial allocation to each eligible applicant under section 32d is the lesser of the following:

(a) The sum of the number of children served in a school-day program in the preceding school year multiplied by $7,250.00 $8,700.00 and the number of children served in a GSRP/Head Start blended program or a part-day program in the preceding school year multiplied by $3,625.00 $4,350.00.

(b) The sum of the number of children the applicant has the capacity to serve in the current school year in a school-day program multiplied by $7,250.00 $8,700.00 and the number of children served in a GSRP/Head Start blended program or a part-day program the applicant has the capacity to serve in the current school year multiplied by $3,625.00 $4,350.00.

(4) If funds remain after the allocations under subsection (3), the department shall distribute the remaining funds to each intermediate district or consortium of intermediate districts that serves less than the state percentage benchmark determined under
subsection (5). The department shall distribute these remaining funds to each eligible applicant based upon each applicant's proportionate share of the remaining unserved children necessary to meet the statewide percentage benchmark in intermediate districts or consortia of intermediate districts serving less than the statewide percentage benchmark. When all applicants have been given the opportunity to reach the statewide percentage benchmark, the statewide percentage benchmark may be reset, as determined by the department, until greater equity of opportunity to serve eligible children across all intermediate school districts has been achieved.

(5) For the purposes of subsection (4), the department shall calculate a percentage of children served by each intermediate district or consortium of intermediate districts by adding the number of children served in the immediately preceding year by that intermediate district or consortium with the number of eligible children under section 32d served exclusively by head start, as reported in a form and manner prescribed by the department, within the intermediate district or consortia service area and dividing that total by the total number of children within the intermediate district or consortium of intermediate districts who meet the criteria of section 32d as determined by the department utilizing the most recent population data available from the American Community Survey conducted by the United States Census Bureau. The department shall compare the resulting percentage of eligible children served to a statewide percentage benchmark to determine if the intermediate district or consortium is eligible for additional funds under subsection (4). The statewide percentage benchmark is 60%. 100%.
(6) If, taking into account the total amount to be allocated to the applicant as calculated under this section, an applicant determines that it is able to include additional eligible children in the great start readiness program without additional funds under section 32d, the applicant may include additional eligible children but does not receive additional funding under section 32d for those children.

(7) The department shall review the program components under section 32d and under this section at least biennially. The department also shall convene a committee of internal and external stakeholders at least once every 5 years to ensure that the funding structure under this section reflects current system needs under section 32d.

(8) As used in this section, "GSRP/Head Start blended program", "part-day program", and "school-day program" mean those terms as defined in section 32d. as, for 2020-2021, impacted by section 32d(26). 

(9) For the 2020-2021 program year only, the number of children reported on the application described in subsection (1)(a), (b), and (c) must not be used by the department for the purpose of calculating hold harmless funding levels for 2021-2022. Hold harmless funding for 2021-2022 must be determined based on the 2019-2020 final allocations calculated and paid under section 32d in 2019-2020.

Sec. 39a. (1) From the federal funds appropriated in section 11, there is allocated for 2020-2021 to districts, intermediate districts, and other eligible entities all available federal funding, estimated at $749,200,000.00-$752,300,000.00 and there is allocated for 2021-2022 to districts, intermediate districts, and
other eligible entities all available federal funding, estimated at $752,300,000.00, for the federal programs under the no child left behind act of 2001, Public Law 107-110, or the every student succeeds act, Public Law 114-95. These funds are allocated as follows:

(a) An amount estimated at $1,200,000.00 for 2020-2021 and estimated at $1,200,000.00 for 2021-2022 to provide students with drug- and violence-prevention programs and to implement strategies to improve school safety, funded from DED-OESE, drug-free schools and communities funds.

(b) An amount estimated at $100,000,000.00 for 2020-2021 and estimated at $100,000,000.00 for 2021-2022 for the purpose of preparing, training, and recruiting high-quality teachers and class size reduction, funded from DED-OESE, improving teacher quality funds.

(c) An amount estimated at $11,000,000.00-$13,000,000.00 for 2020-2021 and estimated at $13,000,000.00 for 2021-2022 for programs to teach English to limited English proficient (LEP) children, funded from DED-OESE, language acquisition state grant funds.

(d) An amount estimated at $2,800,000.00 for 2020-2021 and estimated at $2,800,000.00 for 2021-2022 for rural and low income low-income schools, funded from DED-OESE, rural and low income school funds.

(e) An amount estimated at $535,000,000.00 for 2020-2021 and estimated at $535,000,000.00 for 2021-2022 to provide supplemental programs to enable educationally disadvantaged children to meet challenging academic standards, funded from DED-OESE, title I, disadvantaged children funds.
(f) An amount estimated at $9,200,000.00 for 2020-2021 and estimated at $9,200,000.00 for 2021-2022 for the purpose of identifying and serving migrant children, funded from DED-OESE, title I, migrant education funds.

(g) An amount estimated at $39,000,000.00 for 2020-2021 and estimated at $39,000,000.00 for 2021-2022 for the purpose of providing high-quality extended learning opportunities, after school and during the summer, for children in low-performing schools, funded from DED-OESE, twenty-first century community learning center funds.

(h) An amount estimated at $14,000,000.00 for 2020-2021 and estimated at $14,000,000.00 for 2021-2022 to help support local school improvement efforts, funded from DED-OESE, title I, local school improvement grants.

(i) An amount estimated at $35,000,000.00 for 2020-2021 and estimated at $35,000,000.00 for 2021-2022 to improve the academic achievement of students, funded from DED-OESE, title IV, student support and academic enrichment grants.

(j) An amount estimated at $3,100,000.00 for 2020-2021 and estimated at $3,100,000.00 for 2021-2022 for literacy programs that advance literacy skills for students from birth through grade 12, including, but not limited to, English-proficient students and students with disabilities, funded from DED-OESE, striving readers comprehensive literacy program.

(2) From the federal funds appropriated in section 11, there is allocated to districts, intermediate districts, and other eligible entities all available federal funding, estimated at $55,000,000.00-$77,867,000.00 for 2020-2021 and estimated at $56,500,000.00 for 2021-2022 for the following programs that are...
funded by federal grants:

(a) An amount estimated at $3,000,000.00–$24,367,000.00 for 2020-2021 and estimated at $3,000,000.00 for 2021-2022 to provide services to homeless children and youth, funded from DED-OVAE, homeless children and youth funds.

(b) An amount estimated at $24,000,000.00 for 2020-2021 and estimated at $24,000,000.00 for 2021-2022 for providing career and technical education services to pupils, funded from DED-OVAE, basic grants to states.

(c) An amount estimated at $14,000,000.00 for 2020-2021 and estimated at $14,000,000.00 for 2021-2022 for the Michigan charter school subgrant program, funded from DED-OII, public charter schools program funds.

(d) An amount estimated at $14,000,000.00 for 2020-2021 and estimated at $14,000,000.00 for 2021-2022 for the purpose of promoting and expanding high-quality preschool services, funded from HHS-OCC, preschool development funds.

(e) An amount estimated at $1,500,000.00 for 2020-2021 and estimated at $1,500,000.00 for 2021-2022 for the purpose of addressing priority substance abuse treatment, prevention, and mental health needs, funded from HHS-SAMHSA.

(3) The department shall distribute all federal funds allocated under this section in accordance with federal law and with flexibility provisions outlined in Public Law 107-116, and in the education flexibility partnership act of 1999, Public Law 106-25. Notwithstanding section 17b, the department shall make payments of federal funds to districts, intermediate districts, and other eligible entities under this section on a schedule determined by the department.
(4) For the purposes of applying for federal grants appropriated under this article, the department shall allow an intermediate district to submit a consortium application on behalf of 2 or more districts with the agreement of those districts as appropriate according to federal rules and guidelines.

(5) For the purposes of funding federal title I grants under this article, in addition to any other federal grants for which the strict discipline academy is eligible, the department shall allocate to a strict discipline academy out of title I, part A an amount equal to what the strict discipline academy would have received if included and calculated under title I, part D, or what it would receive under the formula allocation under title I, part A, whichever is greater.

(6) As used in this section:

(a) "DED" means the United States Department of Education.

(b) "DED-OESE" means the DED Office of Elementary and Secondary Education.

(c) "DED-OII" means the DED Office of Innovation and Improvement.

(d) "DED-OVAE" means the DED Office of Vocational and Adult Education.

(e) "HHS" means the United States Department of Health and Human Services.

(f) "HHS-OCC" means the HHS Office of Child Care.

(g) "HHS-SAMHSA" means the HHS Substance Abuse and Mental Health Services Project.

Sec. 41. (1) For a district to be eligible to receive funding under this section, the district must administer to English language learners the English language proficiency assessment known
as the "WIDA ACCESS for English language learners" or the "WIDA Alternate ACCESS". From the appropriation of state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $13,000,000.00--$25,200,000.00 for 2020-2021--2021-2022 for payments to eligible districts for services for English language learners who have been administered the WIDA ACCESS for English language learners.

(2) The department shall distribute funding allocated under subsection (1) to eligible districts based on the number of full-time equivalent English language learners as follows:

(a) $900.00--$935.00 per full-time equivalent English language learner who has been assessed under the WIDA ACCESS for English language learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA Alternate ACCESS composite score between 1.0 and 1.9, or less, as applicable to each assessment.

(b) $620.00--$645.00 per full-time equivalent English language learner who has been assessed under the WIDA ACCESS for English language learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA Alternate ACCESS composite score between 2.0 and 2.9, or less, as applicable to each assessment.

(c) $100.00--$105.00 per full-time equivalent English language learner who has been assessed under the WIDA ACCESS for English language learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA Alternate ACCESS composite score between 3.0 and 3.9, or less, as applicable to each assessment.

(3) If funds allocated under subsection (1) are insufficient to fully fund the payments as prescribed under subsection (2), the department shall prorate payments on an equal percentage basis, with the same percentage proration applied to all funding.
(4) Each district receiving funds under subsection (1) shall submit to the department by July 15 of each fiscal year a report, not to exceed 10 pages, on the usage by the district of funds under subsection (1) in a form and manner determined by the department, including a brief description of each program conducted or services performed by the district using funds under subsection (1) and the amount of funds under subsection (1) allocated to each of those programs or services. If a district does not comply with this subsection, the department shall withhold an amount equal to the August payment due under this section until the district complies with this subsection. If the district does not comply with this subsection by the end of the fiscal year, the withheld funds are forfeited to the school aid fund.

(5) In order to receive funds under subsection (1), a district must allow access for the department or the department's designee to audit all records related to the program for which it receives those funds. The district shall reimburse this state for all disallowances found in the audit.

(6) Beginning July 1, 2020, and every 3 years thereafter, the department shall review the per-pupil distribution under subsection (2), to ensure that funding levels are appropriate and make recommendations for adjustments to the members of the senate and house subcommittees on K-12 school aid appropriations.

Sec. 41a. From the general fund money appropriated in section 11, there is allocated for 2021-2022 an amount not to exceed $450,000.00 for Mi Alma and the Exito Educativo program. Mi Alma shall use funds allocated under this section for Exito Educativo, an after-school program that brings Latino parents and their
children who are in high school together to learn about the
requirements for high school graduation, the different sources of
support, and the pathways to college.

Sec. 51a. (1) From the appropriation state school aid fund
money in section 11, there is allocated an amount not to exceed
$1,023,996,100.00 $1,079,296,100.00 for 2019-2020 2020-2021 and
there is allocated an amount not to exceed $1,079,296,100.00
$1,123,696,100.00 for 2020-2021 2021-2022 from state sources and
all available federal funding under sections 611-1411 to 619-1419
of part B of the individuals with disabilities education act, 20
USC 1411 to 1419, estimated at $370,000,000.00 $456,752,000.00 for
2019-2020 2020-2021 and $375,000,000.00 $380,000,000.00 for 2020-
2021, 2021-2022, plus any carryover federal funds from previous
year appropriations. The allocations under this subsection are for
the purpose of reimbursing districts and intermediate districts for
special education programs, services, and special education
personnel as prescribed in article 3 of the revised school code,
MCL 380.1701 to 380.1761; net tuition payments made by intermediate
districts to the Michigan Schools for the Deaf and Blind; and
special education programs and services for pupils who are eligible
for special education programs and services according to statute or
rule. For meeting the costs of special education programs and
services not reimbursed under this article, a district or
intermediate district may use money in general funds or special
education funds, not otherwise restricted, or contributions from
districts to intermediate districts, tuition payments, gifts and
contributions from individuals or other entities, or federal funds
that may be available for this purpose, as determined by the
intermediate district plan prepared under article 3 of the revised
school code, MCL 380.1701 to 380.1761. Notwithstanding section 17b, the department shall make payments of federal funds to districts, intermediate districts, and other eligible entities under this section on a schedule determined by the department.

(2) From the funds allocated under subsection (1), there is allocated the amount necessary, estimated at $286,900,000.00 for 2019-2020, $319,000,000.00 for 2020-2021, and estimated at $307,500,000.00 for 2020-2021, $332,000,000.00 for 2021-2022, for payments toward reimbursing districts and intermediate districts for 28.6138% of total approved costs of special education, excluding costs reimbursed under section 53a, and 70.4165% of total approved costs of special education transportation. Allocations under this subsection are made as follows:

(a) The department shall calculate the initial amount allocated to a district under this subsection toward fulfilling the specified percentages by multiplying the district's special education pupil membership, excluding pupils described in subsection (11), times the foundation allowance under section 20 of the pupil's district of residence, plus the amount of the district's per-pupil allocation under section 20m, not to exceed the target foundation allowance for the current fiscal year, or, for a special education pupil in membership in a district that is a public school academy, times an amount equal to the amount per membership pupil calculated under section 20(6). For an intermediate district, the amount allocated under this subdivision toward fulfilling the specified percentages is an amount per special education membership pupil, excluding pupils described in subsection (11), and is calculated in the same manner as for a district, using the foundation allowance under section 20 of the
pupil's district of residence, not to exceed the target foundation
allowance for the current fiscal year, and that district's per-
pupil allocation under section 20m.

(b) After the allocations under subdivision (a), the
department shall pay a district or intermediate district for which
the payments calculated under subdivision (a) do not fulfill the
specified percentages the amount necessary to achieve the specified
percentages for the district or intermediate district.

(3) From the funds allocated under subsection (1), there is
allocated for 2019-2020 2020-2021 an amount not to exceed
$1,000,000.00 and there is allocated for 2020-2021 2021-2022 an
amount not to exceed $1,000,000.00 to make payments to districts
and intermediate districts under this subsection. If the amount
allocated to a district or intermediate district for a fiscal year
under subsection (2)(b) is less than the sum of the amounts
allocated to the district or intermediate district for 1996-97
under sections 52 and 58, there is allocated to the district or
intermediate district for the fiscal year an amount equal to that
difference, adjusted by applying the same proration factor that was
used in the distribution of funds under section 52 in 1996-97 as
adjusted to the district's or intermediate district's necessary
costs of special education used in calculations for the fiscal
year. This adjustment is to reflect reductions in special education
program operations or services between 1996-97 and subsequent
fiscal years. The department shall make adjustments for reductions
in special education program operations or services in a manner
determined by the department and shall include adjustments for
program or service shifts.

(4) If the department determines that the sum of the amounts
allocated for a fiscal year to a district or intermediate district under subsection (2)(a) and (b) is not sufficient to fulfill the specified percentages in subsection (2), then the department shall pay the shortfall to the district or intermediate district during the fiscal year beginning on the October 1 following the determination and shall adjust payments under subsection (3) as necessary. If the department determines that the sum of the amounts allocated for a fiscal year to a district or intermediate district under subsection (2)(a) and (b) exceeds the sum of the amount necessary to fulfill the specified percentages in subsection (2), then the department shall deduct the amount of the excess from the district's or intermediate district's payments under this article for the fiscal year beginning on the October 1 following the determination and shall adjust payments under subsection (3) as necessary. However, if the amount allocated under subsection (2)(a) in itself exceeds the amount necessary to fulfill the specified percentages in subsection (2), there is no deduction under this subsection.

(5) State funds are allocated on a total approved cost basis. Federal funds are allocated under applicable federal requirements.

(6) From the amount allocated in subsection (1), there is allocated an amount not to exceed $2,200,000.00 for 2019-2020-2020-2021 and there is allocated an amount not to exceed $2,200,000.00 for 2020-2021-2021-2022 to reimburse 100% of the net increase in necessary costs incurred by a district or intermediate district in implementing the revisions in the administrative rules for special education that became effective on July 1, 1987. As used in this subsection, "net increase in necessary costs" means the necessary additional costs incurred solely because of new or revised
requirements in the administrative rules minus cost savings permitted in implementing the revised rules. The department shall determine net increase in necessary costs in a manner specified by the department.

(7) For purposes of sections 51a–this section and sections 51b to 58, all of the following apply:

(a) "Total approved costs of special education" are determined in a manner specified by the department and may include indirect costs, but must not exceed 115% of approved direct costs for section 52 and section 53a programs. The total approved costs include salary and other compensation for all approved special education personnel for the program, including payments for Social Security and Medicare and public school employee retirement system contributions. The total approved costs do not include salaries or other compensation paid to administrative personnel who are not special education personnel as that term is defined in section 6 of the revised school code, MCL 380.6. Costs reimbursed by federal funds, other than those federal funds included in the allocation made under this article, are not included. Special education approved personnel not utilized full time in the evaluation of students or in the delivery of special education programs, ancillary, and other related services are reimbursed under this section only for that portion of time actually spent providing these programs and services, with the exception of special education programs and services provided to youth placed in child caring institutions or juvenile detention programs approved by the department to provide an on-grounds education program.

(b) Beginning with the 2004-2005 fiscal year, a district or intermediate district that employed special education support
services staff to provide special education support services in 2003-2004 or in a subsequent fiscal year and that in a fiscal year after 2003-2004 receives the same type of support services from another district or intermediate district shall report the cost of those support services for special education reimbursement purposes under this article. This subdivision does not prohibit the transfer of special education classroom teachers and special education classroom aides if the pupils counted in membership associated with those special education classroom teachers and special education classroom aides are transferred and counted in membership in the other district or intermediate district in conjunction with the transfer of those teachers and aides.

(c) If the department determines before bookclosing for a fiscal year that the amounts allocated for that fiscal year under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56 will exceed expenditures for that fiscal year under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56, then for a district or intermediate district whose reimbursement for that fiscal year would otherwise be affected by subdivision (b), subdivision (b) does not apply to the calculation of the reimbursement for that district or intermediate district and the department shall calculate reimbursement for that district or intermediate district in the same manner as it was for 2003-2004. If the amount of the excess allocations under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56 is not sufficient to fully fund the calculation of reimbursement to those districts and intermediate districts under this subdivision, then the department shall prorate calculations and resulting reimbursement under this subdivision on an equal percentage basis. Beginning in 2015-2016,
the amount of reimbursement under this subdivision for a fiscal year must not exceed $2,000,000.00 for any district or intermediate district.

(d) Reimbursement for ancillary and other related services, as that term is defined by R 340.1701c of the Michigan Administrative Code, is not provided when those services are covered by and available through private group health insurance carriers or federal reimbursed program sources unless the department and district or intermediate district agree otherwise and that agreement is approved by the state budget director. Expenses, other than the incidental expense of filing, must not be borne by the parent. In addition, the filing of claims must not delay the education of a pupil. A district or intermediate district is responsible for payment of a deductible amount and for an advance payment required until the time a claim is paid.

(e) Beginning with calculations for 2004-2005, if an intermediate district purchases a special education pupil transportation service from a constituent district that was previously purchased from a private entity; if the purchase from the constituent district is at a lower cost, adjusted for changes in fuel costs; and if the cost shift from the intermediate district to the constituent does not result in any net change in the revenue the constituent district receives from payments under sections 22b and 51c, then upon application by the intermediate district, the department shall direct the intermediate district to continue to report the cost associated with the specific identified special education pupil transportation service and shall adjust the costs reported by the constituent district to remove the cost associated with that specific service.
(8) A pupil who is enrolled in a full-time special education program conducted or administered by an intermediate district or a pupil who is enrolled in the Michigan Schools for the Deaf and Blind is not included in the membership count of a district, but is counted in membership in the intermediate district of residence.

(9) Special education personnel transferred from 1 district to another to implement the revised school code are entitled to the rights, benefits, and tenure to which the person would otherwise be entitled had that person been employed by the receiving district originally.

(10) If a district or intermediate district uses money received under this section for a purpose other than the purpose or purposes for which the money is allocated, the department may require the district or intermediate district to refund the amount of money received. The department shall deposit money that is refunded in the state treasury to the credit of the state school aid fund.

(11) From the funds allocated in subsection (1), there is allocated the amount necessary, estimated at $3,100,000.00 $2,400,000.00 for 2019-2020-2020-2021 and estimated at $3,000,000.00-$2,900,000.00 for 2020-2021, 2021-2022, to pay the foundation allowances for pupils described in this subsection. The department shall calculate the allocation to a district under this subsection by multiplying the number of pupils described in this subsection who are counted in membership in the district times the sum of the foundation allowance under section 20 of the pupil's district of residence, plus the amount of the district's per-pupil allocation under section 20m, not to exceed the target foundation allowance for the current fiscal year, or, for a pupil described in
this subsection who is counted in membership in a district that is a public school academy, times an amount equal to the amount per membership pupil under section 20(6). The department shall calculate the allocation to an intermediate district under this subsection in the same manner as for a district, using the foundation allowance under section 20 of the pupil's district of residence not to exceed the target foundation allowance for the current fiscal year and that district's per-pupil allocation under section 20m. This subsection applies to all of the following pupils:

(a) Pupils described in section 53a.

(b) Pupils counted in membership in an intermediate district who are not special education pupils and are served by the intermediate district in a juvenile detention or child caring facility.

(c) Pupils with an emotional impairment counted in membership by an intermediate district and provided educational services by the department of health and human services.

(12) If it is determined that funds allocated under subsection (2) or (11) or under section 51c will not be expended, funds up to the amount necessary and available may be used to supplement the allocations under subsection (2) or (11) or under section 51c in order to fully fund those allocations. After payments under subsections (2) and (11) and section 51c, the department shall expend the remaining funds from the allocation in subsection (1) in the following order:

(a) 100% of the reimbursement required under section 53a.

(b) 100% of the reimbursement required under subsection (6).

(c) 100% of the payment required under section 54.
(d) 100% of the payment required under subsection (3).
(e) 100% of the payments under section 56.

(13) The allocations under subsections (2), (3), and (11) are allocations to intermediate districts only and are not allocations to districts, but instead are calculations used only to determine the state payments under section 22b.

(14) If a public school academy that is not a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, enrolls under this section a pupil who resides outside of the intermediate district in which the public school academy is located and who is eligible for special education programs and services according to statute or rule, or who is a child with disabilities, a disability, as that term is defined under the individuals with disabilities education act, Public Law 108-446, the intermediate district in which the public school academy is located and the public school academy shall enter into a written agreement with the intermediate district in which the pupil resides for the purpose of providing the pupil with a free appropriate public education, and the written agreement must include at least an agreement on the responsibility for the payment of the added costs of special education programs and services for the pupil. If the public school academy that enrolls the pupil does not enter into an agreement under this subsection, the public school academy shall not charge the pupil's resident intermediate district or the intermediate district in which the public school academy is located the added costs of special education programs and services for the pupil, and the public school academy is not eligible for any payouts based on the funding formula outlined in the resident or nonresident intermediate district's plan. If a pupil is not
enrolled in a public school academy under this subsection, the
provision of special education programs and services and the
payment of the added costs of special education programs and
services for a pupil described in this subsection are the
responsibility of the district and intermediate district in which
the pupil resides.

(15) For the purpose of receiving its federal allocation under
part B of the individuals with disabilities education act, Public
Law 108-446, a public school academy that is a cyber school, as
that term is defined in section 551 of the revised school code, MCL
380.551, and is in compliance with section 553a of the revised
school code, MCL 380.553a, directly receives the federal allocation
under part B of the individuals with disabilities education act,
Public Law 108-446, from the intermediate district in which the
cyber school is located, as the subrecipient. If the intermediate
district does not distribute the funds described in this subsection
to the cyber school by the part B application due date of July 1,
the department may distribute the funds described in this
subsection directly to the cyber school according to the formula
prescribed in 34 CFR 300.705 and 34 CFR 300.816.

(16) For a public school academy that is a cyber school, as
that term is defined in section 551 of the revised school code, MCL
380.551, and is in compliance with section 553a of the revised
school code, MCL 380.553a, that enrolls a pupil under this section,
the intermediate district in which the cyber school is located
shall ensure that the cyber school complies with sections 1701a,
1703, 1704, 1751, 1752, 1756, and 1757 of the revised school code,
MCL 380.1701a, 380.1703, 380.1704, 380.1751, 380.1752, 380.1756,
and 380.1757; applicable rules; and the individuals with
disabilities education act, Public Law 108-446.

(17) For the purposes of this section, the department or the center shall only require a district or intermediate district to report information that is not already available from the financial information database maintained by the center.

Sec. 51c. As required by the court in the consolidated cases known as Durant v State of Michigan, 456 Mich 175 (1997), from the allocation under section 51a(1), there is allocated for 2019-2020, 2020-2021 and for 2020-2021, 2021-2022, the amount necessary, estimated at $678,600,000.00 $702,500,000.00 for 2019-2020-2021 and $713,400,000.00 $733,400,000.00 for 2020-2021, 2021-2022, for payments to reimburse districts for 28.6138% of total approved costs of special education excluding costs reimbursed under section 53a, and 70.4165% of total approved costs of special education transportation. Funds allocated under this section that are not expended in the fiscal year for which they were allocated, as determined by the department, may be used to supplement the allocations under sections 22a and 22b to fully fund those allocations for the same fiscal year. For each fund transfer as described in the immediately preceding sentence that occurs, the state budget director shall send notification of the transfer to the house and senate appropriations subcommittees on state school aid and the house and senate fiscal agencies by not later than 14 calendar days after the transfer occurs.

Sec. 51d. (1) From the federal funds appropriated in section 11, there is allocated for 2020-2021 all available federal funding, estimated at $83,195,000.00, and there is allocated for 2021-2022 all available federal funding, estimated at $71,000,000.00, for special education programs and services that are funded by federal
grants. The department shall distribute all federal funds allocated under this section in accordance with federal law. Notwithstanding section 17b, the department shall make payments of federal funds to districts, intermediate districts, and other eligible entities under this section on a schedule determined by the department.

(2) From the federal funds allocated under subsection (1), the following amounts are allocated: for 2020-2021:

(a) For 2020-2021, an amount estimated at $19,822,000.00 for handicapped infants and toddlers, funded from DED-OSERS, handicapped infants and toddlers funds. For 2021-2022, an amount estimated at $14,000,000.00 for handicapped infants and toddlers, funded from DED-OSERS, handicapped infants and toddlers funds.

(b) For 2020-2021, an amount estimated at $20,373,000.00 for preschool grants under Public Law 94-142, funded from DED-OSERS, handicapped preschool incentive funds. For 2021-2022, an amount estimated at $14,000,000.00 for preschool grants (Public Law 94-142), under Public Law 94-142, funded from DED-OSERS, handicapped preschool incentive funds.

(c) For 2020-2021 and for 2021-2022, an amount estimated at $43,000,000.00 for special education programs funded by DED-OSERS, handicapped program, individuals with disabilities act funds.

(3) As used in this section, "DED-OSERS" means the United States Department of Education Office of Special Education and Rehabilitative Services.

Sec. 51f. (1) From the funds appropriated under section 11, there is allocated for 2020-2021-2021-2022 an amount not to exceed $60,207,000.00-$90,207,000.00 for payments to districts and intermediate districts to increase the level of reimbursement of costs associated with providing special education services required
under state and federal law.

(2) A district's or intermediate district's allocation under this section is equal to the level percentage multiplied by each district's or intermediate district's costs reported to the center on the special education actual cost report, known as "SE-4096" as referred to under section 18(6), as approved by the department.

(3) The total reimbursement under this section and under section 51c must not exceed the total reported costs for a district or intermediate district.

(4) For 2020-2021, 2021-2022, the level percentage is estimated at 2.0%. 3.0%.

(5) For the purposes of this section, "level percentage" means the percentage calculated by dividing the allocation in subsection (1) by the total of costs reported to the center on the special education actual cost report, known as "SE-4096" as referred to under section 18(6), as approved by the department.

Sec. 51g. From the general fund money appropriated in section 11, $3,000,000.00 is allocated for 2021-2022 to an association for administrators of special education services to develop content for use by special education students, teachers, and others. Any content that is developed as described in this section must be accessible throughout this state. Funds received by an association under this section may be used to support the development of assessment tools to measure the needs of students with special education needs in remote learning environments and the effectiveness of various educational methods and tools, in collaboration with the department. Funds under this section may also be utilized to identify any available federal funds for research related to special education in remote learning.
Sec. 53a. (1) For districts, reimbursement for pupils described in subsection (2) is 100% of the total approved costs of operating special education programs and services approved by the department and included in the intermediate district plan adopted under article 3 of the revised school code, MCL 380.1701 to 380.1761, minus the district's foundation allowance calculated under section 20 and minus the district's per-pupil allocation under section 20m. For intermediate districts, the department shall calculate reimbursement for pupils described in subsection (2) in the same manner as for a district, using the foundation allowance under section 20 of the pupil's district of residence, not to exceed the target foundation allowance under section 20 for the current fiscal year plus the amount of the district's per-pupil allocation under section 20m.

(2) Reimbursement under subsection (1) is for the following special education pupils:

(a) Pupils assigned to a district or intermediate district through the community placement program of the courts or a state agency, if the pupil was a resident of another intermediate district at the time the pupil came under the jurisdiction of the court or a state agency.

(b) Pupils who are residents of institutions operated by the department of health and human services.

(c) Pupils who are former residents of department of community health institutions for the developmentally disabled who are placed in community settings other than the pupil's home.

(d) Pupils enrolled in a department-approved on-grounds educational program longer than 180 days, but not longer than 233 days, at a residential child care institution, if the child care
institution offered in 1991-92 an on-grounds educational program longer than 180 days but not longer than 233 days.

(e) Pupils placed in a district by a parent for the purpose of seeking a suitable home, if the parent does not reside in the same intermediate district as the district in which the pupil is placed.

(3) Only those costs that are clearly and directly attributable to educational programs for pupils described in subsection (2), and that would not have been incurred if the pupils were not being educated in a district or intermediate district, are reimbursable under this section.

(4) The costs of transportation are funded under this section and are not reimbursed under section 58.

(5) The department shall not allocate more than $10,500,000.00 of the allocation for 2020-2021-2021-2022 in section 51a(1) under this section.

Sec. 54. Each intermediate district receives an amount per pupil for each pupil in attendance at the Michigan Schools for the Deaf and Blind. The amount is proportionate to the total instructional cost at each school. The department shall not allocate more than $1,688,000.00 of the allocation for 2020-2021-2021-2022 in section 51a(1) under this section.

Sec. 54b. (1) From the general fund money appropriated in section 11, there is allocated an amount not to exceed $1,600,000.00 for 2020-2021-2021-2022 to continue the implementation of the recommendations of the special education reform task force published in January 2016.

(2) The department shall use funds allocated under this section for the purpose of piloting statewide implementation of the Michigan Integrated Behavior and Learning Support Initiative.
(MiBLSI), a nationally recognized program that includes positive behavioral intervention and supports and provides a statewide structure to support local initiatives for an integrated behavior and reading program. With the assistance of the intermediate districts involved in MiBLSI, the department shall identify a number of intermediate districts to participate in the pilot that is sufficient to ensure that MiBLSI can be implemented statewide with fidelity and sustainability. In addition, the department shall identify an intermediate district to act as a fiscal agent for these funds.

Sec. 54d. (1) From the appropriations—state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $7,150,000.00 $14,150,000.00 for 2020-2021 2021-2022 to intermediate districts for the purpose of providing state early on services programs for children from birth to 3 years of age with a developmental delay or a disability, or both, and their families, as described in the early on Michigan state plan, as approved by the department.

(2) To be eligible to receive grant funding under this section, each intermediate district must apply in a form and manner determined by the department.

(3) The grant funding allocated under this section must be used to increase early on services and resources available to children that demonstrate developmental delays to help prepare them for success as they enter school. State early on services include evaluating and providing early intervention services for eligible infants and toddlers and their families to address developmental delays, including those affecting physical, cognitive, communication, adaptive, social, or emotional development. Grant
funds must not be used to supplant existing services that are currently being provided.

(4) The department shall distribute the funds allocated under subsection (1) to intermediate districts according to the department's early on funding formula utilized to distribute the federal award to Michigan under part C of the individuals with disabilities education act, Public Law 108-446. Funds received under this section must not supplant existing funds or resources allocated for early on early intervention services. An intermediate district receiving funds under this section shall maximize the capture of Medicaid funds to support early on early intervention services to the extent possible.

(5) Each intermediate district that receives funds under this section shall report data and other information to the department in a form, manner, and frequency prescribed by the department to allow for monitoring and evaluation of the program and to ensure that the children described in subsection (1) received appropriate levels and types of services delivered by qualified personnel, based on the individual needs of the children and their families.

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

(7) Grant funds awarded and allocated to an intermediate district under this section must be expended by the grant recipient before June 30 of the fiscal year immediately following the fiscal year in which the funds were received.

Sec. 55. (1) From the general fund money appropriated in section 11, there is allocated an amount not to exceed $250,000.00 for 2020-2021-2021-2022 to the Conductive Learning Center located
at Aquinas College. This funding must be used to support the operational costs of the conductive education model taught at the Conductive Learning Center to maximize the independence and mobility of children and adults with neuromotor disabilities. The conductive education model funded under this section must be based on the concept of neuroplasticity and the ability of people to learn and improve when they are motivated, regardless of the severity of their disability.

(2) Notwithstanding section 17b, the department shall distribute the funding allocated under this section to the Conductive Learning Center not later than December 1, 2020-2021.

Sec. 56. (1) For the purposes of this section:
(a) "Membership" means for a particular fiscal year the total membership for the immediately preceding fiscal year of the intermediate district and the districts constituent to the intermediate district, except that if a district has elected not to come under part 30 of the revised school code, MCL 380.1711 to 380.1741, membership of the district is not included in the membership of the intermediate district.
(b) "Millage levied" means the millage levied for special education under part 30 of the revised school code, MCL 380.1711 to 380.1741, including a levy for debt service obligations.
(c) "Taxable value" means the total taxable value of the districts constituent to an intermediate district, except that if a district has elected not to come under part 30 of the revised school code, MCL 380.1711 to 380.1741, membership and taxable value of the district are not included in the membership and taxable value of the intermediate district.

(2) From the allocation under section 51a(1), there is
allocated $40,008,100.00 for 2019-2020 and an amount not to exceed $40,008,100.00 for 2020-2021 and an amount not to exceed $40,008,100.00 for 2021-2022 to reimburse intermediate districts levying millages for special education under part 30 of the revised school code, MCL 380.1711 to 380.1741. The purpose, use, and expenditure of the reimbursement are limited as if the funds were generated by these millages and governed by the intermediate district plan adopted under article 3 of the revised school code, MCL 380.1701 to 380.1761. As a condition of receiving funds under this section, an intermediate district distributing any portion of special education millage funds to its constituent districts must submit for departmental approval and implement a distribution plan.

(3) Except as otherwise provided in this subsection, reimbursement for those millages levied in 2018-2019 is made in 2019-2020 at an amount per 2018-2019 membership pupil computed by subtracting from $201,700.00 the 2018-2019 taxable value behind each membership pupil and multiplying the resulting difference by the 2018-2019 millage levied, and then subtracting from that amount the 2018-2019 local community stabilization share revenue for special education purposes behind each membership pupil for reimbursement of personal property exemption loss under the local community stabilization authority act, 2014 PA 86, MCL 123.1341 to 123.1362. Reimbursement in 2019-2020 for an intermediate district whose 2017-2018 allocation was affected by the operation of subsection (5) is an amount equal to 102.5% of the 2017-2018 allocation to that intermediate district.

(3) (4) Except as otherwise provided in this subsection, reimbursement for those millages levied in 2019-2020 is made in 2020-2021 at an amount per 2019-2020 membership pupil computed by
subtracting from $209,000.00 $208,800.00 the 2019-2020 taxable value behind each membership pupil and multiplying the resulting difference by the 2019-2020 millage levied, and then subtracting from that amount the 2019-2020 local community stabilization share revenue for special education purposes behind each membership pupil for reimbursement of personal property exemption loss under the local community stabilization authority act, 2014 PA 86, MCL 123.1341 to 123.1362. Reimbursement in 2020-2021 for an intermediate district whose 2017-2018 allocation was affected by the operation of subsection (5) is an amount equal to 102.5% of the 2017-2018 allocation to that intermediate district.

(4) Except as otherwise provided in this subsection, reimbursement for those millages levied in 2020-2021 is made in 2021-2022 at an amount per 2020-2021 membership pupil computed by subtracting from $215,900.00 the 2020-2021 taxable value behind each membership pupil and multiplying the resulting difference by the 2020-2021 local community stabilization share revenue for special education purposes behind each membership pupil for reimbursement of personal property exemption loss under the local community stabilization authority act, 2014 PA 86, MCL 123.1341 to 123.1362. Reimbursement in 2021-2022 for an intermediate district whose 2017-2018 allocation was affected by the operation of subsection (5) is an amount equal to 102.5% of the 2017-2018 allocation to that intermediate district.

(5) The department shall ensure that the amount paid to a single intermediate district under this section does not exceed 62.9% of the total amount allocated under subsection (2).

(6) The department shall ensure that the amount paid to a
single intermediate district under this section is not less than 75% of the amount allocated to the intermediate district under this section for the immediately preceding fiscal year.

(7) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $34,200,000.00 for 2021-2022 to provide payments to intermediate districts levying millages for special education under part 30 of the revised school code, MCL 380.1711 to 380.1741. The purpose, use, and expenditure of the payments under this subsection are limited as if the funds were generated by these millages and governed by the intermediate district plan adopted under article 3 of the revised school code, MCL 380.1701 to 380.1761. The department shall provide a payment under this subsection to each intermediate district described in this subsection as follows:

(a) Except as otherwise provided in this subsection, for an intermediate district with a 2020-2021 3-year average special education millage revenue per pupil that is less than $251.00 and that is levying at least 46.2% but less than 60.0% of its maximum millage rate allowed under section 1724a of the revised school code, MCL 380.1724a, an amount computed by subtracting from $251.00 the 2020-2021 3-year average special education millage revenue per pupil and, only if the millage levied by the intermediate district is less than 1, multiplying that amount by the number of mills levied divided by 1, and then multiplying that amount by the 2020-2021 3-year average membership, and then subtracting from that amount the amount allocated under subsection (2) for 2021-2022. If the calculation under this subdivision results in an amount below zero, there is no payment under this subdivision.
(b) Except as otherwise provided in this subsection, for an intermediate district with a 2020-2021 3-year average special education millage revenue per pupil that is less than $281.00 and that is levying at least 60.0% of its maximum millage rate allowed under section 1724a of the revised school code, MCL 380.1724a, an amount computed by subtracting from $281.00 the 2020-2021 3-year average special education millage revenue per pupil, and, only if the millage levied by the intermediate district is less than 1, multiplying that amount by the number of mills levied divided by 1, and then multiplying that amount by the 2020-2021 3-year average membership, and then subtracting from that amount the amount allocated under subsection (2) for 2021-2022. If the calculation under this subdivision results in an amount below zero, there is no payment under this subdivision.

(8) As used in subsection (7):
(a) "2020-2021 3-year average membership" means the 3-year average pupil membership for 2018-2019, 2019-2020, and 2020-2021.
(b) "2020-2021 3-year average special education millage revenue per pupil" means the 3-year average taxable value per mill levied behind each membership pupil for 2018-2019, 2019-2020, and 2020-2021 multiplied by the 2020-2021 millage levied.

Sec. 61a. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $37,611,300.00 for 2020-2021-2021-2022 to reimburse on an added cost basis districts, except for a district that served as the fiscal agent for a vocational education consortium in the 1993-94 school year and that has a foundation allowance as calculated under section 20 greater than the minimum foundation allowance under that section, and secondary area vocational-technical
education centers for secondary-level career and technical education programs according to rules approved by the superintendent. Applications for participation in the programs must be submitted in the form prescribed by the department. The department shall determine the added cost for each career and technical education program area. The department shall prioritize the allocation of added cost funds based on the capital and program expenditures needed to operate the career and technical education programs provided; the number of pupils enrolled; the advancement of pupils through the instructional program; the existence of an articulation agreement with at least 1 postsecondary institution that provides pupils with opportunities to earn postsecondary credit during the pupil's participation in the career and technical education program and transfers those credits to the postsecondary institution upon completion of the career and technical education program; and the program rank in student placement, job openings, and wages, and shall ensure that the allocation does not exceed 75% of the added cost of any program. Notwithstanding any rule or department determination to the contrary, when determining a district's allocation or the formula for making allocations under this section, the department shall include the participation of pupils in grade 9 in all of those determinations and in all portions of the formula. With the approval of the department, the board of a district maintaining a secondary career and technical education program may offer the program for the period from the close of the school year until September 1. The program shall use existing facilities and must be operated as prescribed by rules promulgated by the superintendent.

(2) Except for a district that served as the fiscal agent for
a vocational education consortium in the 1993-94 school year, the
department shall reimburse districts and intermediate districts for
local career and technical education administration, shared time
career and technical education administration, and career education
planning district career and technical education administration.
The superintendent shall adopt guidelines for the definition of
what constitutes administration and shall make reimbursement
pursuant to those guidelines. The department shall not distribute
more than $800,000.00 of the allocation in subsection (1) under
this subsection.

(3) A career and technical education program funded under this
section may provide an opportunity for participants who are
eligible to be funded under section 107 to enroll in the career and
technical education program funded under this section if the
participation does not occur during regular school hours.

Sec. 61b. (1) From the funds appropriated under section 11,
there is allocated for 2020-2021-2021-2022 an amount not to exceed
$8,000,000.00 from the state school aid fund appropriation for CTE
early/middle-early middle college and CTE dual enrollment programs
authorized under this section and for planning grants for the
development or expansion of CTE early/middle-early middle
college programs. The purpose of these programs is to increase the number
of Michigan residents with high-quality degrees or credentials, and
to increase the number of students who are college and career ready
upon high school graduation.

(2) From the funds allocated under subsection (1), the
department shall allocate an amount as determined under this
subsection to each intermediate district serving as a fiscal agent
for state-approved CTE early/middle-early middle college and CTE
dual enrollment programs in each of the career education planning districts identified by the department. An intermediate district shall not use more than 5% of the funds allocated under this subsection for administrative costs for serving as the fiscal agent.

(3) To be an eligible fiscal agent, an intermediate district must agree to do all of the following in a form and manner determined by the department:

(a) Distribute funds to eligible CTE college and CTE dual enrollment programs in a career education planning district as described in this section.

(b) Collaborate with the career and educational advisory council in the workforce development board service delivery area to develop a regional strategic plan under subsection (4) that aligns CTE programs and services into an efficient and effective delivery system for high school students. The department will align career education planning districts, workforce development board service delivery areas, and intermediate districts for the purpose of creating a regional strategic plan for each workforce development board service delivery area.

(c) Implement a regional process to rank career clusters in the workforce development board service delivery area as described under subsection (4). Regional processes must be approved by the department before the ranking of career clusters.

(d) Report CTE college and CTE dual enrollment program and student data and information as prescribed by the department and the center.

(e) The local education agency responsible for student reporting in the Michigan student data system (MSDS) will report
the total number of college credits the student earned, at the time
of high school graduation, as determined by the department and the
center.

(f) The local education agency will report each award outcome
in the Michigan student data system (MSDS) that the CTE early
middle college student attained. For purposes of this subsection,
an on-track CTE early middle college graduate is a graduate who
obtained their high school diploma and at least 1 of the following:

   (i) An associate's degree.

   (ii) 60 transferrable college credits.

   (iii) Professional certification.

   (iv) A Michigan Early Middle College Association certificate.

   (v) Participation in a registered apprenticeship.

(4) A regional strategic plan must be approved by the career
and educational advisory council before submission to the
department. A regional strategic plan must include, but is not
limited to, the following:

   (a) An identification of regional employer need based on a
ranking of all career clusters in the workforce development board
service delivery area ranked by 10-year projections of annual job
openings projections and median wage for each standard occupational
code in each career cluster as obtained from the United States
Bureau of Labor Statistics. Standard occupational codes within
high-ranking clusters also may be further ranked by median wage and
annual job openings. The career and educational advisory council
located in the workforce development board service delivery area
shall review the rankings and modify them if necessary to
accurately reflect employer demand for talent in the workforce
development board service delivery area. A career and educational
advisory council shall document that it has conducted this review and certify that it is accurate. These career cluster rankings must be determined and updated once every 4 years.

(b) An identification of educational entities in the workforce development board service delivery area that will provide eligible CTE early/middle college and CTE dual enrollment programs including districts, intermediate districts, postsecondary institutions, and noncredit occupational training programs leading to an industry-recognized credential.

(c) A strategy to inform parents and students of CTE early/middle college and CTE dual enrollment programs in the workforce development board service delivery area.

(d) Any other requirements as defined by the department.

(5) An eligible CTE program is a program that meets all of the following:

(a) Has been identified in the highest 5 career cluster rankings in any of the 16 workforce development board service delivery area strategic plans jointly approved by the department of labor and economic opportunity and the department.

(b) Has a coherent sequence of courses in a specific career cluster that will allow a student to earn a high school diploma and achieve at least 1 of the following: in a specific career cluster:

(i) An associate degree.

(ii) An industry-recognized technical certification approved by the department of labor and economic opportunity.

(iii) Up to 60 transferable college credits.

(iv) Participation in a registered apprenticeship, pre-apprenticeship, or apprentice readiness program.

(i) For CTE early middle college, outcomes as defined in
subsection (3)(f).

(ii) For CTE dual enrollment, 1 of the following:

(A) An associate degree.

(B) An industry-recognized technical certification approved by the department of labor and economic opportunity.

(C) Up to 60 transferable college credits.

(D) Participation in a registered apprenticeship, pre-apprenticeship, or apprentice readiness program.

(c) Is aligned with the Michigan merit curriculum.

(d) Has an articulation or a college credit agreement with at least 1 postsecondary institution that provides students with opportunities to receive postsecondary credits during the student's participation in the CTE college or CTE dual enrollment program and transfers those credits to the postsecondary institution upon completion of the CTE college or CTE dual enrollment program.

(e) Provides instruction that is supervised, directed, or coordinated by an appropriately certificated CTE teacher or, for concurrent enrollment courses, a postsecondary faculty member.

(f) Provides for highly integrated student support services that include at least the following:

(i) Teachers as academic advisors.

(ii) Supervised course selection.

(iii) Monitoring of student progress and completion.

(iv) Career planning services provided by a local one-stop service center as described in the Michigan works one-stop service center system act, 2006 PA 491, MCL 408.111 to 408.135, or by a high school counselor or advisor.

(g) Has courses that are taught on a college campus, are
college courses offered at the high school and taught by college
faculty, or are courses taught in combination with online
instruction.

(6) The department shall distribute funds to eligible CTE
early/middle—early middle college and CTE dual enrollment programs
as follows:

(a) The department shall determine statewide average CTE costs
per pupil for each CIP code program by calculating statewide
average costs for each CIP code program for the 3 most recent
fiscal years.

(b) The distribution to each eligible CTE early/middle—early
middle college or CTE dual enrollment program is the product of 50%
of CTE costs per pupil times the pupil enrollment of each eligible
CTE early/middle—early middle college or CTE dual enrollment
program in the immediately preceding school year.

(7) In order to receive funds under this section, a CTE
early/middle—early middle college or CTE dual enrollment program
shall furnish to the intermediate district that is the fiscal agent
identified in subsection (2), in a form and manner determined by
the department, all information needed to administer this program
and meet federal reporting requirements; shall allow the department
or the department's designee to review all records related to the
program for which it receives funds; and shall reimburse the state
for all disallowances found in the review, as determined by the
department.

(8) There is allocated for 2020—2021—2021—2022 from the funds
under subsection (1) an amount not to exceed $500,000.00 from the
state school aid fund allocation for grants to intermediate
districts or consortia of intermediate districts for the purpose of
planning for new or expanded early/middle college programs. Applications for grants must be submitted in a form and manner determined by the department. The amount of a grant under this subsection must not exceed $50,000.00. To be eligible for a grant under this subsection, an intermediate district or consortia of intermediate districts must provide matching funds equal to the grant received under this subsection. Notwithstanding section 17b, the department shall make payments under this subsection in the manner determined by the department.

(9) Funds distributed under this section may be used to fund program expenditures that would otherwise be paid from foundation allowances. A program receiving funding under section 61a may receive funding under this section for allowable costs that exceed the reimbursement the program received under section 61a. The combined payments received by a program under section 61a and this section must not exceed the total allowable costs of the program. A program provider shall not use more than 5% of the funds allocated under this section to the program for administrative costs.

(10) If the allocation under subsection (1) is insufficient to fully fund payments as otherwise calculated under this section, the department shall prorate payments under this section on an equal percentage basis.

(11) If pupils enrolled in a career cluster in an eligible CTE college or CTE dual enrollment program qualify to be reimbursed under this section, those pupils continue to qualify for reimbursement until graduation, even if the career cluster is no longer identified as being in the highest 5 career cluster rankings.

(12) As used in this section:
(a) "Allowable costs" means those costs directly attributable to the program as jointly determined by the department of labor and economic opportunity and the department.

(b) "Career and educational advisory council" means an advisory council to the local workforce development boards located in a workforce development board service delivery area consisting of educational, employer, labor, and parent representatives.

(c) "CIP" means classification of instructional programs.

(d) "CTE" means career and technical education programs.

(e) "CTE dual enrollment program" means a 4-year high school program of postsecondary courses offered by eligible postsecondary educational institutions that leads to an industry-recognized certification or degree.

(f) "Early/middle college program" means a 5-year high school program.

(g) "Eligible postsecondary educational institution" means that term as defined in section 3 of the career and technical preparation act, 2000 PA 258, MCL 388.1903.

Sec. 6lc. (1) From the general fund appropriation money appropriated in section 11, there is allocated for 2018-2019-2021-2022 an amount not to exceed $2,500,000.00-$7,500,000.00 to eligible career education planning districts for the CTE skilled trades initiative described in subsections (2) to (5). To be eligible to receive funding under this section, at least 50% of the area served by a CEPD must be located in an intermediate district that did not levy a vocational education millage in 2018-2021.

(2) To receive funding under subsection (1), each eligible CEPD shall apply in a form and manner determined prescribed by the department. Funding to each eligible CEPD shall be equal
to the quotient of the allocation under subsection (1) and the sum of the number of career education planning districts applying for funding under subsection (1) that are located in an intermediate district that did not levy a vocational education millage in 2018-2021.

(3) At least 50% of the funding allocated to each eligible CEPD shall be used to update equipment in current CTE programs that have been identified in the highest 5 career cluster rankings in any of the 10 most recent CEPD regional strategic plans jointly approved by the Michigan talent investment agency in the department of labor and economic opportunity and the department, for training on new equipment, for professional development relating to computer science or coding, or for new and emerging certified CTE programs to allow CEPD administrators to provide programming in communities that will enhance economic development. The funding for equipment should be used to support and enhance community areas that have sustained job growth, and act as a commitment to build a more qualified and skilled workforce. In addition, each CEPD is encouraged to explore the option of leasing equipment from local private industry to encourage the use of the most advanced equipment.

(4) The allocation of funds at the local level shall be determined by CEPD administrators using data from the state, region, and local sources to make well-informed decisions on program equipment improvements. Grants awarded by CEPD administrators for capital infrastructure shall be used to ensure that CTE programs can deliver educational programs in high-wage, high-skill, and high-demand occupations. Each CEPD shall continue to ensure that program advisory boards make
recommendations on needed improvements for equipment that support job growth and job skill development and retention for both the present and the future.

(5) Not later than September 15 of each fiscal year, each CEPD receiving funding shall annually report to the department, the senate and house appropriations subcommittees on state school aid, and the senate and house fiscal agencies, and legislature on equipment purchased under subsection (1). In addition, the report shall identify growth data on program involvement, retention, and development of student skills.

(6) As used in this section:

(a) "CEPD" means a career education planning district described in this section.

(b) "CTE" means career and technical education.

Sec. 61d. (1) From the appropriation in section 11, there is allocated for 2021-2022 an amount not to exceed $5,000,000.00 from the state school aid fund for additional payments to districts for career and technical education programs for the purpose of increasing the number of Michigan residents with high-quality degrees or credentials, and to increase the number of pupils who are college- and career-ready upon high school graduation.

(2) The department shall calculate payments to districts under this section in the following manner:

(a) A payment of $35.00 multiplied by the number of pupils in grades 9 to 12 who are counted in membership in the district and are enrolled in at least 1 career and technical education program.

(b) An additional payment of $35.00 multiplied by the number of pupils in grades 9 to 12 who are counted in membership in the
district and are enrolled in at least 1 career and technical
education program that provides instruction in critical skills and
high-demand career fields.

(3) If the allocation under subsection (1) is insufficient to
fully fund payments under subsection (2), the department shall
prorate payments under this section on an equal per-pupil basis.

(4) As used in this section:

(a) "Career and technical education program" means a state-
approved career and technical education program, as determined by
the department.

(b) "Career and technical education program that provides
instruction in critical skills and high-demand career field" means
a career and technical education program classified under any of
the following 2-digit classification of instructional programs
(CIP) codes:

(i) 01, which refers to "agriculture, agriculture operations,
and related sciences".

(ii) 03, which refers to "natural resources and conservation".

(iii) 10 through 11, which refers to "communications
technologies/technicians and support services" and "computer and
information sciences and support services".

(iv) 14 through 15, which refers to "engineering" and
"engineering technologies and engineering-related fields".

(v) 26, which refers to "biological and biomedical sciences".

(vi) 46 through 48, which refers to "construction trades",
"mechanic and repair technologies/technicians", and "precision
production".

(vii) 51, which refers to "health professions and related
programs".
Sec. 61g. (1) From the state school aid fund money appropriated under section 11, there is allocated for 2021-2022 only an amount not to exceed $2,500,000.00 to an intermediate district in which the combined total number of pupils in membership of all of its constituent districts is at least 6,500 but not more than 7,500 and the intermediate district is located in prosperity region 3.

(2) An intermediate district receiving funds under this section shall use the funds to support its career and technical education offerings. Funds must be used by the intermediate district for building retrofitting, equipment purchases, and other associated expenditures necessary to provide career and technical education programming and services.

(3) As used in this section, "constituent district" means a district, including a district that is a public school academy, that is located within the geographic boundaries of an intermediate district.

Sec. 62. (1) For the purposes of this section:

(a) "Membership" means for a particular fiscal year the total membership for the immediately preceding fiscal year of the intermediate district and the districts constituent to the intermediate district or the total membership for the immediately preceding fiscal year of the area vocational-technical program, except that if a district has elected not to come under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690, the membership of that district are not included in the membership of the intermediate district. However, the membership of a district that has elected not to come under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690, is included in the
membership of the intermediate district if the district meets both of the following:

(i) The district operates the area vocational-technical education program pursuant to a contract with the intermediate district.

(ii) The district contributes an annual amount to the operation of the program that is commensurate with the revenue that would have been raised for operation of the program if millage were levied in the district for the program under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690.

(b) "Millage levied" means the millage levied for area vocational-technical education under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690, including a levy for debt service obligations incurred as the result of borrowing for capital outlay projects and in meeting capital projects fund requirements of area vocational-technical education.

(c) "Taxable value" means the total taxable value of the districts constituent to an intermediate district or area vocational-technical education program, except that if a district has elected not to come under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690, the membership and taxable value of that district are not included in the membership and taxable value of the intermediate district. However, the membership and taxable value of a district that has elected not to come under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690, are included in the membership and taxable value of the intermediate district if the district meets both of the following:

(i) The district operates the area vocational-technical education program pursuant to a contract with the intermediate
(ii) The district contributes an annual amount to the operation of the program that is commensurate with the revenue that would have been raised for operation of the program if millage were levied in the district for the program under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690.

(2) From the appropriation in section 11, there is allocated an amount not to exceed $9,190,000.00 each fiscal year for 2019-2020 and for 2020-2021 and for 2021-2022 to reimburse intermediate districts and area vocational-technical education programs established under section 690(3) of the revised school code, MCL 380.690, levying millages for area vocational-technical education under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690. The purpose, use, and expenditure of the reimbursement are limited as if the funds were generated by those millages.


(4) Reimbursement for those millages levied in 2019-2020-2020-2021 is made in 2020-2021-2021-2022 at an amount per 2019-2020-2020-2021 membership pupil computed by subtracting from $218,800.00
$224,800.00 the 2019–2020–2020–2021 taxable value behind each membership pupil and multiplying the resulting difference by the 2019–2020–2020–2021 millage levied, and then subtracting from that amount the 2019–2020–2020–2021 local community stabilization share revenue for area vocational technical education behind each membership pupil for reimbursement of personal property exemption loss under the local community stabilization authority act, 2014 PA 86, MCL 123.1341 to 123.1362.

(5) The department shall ensure that the amount paid to a single intermediate district under this section does not exceed 38.4% of the total amount allocated under subsection (2).

(6) The department shall ensure that the amount paid to a single intermediate district under this section is not less than 75% of the amount allocated to the intermediate district under this section for the immediately preceding fiscal year.

Sec. 65. (1) From the appropriation under section 11, there is allocated an amount not to exceed $400,000.00 for 2020–2021–2021–2022 for a pre-college engineering K-12 educational program that is focused on the development of a diverse future Michigan workforce, that serves multiple communities within southeast Michigan, that enrolls pupils from multiple districts, and that received funds appropriated for this purpose in the appropriations act that provided the Michigan strategic fund budget for 2014-2015.

(2) To be eligible for funding under this section, a program must have the ability to expose pupils to, and motivate and prepare pupils for, science, technology, engineering, and mathematics careers and postsecondary education with special attention given to groups of pupils who are at-risk and underrepresented in technical professions and careers.
Sec. 67. (1) From the general fund money appropriated in section 11, there is allocated an amount not to exceed $3,000,000.00 for 2020-2021-2021-2022 for college access programs. The programs funded under this section are intended to inform students of college and career options and to provide resources intended to increase the number of pupils who are adequately prepared with the information needed to make informed decisions on college and career. The funds appropriated under this section are intended to be used to increase the number of Michigan residents with high-quality degrees or credentials. Funds appropriated under this section must not be used to supplant funding for counselors already funded by districts.

(2) The department of labor and economic opportunity shall administer funds allocated under this section in collaboration with the Michigan college access network. These funds may be used for any of the following purposes:

(a) Michigan college access network operations, programming, and services to local college access networks.

(b) Local college access networks, which are community-based college access/success partnerships committed to increasing the college participation and completion rates within geographically defined communities through a coordinated strategy.

(c) The Michigan college advising program, a program intended to place trained, recently graduated college advisors in high schools that serve significant numbers of low-income and first-generation college-going pupils. State funds used for this purpose may not exceed 33% of the total funds available under this subsection.

(d) Subgrants of up to $5,000.00 to districts with
comprehensive high schools that establish a college access team and implement specific strategies to create a college-going culture in a high school in a form and manner approved by the Michigan college access network and the department of labor and economic opportunity.

(e) The Michigan college access portal, an online one-stop portal to help pupils and families plan and apply for college.

(f) Public awareness and outreach campaigns to encourage low-income and first-generation college-going pupils to take necessary steps toward college and to assist pupils and families in completing a timely and accurate free application for federal student aid.

(g) Subgrants to postsecondary institutions to recruit, hire, and train college student mentors and college advisors to assist high school pupils in navigating the postsecondary planning and enrollment process.

(3) For the purposes of this section, "college" means any postsecondary educational opportunity that leads to a career, including, but not limited to, a postsecondary degree, industry-recognized technical certification, or registered apprenticeship.

Sec. 67a. (1) From the general fund money appropriated under section 11, there is allocated an amount not to exceed $50,000.00 for 2020-2021 2021-2022 for a grant to be distributed by the department to an organization to provide industrial and technological education and workforce preparation for students and professional development opportunities and support for teachers.

(2) Notwithstanding section 17b, the department shall make grant payments under this section on a schedule determined by the department.
Sec. 67b. From the federal funds allocated under section 11n, there is allocated $6,000,000.00 from the federal funding awarded to this state from the coronavirus state fiscal recovery fund under the American rescue plan act of 2021, title IX, subtitle M of Public Law 117-2, for 2021-2022 to the SME Education Foundation's Partnership Response Initiative. The SME Education Foundation's Partnership Response Initiative shall use the funding it receives under this section to provide high schools in this state with cost-effective and tailored engineering/manufacturing programs that provide equipment, curricula, professional development, scholarships, and STEM-focused curricular activities to students enrolled in and teachers teaching in the high schools of this state.

Sec. 74. (1) From the amount appropriated state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $3,814,500.00-$3,805,800.00 for 2020-2021-2021-2022 for the purposes of this section.

(2) From the allocation in subsection (1), there is allocated for 2020-2021-2021-2022 the amount necessary for payments to state supported colleges or universities and intermediate districts providing school bus driver safety instruction under section 51 of the pupil transportation act, 1990 PA 187, MCL 257.1851. The department shall make payments in an amount determined by the department not to exceed the actual cost of instruction and driver compensation for each public or nonpublic school bus driver attending a course of instruction. For the purpose of computing compensation, the hourly rate allowed each school bus driver must not exceed the hourly rate received for driving a school bus. The department shall make reimbursement compensating the driver during
the course of instruction to the college or university or intermediate district providing the course of instruction.

(3) From the allocation in subsection (1), there is allocated for 2020-2021-2021-2022 the amount necessary to pay the reasonable costs of nonspecial education auxiliary services transportation provided under section 1323 of the revised school code, MCL 380.1323. Districts funded under this subsection do not receive funding under any other section of this article for nonspecial education auxiliary services transportation.

(4) From the funds allocated in subsection (1), there is allocated an amount not to exceed $1,789,500.00 - $1,780,800.00 for 2020-2021-2021-2022 for reimbursement to districts and intermediate districts for costs associated with the inspection of school buses and pupil transportation vehicles by the department of state police as required under section 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and section 39 of the pupil transportation act, 1990 PA 187, MCL 257.1839. The department of state police shall prepare a statement of costs attributable to each district for which bus inspections are provided and submit it to the department and to an intermediate district serving as fiduciary in a time and manner determined jointly by the department and the department of state police. Upon review and approval of the statement of cost, the department shall forward to the designated intermediate district serving as fiduciary the amount of the reimbursement on behalf of each district and intermediate district for costs detailed on the statement within 45 days after receipt of the statement. The designated intermediate district shall make payment in the amount specified on the statement to the department of state police within 45 days after receipt of the statement. The
total reimbursement of costs under this subsection must not exceed
the amount allocated under this subsection. Notwithstanding section
17b, the department shall make payments to eligible entities under
this subsection on a schedule prescribed by the department.

Sec. 78. (1) From the state school aid fund money appropriated
under section 11, there is allocated for 2021-2022 an amount not to
exceed $1,000,000.00 for payments to eligible districts for
transportation costs as provided under this section. To be eligible
for funding under this section, a district must meet all of the
following:

(a) Receive the minimum foundation allowance as calculated
under section 20.

(b) Have at least 7,800 pupils in membership but not more than
20,000 pupils in membership.

(c) Have at least 98 square miles in the district's
boundaries.

(d) Provide busing to general education and special education
students.

(e) Use buses to distribute school meals.

(f) Be not eligible for funding under section 22d.

(2) A district that is eligible for funding under this section
shall receive an equal amount per pupil from the funds appropriated
under this section.

Sec. 81. (1) From the state school aid fund
money appropriated in section 11, there is allocated for 2020-2021
to the intermediate districts the sum necessary, but not to exceed
$69,138,000.00, and there is allocated for 2021-2022 to the
intermediate districts the sum necessary, but not to exceed
$71,903,600.00 to provide state aid to intermediate districts under
(2) The amount allocated under this section for 2020-2021 to each intermediate district is an amount equal to 100% of the amount allocated to the intermediate district under this section for 2019-2020. The amount allocated under this section for 2021-2022 to each intermediate district is an amount equal to 104% of the amount allocated to the intermediate district under this section for 2020-2021. An intermediate district shall use funding provided under this section to comply with requirements of this article and the revised school code that are applicable to intermediate districts, and for which funding is not provided elsewhere in this article, and to provide technical assistance to districts as authorized by the intermediate school board.

(3) Intermediate districts receiving funds under this section shall collaborate with the department to develop expanded professional development opportunities for teachers to update and expand their knowledge and skills needed to support the Michigan merit curriculum.

(4) From the allocation in subsection (1), there is allocated to an intermediate district, formed by the consolidation or annexation of 2 or more intermediate districts or the attachment of a total intermediate district to another intermediate district or the annexation of all of the constituent K-12 districts of a previously existing intermediate district which has disorganized, an additional allotment of $3,500.00 each fiscal year for each intermediate district included in the new intermediate district for 3 years following consolidation, annexation, or attachment.

(5) In order to receive funding under this section, an intermediate district shall do all of the following:
(a) Demonstrate to the satisfaction of the department that the intermediate district employs at least 1 person who is trained in pupil accounting and auditing procedures, rules, and regulations.

(b) Demonstrate to the satisfaction of the department that the intermediate district employs at least 1 person who is trained in rules, regulations, and district reporting procedures for the individual-level student data that serves as the basis for the calculation of the district and high school graduation and dropout rates.

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

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

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

(f) Provide advice, guidance, and leadership to assist all districts located within its geographic boundaries to assist in the preparedness and response efforts toward addressing COVID-19. At a minimum, this must include the coordination and collaboration with any local public health agency that has jurisdiction within the intermediate district's geographic boundaries and may include the coordination of bulk purchasing of personal protective equipment, technology, or other products or services necessary for students to return to school. An intermediate district shall ensure that all districts located within its geographic boundaries have equitable access to the intermediate district's coordination activities and services, intermediate district-wide or regional meetings, regularly scheduled superintendent meetings, programming, events,
or other coordination or collaboration activities. In ensuring that all districts located within the geographic boundaries of the intermediate district have equitable access to services, meetings, programming, events, or activities as described in the immediately preceding sentence, the intermediate district shall ensure that districts that are public school academies that are located within its geographic boundaries are not excluded from said services, meetings, programming, events, or activities if districts that are not public school academies that are located within the geographic boundaries of the intermediate district are not excluded.

Sec. 94. (1) From the general fund money appropriated in section 11, there is allocated to the department for 2020-2021 an amount not to exceed $1,200,000.00 for efforts to increase the number of pupils who participate and succeed in advanced placement and international baccalaureate programs, and to support the college-level examination program (CLEP).

(2) From the funds allocated under this section, the department shall award funds to cover all or part of the costs of advanced placement test fees or international baccalaureate test fees and international baccalaureate registration fees for low-income pupils who take an advanced placement or an international baccalaureate test and CLEP fees for low-income pupils who take a CLEP test.

(3) The department shall only award funds under this section if the department determines that all of the following criteria are met:

(a) Each pupil for whom payment is made meets eligibility requirements of the federal advanced placement test fee program under section 1701 of the no child left behind act of 2001, Public
Law 107-110, or under a corresponding provision of the every
student succeeds act, Public Law 114-95.

(b) The tests are administered by the college board, the
international baccalaureate organization, or another test provider
approved by the department.

(c) The pupil for whom payment is made pays at least $5.00
toward the cost of each test for which payment is made.

(4) The department shall establish procedures for awarding
funds under this section.

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

Sec. 94a. (1) There is created within the state budget office
in the department of technology, management, and budget the center
for educational performance and information. The center shall do
all of the following:

(a) Coordinate the collection of all data required by state
and federal law from districts, intermediate districts, and
postsecondary institutions.

(b) Create, maintain, and enhance this state's P-20
longitudinal data system and ensure that it meets the requirements
of subsection (4).

(c) Collect data in the most efficient manner possible in
order to reduce the administrative burden on reporting entities,
including, but not limited to, electronic transcript services.

(d) Create, maintain, and enhance this state's web-based
educational portal to provide information to school leaders,
teachers, researchers, and the public in compliance with all
federal and state privacy laws. Data must include, but are not
limited to, all of the following:

(i) Data sets that link teachers to student information, allowing districts to assess individual teacher impact on student performance and consider student growth factors in teacher and principal evaluation systems.

(ii) Data access or, if practical, data sets, provided for regional data hubs that, in combination with local data, can improve teaching and learning in the classroom.

(iii) Research-ready data sets for researchers to perform research that advances this state's educational performance.

(e) Provide data in a useful manner to allow state and local policymakers to make informed policy decisions.

(f) Provide public reports to the residents of this state to allow them to assess allocation of resources and the return on their investment in the education system of this state.

(g) Other functions as assigned by the state budget director.

(2) Each state department, officer, or agency that collects information from districts, intermediate districts, or postsecondary institutions as required under state or federal law shall make arrangements with the center to ensure that the state department, officer, or agency is in compliance with subsection (1). This subsection does not apply to information collected by the department of treasury under the uniform budgeting and accounting act, 1968 PA 2, MCL 141.421 to 141.440a; the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821; the school bond qualification, approval, and loan act, 2005 PA 92, MCL 388.1921 to 388.1939; or section 1351a of the revised school code, MCL 380.1351a.

(3) The center may enter into any interlocal agreements
necessary to fulfill its functions.

(4) The center shall ensure that the P-20 longitudinal data system required under subsection (1)(b) meets all of the following:

(a) Includes data at the individual student level from preschool through postsecondary education and into the workforce.

(b) Supports interoperability by using standard data structures, data formats, and data definitions to ensure linkage and connectivity in a manner that facilitates the exchange of data among agencies and institutions within the state and between states.

(c) Enables the matching of individual teacher and student records so that an individual student may be matched with those teachers providing instruction to that student.

(d) Enables the matching of individual teachers with information about their certification and the institutions that prepared and recommended those teachers for state certification.

(e) Enables data to be easily generated for continuous improvement and decision-making, including timely reporting to parents, teachers, and school leaders on student achievement.

(f) Ensures the reasonable quality, validity, and reliability of data contained in the system.

(g) Provides this state with the ability to meet federal and state reporting requirements.

(h) For data elements related to preschool through grade 12 and postsecondary, meets all of the following:

(i) Contains a unique statewide student identifier that does not permit a student to be individually identified by users of the system, except as allowed by federal and state law.

(ii) Contains student-level enrollment, demographic, and
program participation information.

(iii) Contains student-level information about the points at which students exit, transfer in, transfer out, drop out, or complete education programs.

(iv) Has the capacity to communicate with higher education data systems.

(i) For data elements related to preschool through grade 12 only, meets all of the following:

(i) Contains yearly test records of individual students for assessments approved by DED-OESE for accountability purposes under section 1111(b) of the elementary and secondary education act of 1965, 20 USC 6311, including information on individual students not tested, by grade and subject.

(ii) Contains student-level transcript information, including information on courses completed and grades earned.

(iii) Contains student-level college readiness test scores.

(j) For data elements related to postsecondary education only:

(i) Contains data that provide information regarding the extent to which individual students transition successfully from secondary school to postsecondary education, including, but not limited to, all of the following:

(A) Enrollment in remedial coursework.

(B) Completion of 1 year's worth of college credit applicable to a degree within 2 years of enrollment.

(ii) Contains data that provide other information determined necessary to address alignment and adequate preparation for success in postsecondary education.

(5) From the general fund money appropriated in section 11, there is allocated an amount not to exceed $16,848,900.00
$18,802,500.00 for 2020-2021-2021-2022 to the department of technology, management, and budget to support the operations of the center. In addition, from the federal funds appropriated in section 11, there is allocated for 2020-2021-2021-2022 the amount necessary, estimated at $193,500.00, to support the operations of the center and to establish a P-20 longitudinal data system necessary for state and federal reporting purposes. The center shall cooperate with the department to ensure that this state is in compliance with federal law and is maximizing opportunities for increased federal funding to improve education in this state.

(6) From the funds allocated in subsection (5), the center may use an amount determined by the center for competitive grants for 2020-2021-2021-2022 to support collaborative efforts on the P-20 longitudinal data system. All of the following apply to grants awarded under this subsection:

(a) The center shall award competitive grants to eligible intermediate districts or a consortium of intermediate districts based on criteria established by the center.

(b) Activities funded under the grant must support the P-20 longitudinal data system portal and may include portal hosting, hardware and software acquisition, maintenance, enhancements, user support and related materials, and professional learning tools and activities aimed at improving the utility of the P-20 longitudinal data system.

(c) An applicant that received a grant under this subsection for the immediately preceding fiscal year has priority for funding under this section. However, after 3 fiscal years of continuous funding, an applicant is required to compete openly with new applicants.
(7) Funds allocated under this section that are not expended in the fiscal year in which they were allocated may be carried forward to a subsequent fiscal year and are appropriated for the purposes for which the funds were originally allocated.

(8) The center may bill departments as necessary in order to fulfill reporting requirements of state and federal law. The center may also enter into agreements to supply custom data, analysis, and reporting to other principal executive departments, state agencies, local units of government, and other individuals and organizations. The center may receive and expend funds in addition to those authorized in subsection (5) to cover the costs associated with salaries, benefits, supplies, materials, and equipment necessary to provide such data, analysis, and reporting services.

(9) As used in this section,

(a) "DED-OESE" means the United States Department of Education Office of Elementary and Secondary Education.

(b) "State education agency" means the department.

Sec. 94c. (1) From the general fund money appropriated in section 11, there is allocated an amount not to exceed $1,500,000.00 for 2021-2022 to the department to select a vendor through a competitive bid process that will compile a report to be sent to the legislature that includes all of the following:

(a) A strategy for streamlining the reporting that districts and intermediate districts are required to submit under state law.

(b) Recommendations for an annual process to measure and compare noninstructional staffing and spending by districts and intermediate districts and propose options to help districts and intermediate districts optimize noninstructional spending over time. Districts and intermediate districts are not required to
modify their spending due to the operation of this subdivision. As used in this subdivision, "noninstructional spending" does not include facility costs, leases, rental payments, or other capital costs.

(c) Subject to subsection (2), recommendations for an information technology strategy for the K to 12 system and a short list of information technology systems that districts and intermediate districts may choose from that meet both of the following:

(i) Are aligned to the information technology strategy described in this subdivision.

(ii) Can be used by districts and intermediate districts in transition as existing information technology systems are retired.

(2) A district or intermediate district is not required to select for use an information technology system described in subsection (1)(c) due to the operation of subsection (1)(c).

(3) This section does not impose any new or additional reporting requirements upon districts and intermediate districts.

(4) The center, to the extent practicable, shall provide data requested by the vendor selected under subsection (1) to the vendor.

(5) In its evaluation of vendors through the competitive bid process under subsection (1), the department shall consider at least all of the following criteria:

(a) The vendor's knowledge of this state's K to 12 system.

(b) The vendor's knowledge of center and National Center for Education Statistics (NCES) data.

(c) The vendor's knowledge of existing K to 12 reports.

(d) The vendor's knowledge of existing K to 12 technology
systems.

(e) The vendor's knowledge of reporting, information
technology, and benchmarking best practices.

(f) The vendor's expertise in providing advice to this state's
K to 12 systems on efficiency measures.

(6) The department, center, or the vendor selected under
subsection (1) shall not require that a district or intermediate
district implement the strategies or recommendations developed
under this section by the vendor selected under subsection (1)
unless legislation is enacted that allows the department, center,
or a vendor selected under subsection (1) to require said
implementation.

Sec. 94d. (1) From the state school aid fund money
appropriated in section 11, there is allocated an amount not to
exceed $1,500,000.00 for 2021-2022 for the purposes of this
section.

(2) Funds under this section must be used to create and
support a task force that will develop a comprehensive multi-year
plan to attract, prepare, and retain qualified personnel for
children with disabilities. The task force described in this
subsection shall provide all of the following:

(a) An identification of the barriers to attracting and
training qualified personnel to work with children with
disabilities.

(b) An analysis of current educator preparation processes,
including the degree to which they meet the needs of special
education students and whether the preparation process could be
streamlined to increase the number of qualified personnel entering
the field of special education.
(c) An analysis of attrition rates for qualified personnel leaving the field of special education and recommendations for ways that this state or districts could better retain talent.

(d) An analysis of this state's licensing requirements and whether they could be streamlined to increase the number of qualified personnel entering the field of special education.

(e) Policy changes that should be enacted into law to address the barriers identified in this subsection, with specific changes to applicable state laws or applicable state rules.

(3) The task force described in subsection (2) must include representation from all special education stakeholder communities, including, but not limited to, teachers, school administrators, parents of special education students, students, educator preparation programs, the department, the legislative branch, the executive branch, the business community, and special education advocacy groups.

(4) The department shall identify an intermediate district that will serve as the fiscal agent for the funding under this section.

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

(6) It is the intent of the legislature that the funding under this section support the task force described in subsection (2) for 3 years.

(7) The funds allocated under this section for 2021-2022 are a work project appropriation, and any unexpended funds for 2021-2022 do not lapse to the state school aid fund and are carried forward into 2022-2023. The purpose of the work project is to continue
support for the task force described in subsection (2). The estimated completion date of the work project is September 30, 2024.

Sec. 95b. (1) From the general fund money appropriated under section 11, there is allocated an amount not to exceed $2,000,000.00 for 2021-2022 for the model value-added growth and projection analytics system. The department shall continue the model value-added growth and projection analytics system and incorporate that model into its reporting requirements under the every student succeeds act, Public Law 114-95. It is the intent of the legislature to fund the model under this section for 2021-2022 only if at least 50% of districts that are not public school academies opt in to student-teacher linkages provided by the model value-added growth and projection analytics system and there is verification that the value-added reporting platform continued hosting and delivery of historical reporting as determined based on the report under subsection (5). The model described in this subsection must do at least all of the following:

(a) Utilize existing assessments and any future assessments that are suitable for measuring student growth.
(b) Report student growth measures at the district, school, teacher, and subgroup levels.
(c) Recognize the growth of tested students, including those who may have missing assessment data.
(d) Include all available prior standardized assessment data that meet inclusion criteria across grades, subjects, and state and local assessments.
(e) Allow student growth results to be disaggregated.
(f) Provide individual student projections showing the
probability of a student reaching specific performance levels on future assessments. Given school closures and extended cancellations related to COVID-19, the data under this subdivision may be used to inform decisions about student placement or students that could benefit from additional supports or interventions.

(g) Demonstrate any prior success with this state's assessments through the Michigan council of educator effectiveness teacher evaluation pilot.

(h) Demonstrate prior statewide implementation in at least 2 other states for at least 10 years.

(i) Have a native roster verification system built into the value-added reporting platform that has been implemented statewide in at least 2 other states.

(j) Have a "help/contact us" ticketing system built into the value-added reporting platform.

(k) Given school closures that have occurred pursuant to an executive order issued by the governor, the value-added reporting platform must provide continued hosting and delivery of reporting and offer the department additional supports in the areas of research, analysis, web reporting, and training.

(l) The department and the platform vendor shall provide statewide training for educators to understand the reporting that details the impact to student learning and growth.

(2) The department shall provide internet-based electronic student growth and projection reporting based on the model under subsection (1) to educators at the school, district, and state levels. The model must include role-based permissions that allow educators to access information about the performance of the students within their immediate responsibility in accordance with
applicable privacy laws.

(3) The model under subsection (1) must not be a mandatory part of teacher evaluation or educator pay-for-performance systems.

(4) The model under subsection (1) must be a model that received funding under this section in 2018-2019.

(5) By March 31, 2021, the department shall work with the center to provide a report to the senate and house appropriations subcommittees on state school aid and the senate and house fiscal agencies regarding the number of districts that are not public school academies that opted in to student-teacher linkages in their use of the model value-added growth and projection analytics system under this section. The report under this subsection must also include verification that the value-added reporting platform continued hosting and delivery of historical reporting and specify any additional research and analysis offered to the department.

Sec. 97. (1) For 2021-2022, from the state school aid fund money appropriated under section 11, there is allocated an amount not to exceed $7,500,000.00 and from the general fund money appropriated under section 11, there is allocated an amount not to exceed $2,500,000.00 for competitive grants to public schools, nonpublic schools, districts, and intermediate districts to purchase technology equipment, upgrade hardening measures, or conduct school building safety assessments to improve the safety and security of school buildings, pupils or students, and school staff with the goal of creating a safer school environment through equipment and technology enhancements. The department of state police, grants and community services division, shall administer the grant program described in this subsection. All grants under
this subsection must be funded on a reimbursement-only basis. Grants under this subsection must not exceed $50,000.00 for each public school or nonpublic school and $250,000.00 for each district or intermediate district.

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

(a) To receive funding under subsection (1), a public school, nonpublic school, district, or intermediate district shall submit an application for funding under subsection (1) directly to the department of state police, grants and community services division.

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

(c) An applicant may submit only 1 application.

(d) An individual public school may submit its own application but must not also be included in its district's application if the district submits an application under this subsection.

(e) The department of state police shall award grants to applicants based on eligibility, the project description, and whether the project reflects the highest security need of the applicant within grant funding constraints, the budget narrative, the budget, project goals, objectives, and performance measures.

(f) The department of state police shall give priority to all of the following applicants:

(i) Applicants seeking funding for projects that involve multiple agencies working in partnership.

(ii) Applicants seeking funding for proposals that seek to secure exterior access points of school buildings.

(iii) Applicants that did not receive a school safety grant in
the past.

(iv) Applicants that did not receive a grant under section 1001 of article XX of 2018 PA 207 or under section 115 of 2018 PA 618.

(g) To be awarded a grant, an applicant must demonstrate proof that the public school, nonpublic school, district, or intermediate district has an emergency operation plan that was updated after August 1, 2017 to align with the state emergency operations plan guidance and statewide school safety information policy developed under section 1308 of the revised school code, MCL 380.1308.

(h) The department of state police shall issue grant guidance and application materials, including required performance measures, not later than February 1, 2022.

(3) The department of state police shall not award funding under subsection (1) to a public school, nonpublic school, district, or intermediate district in relation to the same school building more than once. If a district submits an application under subsection (2) relating to a school building and a public school within that district also submits an application for funding in relation to that same school building, the department of state police shall not allocate funding under subsection (1) twice for that school building. If a public school, nonpublic school, district, or intermediate district submits more than 1 application, the department of state police shall first consider the most recent application submitted in considering funding under subsection (1).

(4) Eligible expenses for reimbursement under subsection (1) must be consistent with the recommendations of the school safety task force created by Executive Order No. 2018-5. The department of state police shall list the eligible expenses in the grant guidance and application materials described under subsection (2).
following items are not eligible expenses for which grant funds under subsection (1) may be applied:

(a) Weapons, including tasers.

(b) Personal body armor for routine use.

(c) Construction of new facilities.

(d) Costs in applying for the grant, such as consultants and grant writers.

(e) Expenses incurred before the date of the award or after the end of the performance period of the grant award.

(f) Personnel costs or operation costs related to a capital improvement.

(g) Indirect costs or indirect administrative expenses.

(h) Travel.

(i) Contributions or donations.

(j) Management or administrative training and conferences, except as otherwise preapproved by the department of state police.

(k) Management studies or research and development.

(l) Memberships and dues, except for a specific requirement of the project that has been preapproved by the department of state police.

(m) Vehicles, watercraft, or aircraft, including unmanned or remotely piloted aircraft and vehicles.

(n) Service contracts and training beyond the performance period of the grant award.

(o) Food, refreshments, and snacks.

(5) A grantee under section 1001 of article XX of 2018 PA 207 that is a public school, nonpublic school, district, or intermediate district or a grantee under section 115 of 2018 PA 618 that is a public school, nonpublic school, district, or
intermediate district is not prohibited from applying for, and
receiving, a grant award under this section.

(6) The department of state police shall begin issuing awards
for grants under subsection (1) not later than May 1, 2022. A
project that is awarded a grant under this section must be
completed by July 1, 2023.

(7) The department of state police shall report on grant
activities under this section, including available performance
outcomes as identified in individual grant agreements, to the
senate and house appropriations subcommittees on state police, the
senate and house fiscal agencies, and the state budget office by
August 1, 2023.

(8) The funds allocated for school safety grants under this
section for 2021-2022 are a work project appropriation, and any
unexpended funds for 2021-2022 do not lapse to the state school aid
fund or general fund and are carried forward into 2022-2023. The
purpose of the work project is to continue promoting safer school
environments. The estimated completion date of the work project is
July 1, 2023.

(9) The department of state police shall ensure that a grant
to a nonpublic school under this section is funded from the general
fund money allocated under this section.

Sec. 97a. From the general fund money appropriated in section
11, there is allocated an amount not to exceed $1,947,000.00 for
2021-2022 for Michigan Virtual University to support Navigate 360.

Sec. 98. (1) From the general fund money appropriated in
section 11, there is allocated an amount not to exceed
$7,500,000.00 for 2020-2021-2021-2022 for the purposes described in
this section. The Michigan Virtual University shall provide a
report to the legislature not later than November 1 of each year that includes its mission, its plans, and proposed benchmarks it must meet, including a plan to achieve the organizational priorities identified in this section, in order to receive full funding for 2021-2022–2022-2023. Not later than March 1 of each year, the Michigan Virtual University shall provide an update to the house and senate appropriations subcommittees on school aid to show the progress being made to meet the benchmarks identified.

(2) The Michigan Virtual University shall operate the Michigan Virtual Learning Research Institute. The Michigan Virtual Learning Research Institute shall do all of the following:
   (a) Support and accelerate innovation in education through the following activities:
      (i) Test, evaluate, and recommend as appropriate new technology-based instructional tools and resources.
      (ii) Research, design, and recommend virtual education delivery models for use by pupils and teachers that include age-appropriate multimedia instructional content.
      (iii) Research, develop, and recommend annually to the department criteria by which cyber schools and virtual course providers should be monitored and evaluated to ensure a quality education for their pupils.
      (iv) Based on pupil completion and performance data reported to the department or the center from cyber schools and other virtual course providers operating in this state, analyze the effectiveness of virtual learning delivery models in preparing pupils to be college- and career-ready and publish a report that highlights enrollment totals, completion rates, and the overall impact on pupils. The Michigan Virtual Learning Research Institute shall
submit the report to the house and senate appropriations subcommittees on state school aid, the state budget director, the house and senate fiscal agencies, the department, districts, and intermediate districts not later than March 31 of each year.

(v) Provide an extensive professional development program to at least 30,000 educational personnel, including teachers, school administrators, and school board members, that focuses on the effective integration of virtual learning into curricula and instruction. The Michigan Virtual Learning Research Institute is encouraged to work with the MiSTEM advisory council created under described in section 99s to coordinate professional development of teachers in applicable fields. In addition, the Michigan Virtual Learning Research Institute and external stakeholders are encouraged to coordinate with the department for professional development in this state. Not later than December 1 of each year, the Michigan Virtual Learning Research Institute shall submit a report to the house and senate appropriations subcommittees on state school aid, the state budget director, the house and senate fiscal agencies, and the department on the number of teachers, school administrators, and school board members who have received professional development services from the Michigan Virtual University. The report must also identify barriers and other opportunities to encourage the adoption of virtual learning in the public education system.

(w) Identify and share best practices for planning, implementing, and evaluating virtual and blended education delivery models with intermediate districts, districts, and public school academies to accelerate the adoption of innovative education delivery models statewide.
(b) Provide leadership for this state's system of virtual learning education by doing the following activities:

(i) Develop and report policy recommendations to the governor and the legislature that accelerate the expansion of effective virtual learning in this state's schools.

(ii) Provide a clearinghouse for research reports, academic studies, evaluations, and other information related to virtual learning.

(iii) Promote and distribute the most current instructional design standards and guidelines for virtual teaching.

(iv) In collaboration with the department and interested colleges and universities in this state, support implementation and improvements related to effective virtual learning instruction.

(v) Pursue public/private partnerships that include districts to study and implement competency-based technology-rich virtual learning models.

(vi) Create a statewide network of school-based mentors serving as liaisons between pupils, virtual instructors, parents, and school staff, as provided by the department or the center, and provide mentors with research-based training and technical assistance designed to help more pupils be successful virtual learners.

(vii) Convene focus groups and conduct annual surveys of teachers, administrators, pupils, parents, and others to identify barriers and opportunities related to virtual learning.

(viii) Produce an annual consumer awareness report for schools and parents about effective virtual education providers and education delivery models, performance data, cost structures, and research trends.
(ix) Provide an internet-based platform that educators can use to create student-centric learning tools and resources for sharing in the state's open educational resource repository and facilitate a user network that assists educators in using the content creation platform and state repository for open educational resources. As part of this initiative, the Michigan Virtual University shall work collaboratively with districts and intermediate districts to establish a plan to make available virtual resources that align to Michigan's K-12 curriculum standards for use by students, educators, and parents.

(x) Create and maintain a public statewide catalog of virtual learning courses being offered by all public schools and community colleges in this state. The Michigan Virtual Learning Research Institute shall identify and develop a list of nationally recognized best practices for virtual learning and use this list to support reviews of virtual course vendors, courses, and instructional practices. The Michigan Virtual Learning Research Institute shall also provide a mechanism for intermediate districts to use the identified best practices to review content offered by constituent districts. The Michigan Virtual Learning Research Institute shall review the virtual course offerings of the Michigan Virtual University, and make the results from these reviews available to the public as part of the statewide catalog. The Michigan Virtual Learning Research Institute shall ensure that the statewide catalog is made available to the public on the Michigan Virtual University website and shall allow the ability to link it to each district's website as provided for in section 21f. The statewide catalog must also contain all of the following:

(A) The number of enrollments in each virtual course in the
immediately preceding school year.

(B) The number of enrollments that earned 60% or more of the total course points for each virtual course in the immediately preceding school year.

(C) The pass rate for each virtual course.

(xi) Support registration, payment services, and transcript functionality for the statewide catalog and train key stakeholders on how to use new features.

(xii) Collaborate with key stakeholders to examine district level accountability and teacher effectiveness issues related to virtual learning under section 21f and make findings and recommendations publicly available.

(xiii) Provide a report on the activities of the Michigan Virtual Learning Research Institute.

(3) To further enhance its expertise and leadership in virtual learning, the Michigan Virtual University shall continue to operate the Michigan Virtual School as a statewide laboratory and quality model of instruction by implementing virtual and blended learning solutions for Michigan schools in accordance with the following parameters:

(a) The Michigan Virtual School must maintain its accreditation status from recognized national and international accrediting entities.

(b) The Michigan Virtual University shall use no more than $1,000,000.00 of the amount allocated under this section to subsidize the cost paid by districts for virtual courses.

(c) In providing educators responsible for the teaching of virtual courses as provided for in this section, the Michigan Virtual School shall follow the requirements to request and assess,
and the department of state police shall provide, a criminal
history check and criminal records check under sections 1230 and
1230a of the revised school code, MCL 380.1230 and 380.1230a, in
the same manner as if the Michigan Virtual School were a school
district under those sections.

(4) From the funds allocated under subsection (1), the
Michigan Virtual University shall allocate up to $500,000.00 to
support the expansion of new online and blended educator
professional development programs.

(5) If the course offerings are included in the statewide
catalog of virtual courses under subsection (2)(b)(x), the Michigan
Virtual School operated by the Michigan Virtual University may
offer virtual course offerings, including, but not limited to, all
of the following:

(a) Information technology courses.

(b) College level equivalent courses, as that term is defined
in section 1471 of the revised school code, MCL 380.1471.

(c) Courses and dual enrollment opportunities.

(d) Programs and services for at-risk pupils.

(e) High school equivalency test preparation courses for
adjudicated youth.

(f) Special interest courses.

(g) Professional development programs for teachers, school
administrators, other school employees, and school board members.

(6) If a home-schooled or nonpublic school student is a
resident of a district that subscribes to services provided by the
Michigan Virtual School, the student may use the services provided
by the Michigan Virtual School to the district without charge to
the student beyond what is charged to a district pupil using the
same services.

(7) Not later than December 1 of each fiscal year, the Michigan Virtual University shall provide a report to the house and senate appropriations subcommittees on state school aid, the state budget director, the house and senate fiscal agencies, and the department that includes at least all of the following information related to the Michigan Virtual School for the preceding state fiscal year:

(a) A list of the districts served by the Michigan Virtual School.

(b) A list of virtual course titles available to districts.

(c) The total number of virtual course enrollments and information on registrations and completions by course.

(d) The overall course completion rate percentage.

(8) In addition to the information listed in subsection (7), the report under subsection (7) must also include a plan to serve at least 600 schools with courses from the Michigan Virtual School or with content available through the internet-based platform identified in subsection (2)(b)(ix).

(9) The governor may appoint an advisory group for the Michigan Virtual Learning Research Institute established under subsection (2). The members of the advisory group serve at the pleasure of the governor and without compensation. The purpose of the advisory group is to make recommendations to the governor, the legislature, and the president and board of the Michigan Virtual University that will accelerate innovation in this state's education system in a manner that will prepare elementary and secondary students to be career and college ready and that will promote the goal of increasing the percentage of residents of this
state with high-quality degrees and credentials to at least 60% by 2025.

(10) Not later than November 1 of each year, the Michigan Virtual University shall submit to the house and senate appropriations subcommittees on state school aid, the state budget director, and the house and senate fiscal agencies a detailed budget for that fiscal year that includes a breakdown on its projected costs to deliver virtual educational services to districts and a summary of the anticipated fees to be paid by districts for those services. Not later than March 1 each year, the Michigan Virtual University shall submit to the house and senate appropriations subcommittees on state school aid, the state budget director, and the house and senate fiscal agencies a breakdown on its actual costs to deliver virtual educational services to districts and a summary of the actual fees paid by districts for those services based on audited financial statements for the immediately preceding fiscal year.

(11) As used in this section:

(a) "Blended learning" means a hybrid instructional delivery model where pupils are provided content, instruction, and assessment, in part at a supervised educational facility away from home where the pupil and a teacher with a valid Michigan teaching certificate are in the same physical location and in part through internet-connected learning environments with some degree of pupil control over time, location, and pace of instruction.

(b) "Cyber school" means a full-time instructional program of virtual courses for pupils that may or may not require attendance at a physical school location.

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

Sec. 98b. (1) In order to receive state aid under this article
for 2021-2022, a district must do all of the following:
(a) By not later than the first meeting of the board that
occurs in February of 2022 and by not later than the last day of
the 2021-2022 school year, the district superintendent or chief
administrator of the district, as applicable, shall present both of
the following at a public meeting of the board:
(i) Subject to state and federal privacy laws, the results from
benchmark assessments and local benchmark assessments, as
applicable, administered under section 104a.
(ii) For each school operated by the district, each school's
progress toward meeting the educational goals described in
subdivision (d).
(b) The district shall ensure that the information presented
under subdivision (a) is disaggregated by grade level, by student
demographics, and by the mode of instruction received by the pupils
to which the information applies.
(c) The information presented under subdivision (a) must also
be compiled into a report that the district shall make available
through the transparency reporting link located on the district's
website.
(d) The district shall ensure that, by not later than
September 15, 2021, each school building leader of each school
operated by the district, in conjunction with all teachers and
school administrators of the school, establishes educational goals expected to be achieved for the 2021-2022 school year for the school. The goals described in this subdivision must specify which educational goals are expected to be achieved by not later than the middle of the school year and which goals are expected to be achieved by not later than the last day of the 2021-2022 school year. All the following apply to the educational goals described in this subdivision:

(i) The goals must include increased pupil achievement or, if growth can be validly and reliably measured using a benchmark assessment or benchmark assessments or a local benchmark assessment, growth on a benchmark assessment or benchmark assessments or a local benchmark assessment described in subparagraph (ii) in the aggregate and for all subgroups of pupils broken down by grade level, student demographics, and mode of instruction.

(ii) The goals must include an assurance that the district shall select a benchmark assessment or benchmark assessments or a local benchmark assessment that are aligned to state standards and an assurance that the district shall administer the benchmark assessment or benchmark assessments or local benchmark assessment to all pupils as prescribed under section 104a to determine whether pupils are making meaningful progress toward mastery of these standards.

(iii) The goals must be measurable through a benchmark assessment or benchmark assessments or a local benchmark assessment described in subparagraph (ii).

(iv) For districts that provided instruction under an approved extended COVID-19 learning plan under section 98a, the goals must
correlate to the educational goals that were included in the
district's COVID-19 learning plan under section 98a for the 2020-
2021 school year.

(e) In implementing a benchmark assessment system under
section 104a, the district ensures that it is in compliance with
section 104a(1)(f).

(2) The department shall create a statewide uniform template
for districts to utilize in the development of educational goals
under subsection (1)(d) and shall make this template available to
all districts by not later than June 30, 2022.

(3) By not later than June 15, 2022, subject to state and
federal privacy laws, the superintendent of public instruction
shall submit a report to the house and senate appropriations
subcommittees on school aid and the house and senate standing
committees on education that includes the results of benchmark
assessments administered under section 104a that the superintendent
of public instruction has received from districts. All of the
following apply to the data included in the report described in
this subsection:

(a) It must be disaggregated by grade level, student
demographics, and the modes of instruction received by pupils.

(b) It must be broken down so as to show a comparison of
growth among pupils within a grade level, within certain student
demographics, and based on the modes of instruction received by the
pupils.

(4) If requested to do so by the chairs of the house and
senate appropriations subcommittees on school aid and the chairs of
the house and senate standing committees on education, the
superintendent of public instruction shall present his or her
Sec. 98d. (1) From the state school aid fund money appropriated under section 11, there is allocated for 2020-2021 an amount not to exceed $2,000,000.00 to Northern Michigan University to support the MLC as described in this section. Northern Michigan University shall not retain any portion of the funding received under this section for administrative purposes and shall provide funding to support the MLC. All of the following apply to the MLC:

(a) The MLC must be created to help bridge equity gaps in K to 12 education linked to a student's ability to engage in distance learning because of inadequate internet access or a lack of devices in the home.

(b) The MLC shall provide over-the-air broadcasts 24 hours each day for 7 days each week of quality instructional content that is aligned with this state's K to 12 educational standards. Over-the-air broadcasts as described in this subdivision must be streamed live and must be archived for on-demand viewing on a companion website, along with additional learning materials relevant to lessons.

(c) The MLC must be managed and operated by DPTV, and DPTV shall assume all risk, liability, and responsibility for the MLC in accordance with regulations by the United States Federal Communications Commission, PBS broadcast standards, and standard nonprofit business standards. DPTV shall serve as the fiduciary agent and service manager for the MLC. The MLC shall originate from a central operations center that is responsible for providing the
infrastructure, content, and engagement of the MLC in partnership with this state's educational leadership organizations.

(d) The MLC shall require that DPTV provide technology, funding, staff training, and central management of the MLC to station partners to insert additional channels into each station's broadcast streams and to support staffing and engagement as outlined in a memorandum of understanding among the stations.

(e) The MLC shall require that DPTV partner with at least 5 other Michigan public television stations including, but not limited to, WKAR, WGVU, WDCQ, WCMU, and WNMU, to deliver the over-the-air MLC broadcasts described in this section and to support engagement with local educators. Stations described in this subdivision must be able to use the infrastructure provided by the MLC to develop their own local content that best serves their communities.

(f) The MLC shall not use the funds received from Northern Michigan University under this section in support of the MLC for any purposes fully funded by the governor's emergency education relief fund grant.

(2) Not later than February 1, 2021, the MLC shall provide a report to the house and senate appropriations subcommittees responsible for state school aid, the house and senate fiscal agencies, and the state budget director detailing the MLC's compliance with ensuring that conditions listed under subsection (1) were met.

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

(4) As used in this section:

(a) "DPTV" means Detroit public television.
(b) "MLC" means the Michigan learning channel.

Sec. 99h. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $4,400,000.00 – $4,723,200.00 for 2020–2021–2021–2022 for competitive grants to districts and intermediate districts, and from the general fund money appropriated in section 11, there is allocated $300,000.00 – $600,000.00 for 2020–2021–2021–2022 for competitive grants to nonpublic schools, that provide pupils in grades pre-K to 12 with expanded opportunities to improve mathematics, science, and technology skills by participating in events hosted by a science and technology development program known as FIRST (for inspiration and recognition of science and technology) Robotics, including JR FIRST Lego League, FIRST Lego League, FIRST Tech challenge, and FIRST Robotics competition, or other competitive robotics programs, including VEX, Square One, and those hosted by the Robotics Education and Competition (REC) Foundation. Programs funded under this section are intended to increase the number of pupils demonstrating proficiency in science and mathematics on the state assessments and to increase the number of pupils who are college- and career-ready upon high school graduation. Notwithstanding section 17b, the department shall make grant payments to districts, nonpublic schools, and intermediate districts under this section on a schedule determined by the department. The department shall set maximum grant awards for each different level of programming and competition in a manner that both maximizes the number of teams that will be able to receive funds and expands the geographical distribution of teams.

(2) A district, nonpublic school, or intermediate district applying for a grant under this section shall submit an application
in a form and manner prescribed by the department. To be eligible for a grant, a district, nonpublic school, or intermediate district must demonstrate in its application that the district, nonpublic school, or intermediate district has established a partnership for the purposes of the robotics program with at least 1 sponsor, business entity, higher education institution, or technical school, shall submit a spending plan, and shall provide a local in-kind or cash match from other private or local funds of at least 25% of the cost of the robotics program award.

(3) The department shall distribute the grant funding under this section for the following purposes:

(a) Grants to districts, nonpublic schools, or intermediate districts to pay for stipends not to exceed $1,500.00 per building for coaching.

(b) Grants to districts, nonpublic schools, or intermediate districts for event registrations, materials, travel costs, and other expenses associated with the preparation for and attendance at robotics events and competitions.

(c) Grants to districts, nonpublic schools, or intermediate districts for awards to teams that advance to the next levels of competition as determined by the department. The department shall determine an equal amount per team for those teams that advance.

(4) The funds allocated under this section for 2020-2021 are a work project appropriation, and any unexpended funds for 2020-2021 are carried forward into 2021-2022. The purpose of the work project is to continue support of FIRST Robotics and must not be used to support other robotics competitions. The estimated completion date of the work project is September 30, 2023.
(5) A nonpublic school that receives a grant under this section may use the funds for either robotics or Science Olympiad programs.

(6) To be eligible to receive funds under this section, a nonpublic school must be a nonpublic school registered with the department and must meet all applicable state reporting requirements for nonpublic schools.

Sec. 99i. From the general fund money appropriated in section 11, there is allocated for 2020-2021-2021-2022 an amount not to exceed $150,000.00 to support the Michigan council of women in technology foundation. The funds awarded under this section must be used to support the girls-exploring-together-information-technology clubs for middle and high school girls that provide structured hands-on learning activities through a comprehensive technology-focused curriculum.

Sec. 99s. (1) From the funds appropriated under section 11, there is allocated for 2020-2021-2021-2022 an amount not to exceed $7,634,300.00 from the state school aid fund appropriation and an amount not to exceed $300,000.00 from the general fund appropriation for Michigan science, technology, engineering, and mathematics (MiSTEM) programs. In addition, from the federal funds appropriated in section 11, there is allocated to the department for 2020-2021-2021-2022 an amount estimated at $235,000.00 from DED-OESE, title II, mathematics and science partnership grants. The MiSTEM network may receive funds from private sources. If the MiSTEM network receives funds from private sources, the MiSTEM network shall expend those funds in alignment with the statewide STEM strategy. Programs funded under this section are intended to increase the number of pupils demonstrating proficiency in science
and mathematics on the state assessments, to increase the number of pupils who are college- and career-ready upon high school graduation, and to promote certificate and degree attainment in STEM fields. Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

(2) All of the following apply to the MiSTEM advisory council:

(a) The MiSTEM advisory council is created. The MiSTEM advisory council shall provide to the governor, legislature, department of labor and economic opportunity, and department recommendations designed to improve and promote innovation in STEM education and to prepare students for careers in science, technology, engineering, and mathematics.

(b) The MiSTEM advisory council created under subdivision (a) consists of the following members:

(i) The governor shall appoint 11 voting members who are representative of business sectors that are important to Michigan's economy and rely on a STEM-educated workforce, nonprofit organizations and associations that promote STEM education, K-12 and postsecondary education entities involved in STEM-related career education, or other sectors as considered appropriate by the governor. Each of these members serves at the pleasure of the governor and for a term determined by the governor.

(ii) The senate majority leader shall appoint 2 members of the senate to serve as nonvoting, ex officio members of the MiSTEM advisory council, including 1 majority party member and 1 minority party member.

(iii) The speaker of the house of representatives shall appoint 2 members of the house of representatives to serve as nonvoting,
ex-officio members of the MiSTEM advisory council, including 1
majority party member and 1 minority party member.

(iv) The governor shall appoint 1 state officer or employee to
serve as a nonvoting, ex-officio member of the MiSTEM advisory
council.

(c) Each member of the MiSTEM advisory council serves without
compensation.

(2) The MiSTEM advisory council annually shall review and
make recommendations to the governor, the legislature, and the
department concerning changes to the statewide strategy adopted by
the council for delivering STEM education-related opportunities to
pupils. The MiSTEM advisory council shall use funds received under
this subsection to ensure that its members or their designees are
trained in the Change the Equation STEMworks rating system program
for the purpose of rating STEM programs.

(3) The MiSTEM advisory council shall make specific funding
recommendations for the funds allocated under subsection (4) by
December 15 of each fiscal year. Each specific funding
recommendation must be for a program approved by the MiSTEM
advisory council. All of the following apply:

(a) To be eligible for MiSTEM advisory council approval as
described in this subsection, a program must satisfy all of the
following:

(i) Align with this state's academic standards.

(ii) Have STEMworks certification.

(iii) Provide project-based experiential learning, student
programming, or educator professional learning experiences.

(iv) Focus predominantly on classroom-based STEM experiences or
professional learning experiences.
(b) The MiSTEM advisory council shall approve programs that represent all network regions and include a diverse array of options for students and educators and at least 1 program in each of the following areas:

(i) Robotics.

(ii) Computer science or coding.

(iii) Engineering or bioscience.

(c) The MiSTEM advisory council is encouraged to work with the MiSTEM network to develop locally and regionally developed programs and professional learning experiences for the programs on the list of approved programs.

(d) If the MiSTEM advisory council is unable to make specific funding recommendations by December 15 of a fiscal year, the department shall award and distribute the funds allocated under subsection (4) on a competitive grant basis that at least follows the statewide STEM strategy plan and rating system recommended by the MiSTEM advisory council. Each grant must provide STEM education-related opportunities for pupils.

(e) The MiSTEM advisory council shall work with the executive director of the MiSTEM network department of labor and economic opportunity to implement the statewide STEM strategy adopted by the MiSTEM advisory council.

(4) From the state school aid fund money allocated under subsection (1), there is allocated for 2020-2021-2021-2022 an amount not to exceed $3,050,000.00 for the purpose of funding programs under this section for 2020-2021-2021-2022 as recommended by the MiSTEM advisory council. However, from the allocation under this subsection, the MiSTEM council shall recommend and the department
shall award $350,000.00 in grants to intermediate districts to
implement fabrication laboratories (Fab Labs). The MiSTEM council
shall recommend and the department shall only award 10 grants
described in the immediately preceding sentence in an amount not to
exceed $35,000.00 each.

(5) From the state school aid fund money allocated under
subsection (1), there is allocated an amount not to exceed
$3,834,300.00 for 2020-2021-2021-2022 to support the activities and
programs of the MiSTEM network regions. In addition, from the
federal funds allocated under subsection (1), there is allocated
for 2020-2021-2021-2022 an amount estimated at $235,000.00 from
DED-OESE, title II, mathematics and science partnership grants, for
the purposes of this subsection. From the money allocated under
this subsection, the department shall award the fiscal agent for
each MiSTEM network region $200,000.00 for the base operations of
each region. The department shall distribute the remaining funds to
each fiscal agent in an equal amount per pupil, based on the number
of K to 12 pupils enrolled in districts within each region in the
immediately preceding fiscal year.

(6) A MiSTEM network region shall do all of the following:

(a) Collaborate with the career and educational advisory
council that is located in the MiSTEM region to develop a regional
strategic plan for STEM education that creates a robust regional
STEM culture, that empowers STEM teachers, that integrates business
and education into the STEM network, and that ensures high-quality
STEM experiences for pupils. At a minimum, a regional STEM
strategic plan should do all of the following:

(i) Identify regional employer need for STEM.

(ii) Identify processes for regional employers and educators to
create guided pathways for STEM careers that include internships or externships, apprenticeships, and other experiential engagements for pupils.

(iii) Identify educator professional development learning opportunities, including internships or externships and apprenticeships, that integrate this state's science standards into high-quality STEM experiences that engage pupils.

(b) Facilitate regional STEM events such as educator and employer networking and STEM career fairs to raise STEM awareness.

(c) Contribute to the MiSTEM website and engage in other MiSTEM network functions to further the mission of STEM in this state in coordination with the MiSTEM advisory council and its executive director, the department of labor and economic opportunity.

(d) Facilitate application and implementation of state and federal funds under this subsection and any other grants or funds for the MiSTEM network region.

(e) Work with districts to provide STEM programming and professional learning.

(f) Coordinate recurring discussions and work with the career and educational advisory council to ensure that feedback and best practices are being shared, including funding, program, professional learning opportunities, and regional strategic plans.

(7) From the state school aid fund money allocated under subsection (1), the department shall distribute for 2020-2021-2021-2022 an amount not to exceed $750,000.00, in a form and manner determined by the department, to those network regions able to provide curriculum and professional development support to assist districts in implementing the Michigan merit curriculum components.
for mathematics and science. *further the statewide STEM strategy recommended by the MiSTEM council.*

(8) In order to receive state or federal funds under subsection (5) or (7), or to receive funds from private sources as authorized under subsection (1), a grant recipient must allow access for the department or the department's designee to audit all records related to the program for which it receives those funds. The grant recipient shall reimburse the state for all disallowances found in the audit.

(9) In order to receive state funds under subsection (5) or (7), a grant recipient must provide at least a 10% local match from local public or private resources for the funds received under this subsection.

(10) Not later than July 1 of each year, a MiSTEM network region that receives funds under subsection (5) shall report to the executive director of the MiSTEM network in a form and manner prescribed by the executive director on performance measures developed by the MiSTEM network regions and approved by the executive director. The performance measures must be designed to ensure that the activities of the MiSTEM network are improving student academic outcomes.

(11) Not more than 5% of a MiSTEM network region grant under subsection (5) or (7) may be retained by a fiscal agent for serving as the fiscal agent of a MiSTEM network region.

(12) From the general fund money allocated under subsection (1), there is allocated an amount not to exceed $300,000.00 to the department of labor and economic opportunity to support the functions of the executive director and executive assistant *staff* for the MiSTEM network, and for administrative, training, and
travel costs related to the MiSTEM advisory council. The executive director and executive assistant staff for the MiSTEM network shall do all of the following:

(a) Serve as a liaison among and between the department, the department of labor and economic opportunity, the MiSTEM advisory council, the governor's future talent council, workforce development board, the MiSTEM regions, and any other relevant organization or entity in a manner that creates a robust statewide STEM culture, that empowers STEM teachers, that integrates business and education into the STEM network, and that ensures high-quality STEM experiences for pupils.

(b) Coordinate the implementation of a marketing campaign, including, but not limited to, a website that includes dashboards of outcomes, to build STEM awareness and communicate STEM needs and opportunities to pupils, parents, educators, and the business community.

(c) Work with the department and the MiSTEM advisory council to coordinate, award, and monitor MiSTEM state and federal grants to the MiSTEM network regions and conduct reviews of grant recipients, including, but not limited to, pupil experience and feedback.

(d) Report to the governor, the legislature, the department, and the MiSTEM advisory council annually on the activities and performance of the MiSTEM network regions.

(e) Coordinate recurring discussions and work with regional staff to ensure that a network or loop of feedback and best practices are shared, including funding, programming, professional learning opportunities, discussion of MiSTEM strategic vision, and regional objectives.
(f) Coordinate major grant application efforts with the MiSTEM advisory council to assist regional staff with grant applications on a local level. The MiSTEM advisory council shall leverage private and nonprofit relationships to coordinate and align private funds in addition to funds appropriated under this section.

(g) Train state and regional staff in the STEMworks rating system, in collaboration with the MiSTEM advisory council and the department.

(h) Hire MiSTEM network region staff in collaboration with the network region fiscal agent.

(13) As used in this section:

(a) "Career and educational advisory council" means an advisory council to the local workforce development boards located in a prosperity region consisting of educational, employer, labor, and parent representatives.

(b) "DED" means the United States Department of Education.

(c) "DED-OESE" means the DED Office of Elementary and Secondary Education.

(d) "MiSTEM Council" means the Michigan Science, Technology, Engineering, and Mathematics Education Advisory Council created as an advisory body within the department of labor and economic opportunity by Executive Reorganization Order No. 2019-3, MCL 125.1998.

(e) "STEM" means science, technology, engineering, and mathematics delivered in an integrated fashion using cross-disciplinary learning experiences that can include language arts, performing and fine arts, and career and technical education.
$1,000,000.00 – $2,000,000.00 for 2020-2021 to purchase statewide access to an online algebra tool that meets all of the following:

(a) Provides students statewide with complete access to videos aligned with state standards including study guides and workbooks that are aligned with the videos.

(b) Provides students statewide with access to a personalized online algebra learning tool including adaptive diagnostics.

(c) Provides students statewide with dynamic algebra practice assessments that emulate the state assessment with immediate feedback and help solving problems.

(d) Provides students statewide with online access to algebra help 24 hours a day and 7 days a week from study experts, teachers, and peers on a moderated social networking platform.

(e) Provides an online algebra professional development network for teachers.

(f) Is already provided under a statewide contract in at least 1 other state that has a population of at least 18,000,000 but not more than 19,000,000 according to the most recent decennial census and is offered in that state in partnership with a public university.

(2) The department shall purchase the online algebra tool that was chosen under this section in 2016-2017.

(3) A grantee receiving funding under this section shall comply with the requirements of section 19b.

Sec. 99u. (1) From the general fund money appropriated under section 11, there is allocated for 2020-2021 an amount not to exceed $1,500,000.00 – $6,000,000.00 to a provider that is a provider of both of the following:
(a) An online mathematics tool that meets all of the following:

(i) Provides students statewide with complete access to mathematics support aligned with state standards through a program that has all of the following elements:

(A) Student motivation.
(B) Valid and reliable assessments.
(C) Personalized learning pathways.
(D) Highly qualified, live teachers available all day and all year.
(E) Twenty-four-hour reporting.
(F) Content built for rigorous mathematics.

(ii) Has a record of improving student mathematics scores in at least 5 other states.

(iii) Received funding under this section in 2017-2018.

(b) A program that provides explicit, targeted literacy instruction within an individualized learning path that continually adjusts to a pupil’s needs. A program described in this subdivision that is funded under this subsection must be funded through a grant to a provider described in this subsection that also promotes literacy through the teaching of critical language and literacy concepts, such as reading and listening comprehension, basic vocabulary, academic language, grammar, phonological awareness, phonics, and fluency.

(2) A grantee that receives funding under this section shall comply with the requirements of section 19b.

(3) Notwithstanding section 17b, the department shall make payments under this section by not later than December 1, 2020-2021.
Sec. 99w. (1) From the general fund money appropriated under section 11, there is allocated an amount not to exceed $400,000.00 for 2020-2021-2021-2022 to facilitate a culture of health and physical activity as part of daily life. Funding under this section must be a grant to the Michigan Fitness Foundation to work with the department to invest in a physical education curriculum. Funding under this section may support staff, evaluation, assessment, technology, meetings, training, travel, materials, and other administrative expenses in support of an updated physical education curriculum. Funding under this section may be used as matching dollars to qualify for federal and private resources to support physical education.

(2) An entity that received funding under this section for 2018-2019 may expend those funds through September 30, 2021.

(3) Notwithstanding section 17b, the department shall make payments under this section by not later than December 1, 2020-2021.

Sec. 99x. (1) From the general fund money appropriated under section 11, there is allocated for 2020-2021-2021-2022 an amount not to exceed $1,000,000.00 for Teach for America to host a summer training institute in the city of Detroit, recruit teachers into a master teacher fellowship, and retain a committed alumni community. A program funded under this section must provide coaching and professional development, with the goal to produce highly effective teachers that move pupils beyond their growth benchmarks.

(2) Notwithstanding section 17b, the department shall make payments under this section by not later than December 1, 2020-2021.

Sec. 99aa. (1) From the state school aid fund money
appropriated in section 11, there is allocated an amount not to exceed $1,500,000.00 for 2021-2022 to an eligible intermediate district to provide opportunities for high school students with disabilities to train for, gain, and maintain competitive employment.

(2) An intermediate district that has partnered with Project SEARCH to provide the opportunities described in subsection (1) is an eligible intermediate district under this section.

(3) The funds allocated under this section for 2021-2022 are a work project appropriation, and any unexpended funds for 2021-2022 are carried forward into 2022-2023. The purpose of the work project is to provide for the continuation of opportunities for high school students with disabilities as described in subsection (1). The estimated completion date of the work project is September 30, 2023.

Sec. 99bb. (1) From the general fund money appropriated in section 11, there is allocated an amount not to exceed $3,750,000.00 for 2021-2022 to the State Alliance of Michigan YMCAs for competitive grants to eligible districts, intermediate districts, and nonpublic schools to provide students in grades 6 to 12 with hands-on civics and model-government programs that offer statewide engagement with peers across this state for the purpose of expanding those students' opportunities to improve their social studies knowledge, thinking skills, and intellectual processes and dispositions required for active engagement in fulfilling responsibilities of civic participation.

(2) In making grant payments to eligible districts, intermediate districts, and nonpublic schools under this section, the State Alliance of Michigan YMCAs shall set a maximum grant
award for each grant recipient in a manner that accomplishes both
of the following:

(a) Maximizes the geographical distribution of grant
recipients that will be able to participate in offering programs
described in this section.
(b) Prioritizes funding levels for grant recipients based on
geographic location, with consideration given to the travel that
will be required of grant recipients for statewide events and
conferences.

(3) Maximum grant award amounts under subsection (2) do not
have to be the same for all grant recipients.

(4) To receive a grant award under this section, a district,
intermediate district, or nonpublic school must submit an
application for the grant award in a form and manner prescribed by
the State Alliance of Michigan YMCAs.

(5) A district, intermediate district, or nonpublic school to
which all of the following apply is an eligible district,
intermediate district, or nonpublic school under this section:

(a) Has established a relationship with at least 1 elected
official who serves the community in which the district,
intermediate district, or nonpublic school is located.
(b) Submits a spending plan with its application for a grant
award under this section.
(c) Pledges to provide a local in-kind or cash match from
other private or local funds of at least 10% of the grant award it
receives under this section.
(d) For a nonpublic school, is registered as a nonpublic
school with the department and must meet all applicable state
reporting requirements for nonpublic schools.
(6) An eligible district, intermediate district, or nonpublic school that receives a grant award under this section shall only use the funding for the following purposes:

(a) To pay Civic Health Champion stipends for up to 1 teacher advisor per school operated by the district, intermediate district, or nonpublic school. Each stipend to a teacher advisor under this subdivision must not be in an amount exceeding $1,500.00.

(b) Event registrations, materials, travel costs, and other expenses associated with the preparation for and attendance to associated mock-government conferences and events.

(c) Awards to students who advance to national mock government events and competitions, as determined by the State Alliance of Michigan YMCAs. For the purpose of determining the amount of an award under this subdivision to a student described in this subdivision, the State Alliance of Michigan YMCAs shall determine an equal amount per student for each eligible district, intermediate district, or nonpublic school.

(7) The funds allocated under this section for 2021-2022 are a work project appropriation, and any unexpended funds for 2021-2022 are carried forward to 2022-2023. The purpose of the work project is to continue the support of civics-education experiences. The estimated completion date of the work project is September 30, 2023.

(8) It is the intent of the legislature that programs implemented from the funding allocated under this section increase the number of students who engage with the pillars of responsible citizenship and engage, beyond the classroom, in civic perspectives, inquiry, public discourse, and decision making.

Sec. 101. (1) To be eligible to receive state aid under this...
article, not later than the fifth Wednesday after the pupil membership count day and not later than the fifth Wednesday after the supplemental count day, each district superintendent shall submit and certify to the center and the intermediate superintendent, in the form and manner prescribed by the center, the number of pupils enrolled and in regular daily attendance, or, for 2020-2021 only, the number of pupils engaged in pandemic learning for fall 2020 or the number of pupils engaged in pandemic learning for spring 2021, as applicable, or, for a district that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, the number of pupils enrolled and in regular daily attendance, including identification of tuition-paying pupils, in the district as of the pupil membership count day and as of the supplemental count day, as applicable, for the current school year. In addition, a district maintaining school during the entire year shall submit and certify to the center and the intermediate superintendent, in the form and manner prescribed by the center, the number of pupils enrolled and in regular daily attendance in the district or, for 2020-2021 only, the number of pupils engaged in pandemic learning for fall 2020 or the number of pupils engaged in pandemic learning for spring 2021, as applicable, or, for a district that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, the number of pupils enrolled and in regular daily attendance, for the current school year pursuant to rules promulgated by the superintendent. Not later than the sixth Wednesday after the pupil membership count day and not later than the sixth Wednesday after the supplemental count day, the district shall resolve any pupil membership conflicts with another district,
correct any data issues, and recertify the data in a form and manner prescribed by the center and file the certified data with the intermediate superintendent. If a district fails to submit and certify the attendance data, as required under this subsection, the center shall notify the department and the department shall withhold state aid due to be distributed under this article from the defaulting district immediately, beginning with the next payment after the failure and continuing with each payment until the district complies with this subsection. If a district does not comply with this subsection by the end of the fiscal year, the district forfeits the amount withheld. A person who willfully falsifies a figure or statement in the certified and sworn copy of enrollment is subject to penalty as prescribed by section 161. As used in this subsection, "pupils engaged in pandemic learning for spring 2021" means that term as defined in section 6a.

(2) To be eligible to receive state aid under this article, not later than the twenty-fourth Wednesday after the pupil membership count day and not later than the twenty-fourth Wednesday after the supplemental count day, an intermediate district shall submit to the center, in a form and manner prescribed by the center, the audited enrollment and attendance data as described in subsection (1) for the pupils of its constituent districts and of the intermediate district. If an intermediate district fails to submit the audited data as required under this subsection, the department shall withhold state aid due to be distributed under this article from the defaulting intermediate district immediately, beginning with the next payment after the failure and continuing with each payment until the intermediate district complies with this subsection. If an intermediate district does not comply with
this subsection by the end of the fiscal year, the intermediate
district forfeits the amount withheld.

(3) Except as otherwise provided in subsections (11) and
(12), and (13), all of the following apply to the provision of
pupil instruction:

(a) Except as otherwise provided in this section, each
district shall provide at least 1,098 hours and 180 days of pupil
instruction. If a collective bargaining agreement that provides a
complete school calendar was in effect for employees of a district
as of June 24, 2014, and if that school calendar is not in
compliance with this subdivision, then this subdivision does not
apply to that district until after the expiration of that
collective bargaining agreement. A district may apply for a waiver
under subsection (9) from the requirements of this subdivision.

(b) Except as otherwise provided in this article, a district
failing to comply with the required minimum hours and days of pupil
instruction under this subsection forfeits from its total state aid
allocation an amount determined by applying a ratio of the number
of hours or days the district was in noncompliance in relation to
the required minimum number of hours and days under this
subdivision. Not later than the first business day in August, the
board of each district shall either certify to the department that
the district was in full compliance with this section regarding the
number of hours and days of pupil instruction in the previous
school year, or report to the department, in a form and manner
prescribed by the center, each instance of noncompliance. If the
district did not provide at least the required minimum number of
hours and days of pupil instruction under this subsection, the
department shall make the deduction of state aid in the following
fiscal year from the first payment of state school aid. A district is not subject to forfeiture of funds under this subsection for a fiscal year in which a forfeiture was already imposed under subsection (6).

(c) Hours or days lost because of strikes or teachers' conferences are not counted as hours or days of pupil instruction.

(d) Except as otherwise provided in subdivisions (e) and (f), if a district does not have at least 75% of the district's membership in attendance on any day of pupil instruction, the department shall pay the district state aid in that proportion of 1/180 that the actual percent of attendance bears to 75%.

(e) If a district adds 1 or more days of pupil instruction to the end of its instructional calendar for a school year to comply with subdivision (a) because the district otherwise would fail to provide the required minimum number of days of pupil instruction even after the operation of subsection (4) due to conditions not within the control of school authorities, then subdivision (d) does not apply for any day of pupil instruction that is added to the end of the instructional calendar. Instead, for any of those days, if the district does not have at least 60% of the district's membership in attendance on that day, the department shall pay the district state aid in that proportion of 1/180 that the actual percentage of attendance bears to 60%. For any day of pupil instruction added to the instructional calendar as described in this subdivision, the district shall report to the department the percentage of the district's membership that is in attendance, in the form and manner prescribed by the department.

(f) At the request of a district that operates a department-
approved alternative education program and that does not provide instruction for pupils in all of grades K to 12, the superintendent shall grant a waiver from the requirements of subdivision (d). The waiver must provide that an eligible district is subject to the proration provisions of subdivision (d) only if the district does not have at least 50% of the district's membership in attendance on any day of pupil instruction. In order to be eligible for this waiver, a district must maintain records to substantiate its compliance with the following requirements:

(i) The district offers the minimum hours of pupil instruction as required under this section.

(ii) For each enrolled pupil, the district uses appropriate academic assessments to develop an individual education plan that leads to a high school diploma.

(iii) The district tests each pupil to determine academic progress at regular intervals and records the results of those tests in that pupil's individual education plan.

(g) All of the following apply to a waiver granted under subdivision (f):

(i) If the waiver is for a blended model of delivery, a waiver that is granted for the 2011-2012 fiscal year or a subsequent fiscal year remains in effect unless it is revoked by the superintendent.

(ii) If the waiver is for a 100% online model of delivery and the educational program for which the waiver is granted makes educational services available to pupils for a minimum of at least 1,098 hours during a school year and ensures that each pupil participates in the educational program for at least 1,098 hours during a school year, a waiver that is granted for the 2011-2012
fiscal year or a subsequent fiscal year remains in effect unless it is revoked by the superintendent.

(iii) A waiver that is not a waiver described in subparagraph (i) or (ii) is valid for 3 fiscal years, unless it is revoked by the superintendent, and must be renewed at the end of the 3-year period to remain in effect.

(h) For the 2020-2021 school year only, subdivision (d) does not apply for any day of pupil instruction. However, for the 2020-2021 school year only, a district shall ensure that 2-way interaction occurs between a pupil enrolled in the district and the pupil's teacher or at least 1 of the pupil's teachers or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress during each month of the school year for at least 75% of pupils enrolled in the district. As used in the immediately preceding sentence, "school year" means a period comprising at least 9 calendar months that are chosen by a district and that are designated as part of the district's 2020-2021 school year. If a district does not ensure that the interactions required under this subdivision occur for at least 75% of pupils enrolled in the district as required under this subdivision, the department shall pay the district state aid in that proportion of 1/9 that the actual percentage of interaction during each month bears to 75%. As used in this subdivision, "2-way interaction" means a communication that occurs between a pupil and the pupil's teacher or at least 1 of the pupil's teachers or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress, where 1 party initiates communication and a response from the other party follows that communication, and that is relevant to course progress or
course content for at least 1 of the courses in which the pupil is
enrolled or relevant to the pupil's overall academic progress or
grade progression. Responses, as described in this subdivision,
must be to communication initiated by the teacher, by another
district employee who has responsibility for the pupil's learning,
grade progression, or academic progress, or by the pupil, and not
some other action taken. The communication described in this
subdivision may occur through, but is not limited to, any of the
following means:

(i) Electronic mail.

(ii) Telephone.

(iii) Instant messaging.

(iv) Face-to-face conversation.

(h) (i) The superintendent shall promulgate rules for the
implementation of this subsection.

(4) Except as otherwise provided in this subsection, the first
6 days or the equivalent number of hours for which pupil
instruction is not provided because of conditions not within the
control of school authorities, such as severe storms, fires,
epidemics, utility power unavailability, water or sewer failure, or
health conditions as defined by the city, county, or state health
authorities, are counted as hours and days of pupil instruction.

With the approval of the superintendent of public instruction, the
department shall count as hours and days of pupil instruction for a
fiscal year not more than 3 additional days or the equivalent
number of additional hours for which pupil instruction is not
provided in a district due to unusual and extenuating occurrences
resulting from conditions not within the control of school
authorities such as those conditions described in this subsection.
Subsequent such hours or days are not counted as hours or days of pupil instruction.

(5) A district does not forfeit part of its state aid appropriation because it adopts or has in existence an alternative scheduling program for pupils in kindergarten if the program provides at least the number of hours required under subsection (3) for a full-time equated membership for a pupil in kindergarten as provided under section 6(4).

(6) In addition to any other penalty or forfeiture under this section, if at any time the department determines that 1 or more of the following have occurred in a district, the district forfeits in the current fiscal year beginning in the next payment to be calculated by the department a proportion of the funds due to the district under this article that is equal to the proportion below the required minimum number of hours and days of pupil instruction under subsection (3), as specified in the following:

(a) The district fails to operate its schools for at least the required minimum number of hours and days of pupil instruction under subsection (3) in a school year, including hours and days counted under subsection (4).

(b) The board of the district takes formal action not to operate its schools for at least the required minimum number of hours and days of pupil instruction under subsection (3) in a school year, including hours and days counted under subsection (4).

(7) In providing the minimum number of hours and days of pupil instruction required under subsection (3), a district shall use the following guidelines, and a district shall maintain records to substantiate its compliance with the following guidelines:

(a) Except as otherwise provided in this subsection, a pupil
must be scheduled for at least the required minimum number of hours of instruction, excluding study halls, or at least the sum of 90 hours plus the required minimum number of hours of instruction, including up to 2 study halls.

(b) The time a pupil is assigned to any tutorial activity in a block schedule may be considered instructional time, unless that time is determined in an audit to be a study hall period.

(c) Except as otherwise provided in this subdivision, a pupil in grades 9 to 12 for whom a reduced schedule is determined to be in the individual pupil's best educational interest must be scheduled for a number of hours equal to at least 80% of the required minimum number of hours of pupil instruction to be considered a full-time equivalent pupil. A pupil in grades 9 to 12 who is scheduled in a 4-block schedule may receive a reduced schedule under this subsection if the pupil is scheduled for a number of hours equal to at least 75% of the required minimum number of hours of pupil instruction to be considered a full-time equivalent pupil.

(d) If a pupil in grades 9 to 12 who is enrolled in a cooperative education program or a special education pupil cannot receive the required minimum number of hours of pupil instruction solely because of travel time between instructional sites during the school day, that travel time, up to a maximum of 3 hours per school week, is considered to be pupil instruction time for the purpose of determining whether the pupil is receiving the required minimum number of hours of pupil instruction. However, if a district demonstrates to the satisfaction of the department that the travel time limitation under this subdivision would create undue costs or hardship to the district, the department may
consider more travel time to be pupil instruction time for this purpose.

(e) In grades 7 through 12, instructional time that is part of a Junior Reserve Officer Training Corps (JROTC) program is considered to be pupil instruction time regardless of whether the instructor is a certificated teacher if all of the following are met:

(i) The instructor has met all of the requirements established by the United States Department of Defense and the applicable branch of the armed services for serving as an instructor in the Junior Reserve Officer Training Corps program.

(ii) The board of the district or intermediate district employing or assigning the instructor complies with the requirements of sections 1230 and 1230a of the revised school code, MCL 380.1230 and 380.1230a, with respect to the instructor to the same extent as if employing the instructor as a regular classroom teacher.

8) Except as otherwise provided in subsections (11) and (12), and (13), the department shall apply the guidelines under subsection (7) in calculating the full-time equivalency of pupils.

9) Upon application by the district for a particular fiscal year, the superintendent shall waive for a district the minimum number of hours and days of pupil instruction requirement of subsection (3) for a department-approved alternative education program or another innovative program approved by the department, including a 4-day school week. If a district applies for and receives a waiver under this subsection and complies with the terms of the waiver, the district is not subject to forfeiture under this section for the specific program covered by the waiver. If the
district does not comply with the terms of the waiver, the amount of the forfeiture is calculated based upon a comparison of the number of hours and days of pupil instruction actually provided to the minimum number of hours and days of pupil instruction required under subsection (3). A district shall report pupils enrolled in a department-approved alternative education program under this subsection to the center in a form and manner determined by the center. All of the following apply to a waiver granted under this subsection:

(a) If the waiver is for a blended model of delivery, a waiver that is granted for the 2011-2012 fiscal year or a subsequent fiscal year remains in effect unless it is revoked by the superintendent.

(b) If the waiver is for a 100% online model of delivery and the educational program for which the waiver is granted makes educational services available to pupils for a minimum of at least 1,098 hours during a school year and ensures that each pupil is on track for course completion at proficiency level, a waiver that is granted for the 2011-2012 fiscal year or a subsequent fiscal year remains in effect unless it is revoked by the superintendent.

(c) A waiver that is not a waiver described in subdivision (a) or (b) is valid for 3 fiscal years, unless it is revoked by the superintendent, and must be renewed at the end of the 3-year period to remain in effect.

(10) A district may count up to 38 hours of professional development for teachers as hours of pupil instruction. All of the following apply to the counting of professional development as pupil instruction under this subsection:

(a) If the professional development exceeds 5 hours in a
single day, that day may be counted as a day of pupil instruction.

(b) At least 8 hours of the professional development counted as hours of pupil instruction under this subsection must be recommended by a districtwide professional development advisory committee appointed by the district board. The advisory committee must be composed of teachers employed by the district who represent a variety of grades and subject matter specializations, including special education; nonteaching staff; parents; and administrators. The majority membership of the committee must be composed of teaching staff.

(c) Professional development provided online is allowable and encouraged, as long as the instruction has been approved by the district. The department shall issue a list of approved online professional development providers that must include the Michigan Virtual School.

(d) Professional development may only be counted as hours of pupil instruction under this subsection for the pupils of those teachers scheduled to participate in the professional development.

(e) The professional development must meet all of the following to be counted as pupil instruction under this subsection:

(i) Be aligned to the school or district improvement plan for the school or district in which the professional development is being provided.

(ii) Be linked to 1 or more criteria in the evaluation tool developed or adopted by the district or intermediate district under section 1249 of the revised school code, MCL 380.1249.

(iii) Has been approved by the department as counting for state continuing education clock hours. The number of hours of professional development counted as hours of pupil instruction
under this subsection may not exceed the number of state continuing education clock hours for which the professional development was approved.

(iv) Not more than a combined total of 10 hours of the professional development takes place before the first scheduled day of school for the school year ending in the fiscal year and after the last scheduled day of school for that school year.

(v) Not more than 10 hours of the professional development takes place in a single month.

(vi) At least 75% of teachers scheduled to participate in the professional development are in attendance.

(11) Subsections (3) and (8) do not apply to a school of excellence that is a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, and is in compliance with section 553a of the revised school code, MCL 380.553a.

(12) Subsections (3) and (8) do not apply to eligible pupils enrolled in a dropout recovery program that meets the requirements of section 23a. As used in this subsection, "eligible pupil" means that term as defined in section 23a.

(13) For the 2020-2021 school year only, the minimum number of hours and days of pupil instruction requirement under subsection (3) is waived for each district that, at a minimum, provides pupil instruction for the 2020-2021 school year at school, at a different location, in person, online, digitally, by other remote means, in a synchronous or asynchronous format, or through any combination therein that results in an amount of hours and days necessary to deliver the educational or course content that would have been delivered in 180 days and 1,098 hours in a school year in which
pandemic learning was not provided and that would have led to course completion. As used in this subsection, "pandemic learning" means a mode of pupil instruction provided as a result of the COVID-19 pandemic.

(13) (14) At least every 2 years the superintendent shall review the waiver standards set forth in the pupil accounting and auditing manuals to ensure that the waiver standards and waiver process continue to be appropriate and responsive to changing trends in online learning. The superintendent shall solicit and consider input from stakeholders as part of this review.

Sec. 104. (1) In order to receive state aid under this article, a district shall comply with sections 1249, 1278a, 1278b, 1279g, and 1280b of the revised school code, MCL 380.1249, 380.1278a, 380.1278b, 380.1279g, and 380.1280b, and 1970 PA 38, MCL 388.1081 to 388.1086. Subject to subsection (2), from the state school aid fund money appropriated in section 11, there is allocated for 2020-2021-2021-2022 an amount not to exceed $31,009,400.00 for payments on behalf of districts for costs associated with complying with those provisions of law. In addition, from the federal funds appropriated in section 11, there is allocated for 2020-2021-2021-2022 an amount estimated at $6,250,000.00 funded from DED-OESE, title VI, state assessment funds, and from DED-OSERS, section 504 of part B of the individuals with disabilities education act, Public Law 94-142, 20 USC 1411 to 1419, plus any carryover federal funds from previous year appropriations, for the purposes of complying with the every student succeeds act, Public Law 114-95.

(2) The results of each test administered as part of the Michigan student test of educational progress (M-STEP), including
tests administered to high school students, must include an item analysis that lists all items that are counted for individual pupil scores and the percentage of pupils choosing each possible response. The department shall work with the center to identify the number of students enrolled at the time assessments are given by each district. In calculating the percentage of pupils assessed for a district's scorecard, the department shall use only the number of pupils enrolled in the district at the time the district administers the assessments and shall exclude pupils who enroll in the district after the district administers the assessments.

(3) The department shall distribute federal funds allocated under this section in accordance with federal law and with flexibility provisions outlined in Public Law 107-116, and in the education flexibility partnership act of 1999, Public Law 106-25.

(4) From the funds allocated in subsection (1), there is allocated an amount not to exceed $1,500,000.00 to an intermediate district described in this subsection for, except as otherwise provided in this subsection, statewide implementation of the Michigan kindergarten entry observation tool (MKEO), utilizing the Maryland-Ohio observational tool, also referred to as the Kindergarten Readiness Assessment, as piloted under this subsection in 2017-2018 and implemented in 2018-2019 and 2019-2020. The funding in this subsection is allocated to an intermediate district in prosperity region 9 with at least 3,000 kindergarten pupils enrolled in its constituent districts. An intermediate district described in this subsection is not required to carry out the statewide implementation of the Michigan kindergarten entry observation tool (MKEO), as described in this subsection, for the fall of 2020. It is the intent of the legislature to account for
health, safety, and welfare concerns related to the COVID-19 pandemic by temporarily suspending the requirement for statewide implementation of the Michigan kindergarten entry observation tool (MKEO) under this subsection for the fall of 2020. All of the following apply to the implementation of the kindergarten entry observation tool under this subsection:

(a) The department, in collaboration with all intermediate districts, shall ensure that the Michigan kindergarten entry observation tool is administered in each kindergarten classroom to either the full census of kindergarten pupils enrolled in the classroom or to a representative sample of not less than 35% of the total kindergarten pupils enrolled in each classroom. If a district elects to administer the Michigan kindergarten entry observation tool to a random sample of pupils within each classroom, the district's intermediate district shall select the pupils who will receive the assessment based on the same random method. Beginning in 2021, the observation tool must be administered within 45 days after the start of the school year.

(b) The intermediate district that receives funding under this subsection, in collaboration with all other intermediate districts, shall implement a "train the trainer" professional development model on the usage of the Michigan kindergarten entry observation tool. This training model must provide training to intermediate district staff so that they may provide similar training for staff of their constituent districts. This training model must also ensure that the tool produces reliable data and that there are a sufficient number of trainers to train all kindergarten teachers statewide.

(c) By March 1, 2022, and each year thereafter, the department
and the intermediate district that receives funding under this subsection shall report to the house and senate appropriations subcommittees on state school aid, the house and senate fiscal agencies, and the state budget director on the results of the statewide implementation, including, but not limited to, an evaluation of the demonstrated readiness of kindergarten pupils statewide and the effectiveness of state and federal early childhood programs that are designed for school readiness under this state's authority, including the great start readiness program and the great start readiness/Head Start blended program, as referenced under section 32d. By September 1, 2022, and each year thereafter, the department and the center shall provide a method for districts and public school academies with kindergarten enrollment to look up and verify their student enrollment data for pupils who were enrolled in a publicly funded early childhood program in the year before kindergarten, including the individual great start readiness program, individual great start readiness/Head Start blended program, individual title I preschool program, individual section 31a preschool program, individual early childhood special education program, or individual developmental kindergarten or program for young 5-year-olds in which each tested child was enrolled. A participating district shall analyze the data to determine whether high-performing children were enrolled in any specific early childhood program and, if so, report that finding to the department and to the intermediate district that receives funding under this subsection.

(d) The department shall approve the language and literacy domain within the Kindergarten Readiness Assessment for use by districts as an initial assessment that may be delivered to all
kindergarten pupils to assist with identifying any possible area of concern for a pupil in English language arts.

(e) As used in this subsection:

(i) "Kindergarten" includes a classroom for young 5-year-olds, commonly referred to as "young 5s" or "developmental kindergarten".

(ii) "Representative sample" means a sample capable of producing valid and reliable assessment information on all or major subgroups of kindergarten pupils in a district.

(4) The department may recommend, but may not require, districts to allow pupils to use an external keyboard with tablet devices for online M-STEP testing, including, but not limited to, open-ended test items such as constructed response or equation builder items.

(5) Notwithstanding section 17b, the department shall make payments on behalf of districts, intermediate districts, and other eligible entities under this section on a schedule determined by the department.

(6) From the allocation in subsection (1), there is allocated an amount not to exceed $500,000.00 for 2020-2021-2022 for the operation of an online reporting tool to provide student-level assessment data in a secure environment to educators, parents, and pupils immediately after assessments are scored. The department and the center shall ensure that any data collected by the online reporting tool do not provide individually identifiable student data to the federal government.

(8) In order to receive state aid under this article for 2020-2021, a district shall meet both of the following requirements:

(a) Within the first 9 weeks of the 2020-2021 school year, the district shall administer 1 or more benchmark assessments provided
by a provider approved under subsection (9), benchmark assessments
described in subsection (10), or local benchmark assessments, or
any combination thereof, to all pupils in grades K to 8 to measure
proficiency in reading and mathematics.

(b) In addition to the benchmark assessment or benchmark
assessments administered under subdivision (a), by not later than
the last day of the 2020-2021 school year, the district shall
administer 1 or more benchmark assessments provided by a provider
approved under subsection (9), benchmark assessments described in
subsection (10), or local benchmark assessments, or any combination
thereof, to all pupils in grades K to 8 to measure proficiency in
reading and mathematics.

(9) The department shall approve at least 4 but not more than
5 providers of benchmark assessments for the purposes of subsection
(8). The department shall inform districts of all of the providers
approved under this subsection in an equitable manner. The
benchmark assessments provided for the purposes of subsection (8)
by approved providers under this subsection, with the exclusion of
the benchmark assessment described in subsection (14), must meet
all of the following:

(a) Be 1 of the most commonly administered benchmark
assessments in this state.

(b) Be aligned to the content standards of this state.

(c) Complement the state’s summative assessment system.

(d) Be internet-delivered and include a standards-based
remote, in-person, or both remote and in-person assessment using a
computer-adaptive model to target the instructional level of each
pupil.

(e) Provide information on pupil achievement with regard to
learning content required in a given year or grade span.

(f) Provide immediate feedback to pupils and teachers.

(g) Be nationally normed.

(h) Provide multiple measures of growth and provide for multiple testing opportunities.

(10) A district may administer 1 or more of the following benchmark assessments toward meeting the requirement under subsection (8):

(a) A benchmark assessment in reading for students in grades K to 9 that contains progress monitoring tools and enhanced diagnostic assessments.

(b) A benchmark assessment in math for students in grades K to 8 that contains progress monitoring tools.

(11) To the extent practicable, if a district administers a benchmark assessment or benchmark assessments under this section, the district shall administer the same benchmark assessment or benchmark assessments provided by a provider approved under subsection (9), benchmark assessment or benchmark assessments described in subsection (10), or local benchmark assessment or local benchmark assessments that it administered to pupils in previous school years, as applicable.

(12) By not later than June 30, 2021, a district shall send the aggregate district-level data from a benchmark assessment or benchmark assessments, excluding data from a local benchmark assessment or local benchmark assessments, administered under this section to a regional data hub that is part of the Michigan data hub network that shall compile the data and send it to the center. Not later than September 1, 2021, the department and the center shall provide a report to the governor and the senate and house
standing committees responsible for education legislation
identifying the number and percentage of pupils in this state who
are significantly behind grade level as determined by the
department and the center based on the data provided to the center
under this subsection. The benchmark assessment data under this
subsection may also be used to measure pupils' growth based on
their performance on state summative assessments to identify
districts and schools where pupil achievement has increased or
decreased. However, the benchmark assessment data under this
subsection must not be utilized for the state accountability
system. It is the intent of the legislature that the benchmark
assessment data under this subsection be primarily utilized to
determine the loss of learning, if any, resulting from the COVID-19
pandemic. After the administration of statewide assessments
resumes, the department shall also provide a report to the governor
and the senate and house standing committees responsible for
education legislation identifying the specific pupil groups whose
expected trajectory toward grade-level proficiency were most
impacted by school closures that occurred pursuant to the COVID-19
pandemic.

(13) If a district administers a benchmark assessment or
benchmark assessments under this section, the district shall
provide each pupil's data from the benchmark assessment or
benchmark assessments, as available, to the pupil's parent or legal
guardian within 30 days of administering the benchmark assessment
or benchmark assessments.

(14) The department shall make 1 of the benchmark assessments
provided by a provider approved under subsection (9) available to
districts at no cost to the districts. The benchmark assessment
described in this subsection must meet all of the following:

(a) Be aligned to the content standards of this state.

(b) Complement the state's summative assessment system.

(c) Be internet-delivered and include a standards-based assessment.

(d) Provide information on pupil achievement with regard to learning content required in a given year or grade span.

(e) Provide timely feedback to pupils and teachers.

(f) Be nationally normed.

(g) Provide information to educators about student growth and allow for multiple testing opportunities.

(15) If a local benchmark assessment or local benchmark assessments are administered under subsection (8), the district shall report to the department and the center, in a form and manner prescribed by the center, the local benchmark assessment or local benchmark assessments that were administered and how that assessment or those assessments measure changes, including any losses, as applicable, in learning, and the district's plan for addressing any losses in learning.

(16) From the general fund money appropriated in section 11, there is allocated for 2020-2021 an amount not to exceed $150,000.00 to a higher education institution or other entity that is not a state governmental entity that has expertise in conducting a study described in this subsection to conduct a study that, at a minimum, accomplishes all of the following:

(a) Provides for an assessment of the distance-learning programs utilized in this state that were effective at meeting educational goals and attainment.

(b) Provides for an assessment of how the programs described
in subdivision (a) operated.

c (c) Provides for an assessment of the best practices
implemented by the programs described in subdivision (a) that
should be replicated by schools engaged in distance learning.

d (d) Notes distance-learning models that were ineffective in
achieving educational goals.

(7) As used in this section:

(a) "DED" means the United States Department of Education.

(b) "DED-OESE" means the DED Office of Elementary and
Secondary Education.

(c) "DED-OSERS" means the DED Office of Special Education and
Rehabilitative Services.

Sec. 104a. (1) From the federal fund money allocated under
section 11n awarded to this state from the governor's emergency
education relief (GEER) fund under the coronavirus response and
relief supplemental appropriations act, 2021, division M of Public
Law 116-260, there is allocated for 2020-2021 an amount not to
exceed $2,572,000.00, and from the federal fund money allocated
under section 11n awarded to this state from the elementary and
secondary school emergency relief (ESSER) fund under the
coronavirus response and relief supplemental appropriations act,
2021, division M of Public Law 116-260, there is allocated for
2020-2021 an amount not to exceed $4,949,300.00, and from the state
school aid fund money appropriated under section 11, there is
allocated for 2020-2021 an amount not to exceed $4,197,900.00 to
districts to begin implementation of a benchmark assessment system
for the 2021-2022 school year. All of the following apply to the
benchmark assessment system described in this subsection:

(a) The system must provide for all of the following:
(i) That, within the first 9 weeks of the 2021-2022 school year, the district shall administer 1 or more benchmark assessments provided by a provider approved under section 104(9), subsection (4), benchmark assessments described in subdivision (b), or local benchmark assessments, or any combination thereof, to all pupils in grades K to 8 to measure proficiency in reading and mathematics.

(ii) That, in addition to the benchmark assessment or benchmark assessments administered under subparagraph (i), by not later than the last day of the 2021-2022 school year, the district shall administer 1 or more benchmark assessments provided by a provider approved under section 104(9), subsection (4), benchmark assessments described in subdivision (b), or local benchmark assessments, or any combination thereof, to all pupils in grades K to 8 to measure proficiency in reading and mathematics.

(b) A district may administer 1 or more of the following benchmark assessments toward meeting the requirements under subdivision (a):

(i) A benchmark assessment in reading for students in grades K to 9 that contains progress monitoring tools and enhanced diagnostic assessments.

(ii) A benchmark assessment in math for students in grades K to 8 that contains progress monitoring tools.

(c) The system must provide that, to the extent practicable, if a district administers a benchmark assessment or benchmark assessments under this section, the district shall administer the same benchmark assessment or benchmark assessments provided by a provider approved under section 104(9), subsection (4), benchmark assessment or benchmark assessments described in subdivision (b), or local benchmark assessment or local benchmark assessments that
(d) The system must provide that, if a district administers a benchmark assessment or benchmark assessments under this section, the district shall provide each pupil's data from the benchmark assessment or benchmark assessments, as available, to the pupil's parent or legal guardian within 30 days of administering the benchmark assessment or benchmark assessments.

(e) The system must provide that, if a local benchmark assessment or local benchmark assessments are administered under subdivision (a), the district shall report to the department and the center, in a form and manner prescribed by the center, the local benchmark assessment or local benchmark assessments that were administered and how that assessment or those assessments measure changes, including any losses, as applicable, in learning, and the district's plan for addressing any losses in learning.

(f) The system must provide that, by not later than 30 days after a benchmark assessment or benchmark assessments are administered as described in this subsection, the district shall send benchmark assessment data, excluding data from a local benchmark assessment, as applicable, aggregated by grade level, student demographic subgroups, and mode of instruction to the department. If available, the data described in this subdivision must include information concerning pupil growth from fall 2020 to fall 2021.

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

(3) The department shall pay an amount equal to $12.50 per membership pupil in grades K to 8 in the district to each district
that applies for funding under this section.

(4) The department shall approve at least 4 but not more than 6 providers of benchmark assessments for the purposes of this section. The department shall inform districts of all of the providers approved under this subsection in an equitable manner. The benchmark assessments provided for the purposes of this section by approved providers under this subsection, with the exclusion of the benchmark assessment described in subsection (5) or the benchmark assessment described in subsection (6), must meet all of the following:

(a) Be aligned to the content standards of this state.

(b) Complement the state's summative assessment system.

(c) Be internet-delivered and include a standards-based remote, in-person, or both remote and in-person assessment using a computer-adaptive model to target the instructional level of each pupil.

(d) Provide information on pupil achievement with regard to learning content required in a given year or grade span.

(e) Provide immediate feedback to pupils and teachers.

(f) Be nationally normed.

(g) Provide multiple measures of growth and provide for multiple testing opportunities.

(5) The department shall make 1 of the benchmark assessments provided by a provider approved under section 104(9) subsection (4) available to districts at no cost to the districts for purposes of meeting the requirements under this section. The benchmark assessment described in this subsection must meet all of the following:

(a) Be aligned to the content standards of this state.
(b) Complement the state's summative assessment system.
(c) Be internet-delivered and include a standards-based assessment.
(d) Provide information on pupil achievement with regard to learning content required in a given year or grade span.
(e) Provide timely feedback to pupils and teachers.
(f) Be nationally normed.
(g) Provide information to educators about student growth and allow for multiple testing opportunities.

6. The department shall approve at least 1 of the benchmark assessments provided by a provider approved under subsection (4) that meets all of the following:
(a) Be aligned to the content standards of this state.
(b) Complement the state's summative assessment system.
(c) Be internet-delivered and include a standards-based remote, in-person, or both remote and in-person assessment using a computer-adaptive model to target the instructional level of each pupil.
(d) Provide information on pupil achievement with regard to learning content required in a given year or grade span.
(e) Provide immediate feedback to pupils and teachers.
(f) Be nationally normed.
(g) Provide multiple measures of growth and provide for multiple testing opportunities.
(h) Have the option of providing an oral reading fluency online assessment.

5. By not later than December 31, 2021, the department shall submit a report to the house and senate appropriations committees, the house and senate appropriations subcommittees on
school aid, and the house and senate fiscal agencies regarding the benchmark assessment data received under this section, disaggregated by grade level for each district. If information concerning pupil growth is included in the data described in this subsection, it must be incorporated in the report described in this subsection.

Sec. 104c. (1) In order to receive state aid under this article, a district shall administer the state assessments described in this section.

(2) For the purposes of this section, the department shall develop and administer the Michigan student test of educational progress (M-STEP) assessments in English language arts and mathematics. These assessments shall be aligned to state standards.

(3) For the purposes of this section, the department shall implement a summative assessment system that is proven to be valid and reliable for administration to pupils as provided under this subsection. The summative assessment system must meet all of the following requirements:

(a) The summative assessment system must measure student proficiency on the current state standards, must measure student growth for consecutive grade levels in which students are assessed in the same subject area in both grade levels, and must be capable of measuring individual student performance.

(b) The summative assessments for English language arts and mathematics must be administered to all public school pupils in grades 3 to 11, including those pupils as required by the federal individuals with disabilities education act, Public Law 108-446, and by title I of the federal every student succeeds act (ESSA), Public Law 114-95.
(c) The summative assessments for science must be administered to all public school pupils in at least grades 5 and 8, including those pupils as required by the federal individuals with disabilities education act, Public Law 108-446, and by title I of the federal every student succeeds act (ESSA), Public Law 114-95.

(d) The summative assessments for social studies must be administered to all public school pupils in at least grades 5 and 8, including those pupils as required by the federal individuals with disabilities education act, Public Law 108-446, and by title I of the federal every student succeeds act (ESSA), Public Law 114-95.

(e) The content of the summative assessments must be aligned to state standards.

(f) The pool of questions for the summative assessments must be subject to a transparent review process for quality, bias, and sensitive issues involving educator review and comment. The department shall post samples from tests or retired tests featuring questions from this pool for review by the public.

(g) The summative assessment system must ensure that students, parents, and teachers are provided with reports that convey individual student proficiency and growth on the assessment and that convey individual student domain-level performance in each subject area, including representative questions, and individual student performance in meeting state standards.

(h) The summative assessment system must be capable of providing, and the department shall ensure that students, parents, teachers, administrators, and community members are provided with, reports that convey aggregate student proficiency and growth data by teacher, grade, school, and district.
(i) The summative assessment system must ensure the capability of reporting the available data to support educator evaluations.

(j) The summative assessment system must ensure that the reports provided to districts containing individual student data are available within 60 days after completion of the assessments.

(k) The summative assessment system must ensure that access to individually identifiable student data meets all of the following:

(i) Is in compliance with 20 USC 1232g, commonly referred to as the family educational rights and privacy act of 1974.

(ii) Except as may be provided for in an agreement with a vendor to provide assessment services, as necessary to support educator evaluations pursuant to subdivision (i), or for research or program evaluation purposes, is available only to the student; to the student's parent or legal guardian; and to a school administrator or teacher, to the extent that he or she has a legitimate educational interest.

(l) The summative assessment system must ensure that the assessments are pilot tested before statewide implementation.

(m) The summative assessment system must ensure that assessments are designed so that the maximum total combined length of time that schools are required to set aside for a pupil to answer all test questions on all assessments that are part of the system for the pupil's grade level does not exceed that maximum total combined length of time for the previous statewide assessment system or 9 hours, whichever is less. This subdivision does not limit the amount of time a district may allow a pupil to complete a test.

(n) The total cost of executing the summative assessment system statewide each year, including, but not limited to, the cost
of contracts for administration, scoring, and reporting, must not exceed an amount equal to 2 times the cost of executing the previous statewide assessment after adjustment for inflation.

(o) Beginning with the 2017-2018 school year, the summative assessment system must not require more than 3 hours in duration, on average, for an individual pupil to complete the combined administration of the math and English language arts portions of the assessment for any 1 grade level.

(p) The summative assessments for English language arts and mathematics for pupils in grades 8 to 10 must be aligned to the college entrance test portion of the Michigan merit examination required under section 104b.

(4) The department shall offer benchmark assessments in the fall and spring of each school year to measure English language arts and mathematics in each of grades K to 2. Full implementation must occur not later than the 2019-2020 school year. These assessments are necessary to determine a pupil's proficiency level before grade 3. and must meet the requirements under section 104d(4).

(5) This section does not prohibit districts from adopting interim assessments.

(6) As used in this section, "English language arts" means that term as defined in section 104b.

Sec. 104f. (1) From the general state school aid fund money appropriated under section 11, there is allocated an amount not to exceed $500,000.00 to a district for the implementation of an assessment digital literacy preparation program for pupils enrolled in grades K to 8 for 2020-2021, 2021-2022. The department shall ensure that a program funded under this subsection satisfies all of
the following:

(a) Is available to districts in the 2020-2021-2021-2022 school year.

(b) Focuses on ensuring pupils have the necessary skills required for state online assessments by assessing pupil digital literacy skill levels and providing teachers with a digital curriculum targeted at areas of determined weakness.

(c) Allows pupils to engage with the digital curriculum in an independent or teacher-facilitated modality.

(d) Includes training and professional development for teachers.

(e) Is implemented in at least 100 districts that operate grades K to 8 and that represent a diverse geography and socio-economic demographic.

(2) Funding under subsection (1) must be allocated to a district that did not receive funding under former section 104e for 2017-2018 and that operates at least grades K to 8 and has a partnership with a third party that is experienced in the assessment of digital literacy and the preparation of digital literacy skills and has demonstrable experience serving districts in this state and local education agencies in 10 other states. The district, along with its third-party partner, shall provide a report to the house and senate appropriations subcommittees on state school aid and the house and senate fiscal agencies on the efficacy and usefulness of the assessment digital literacy preparation program no later than July 1, 2021-2022.

(3) Notwithstanding section 17b, the department shall make payments under subsection (1) by not later than December 1, 2020-2021.
Sec. 104g. (1) For the 2020-2021-2021-2022 school year only, a district shall make the SAT available in the fall of 2020-2021 to pupils both of the following:

(a) Pupils who were in grade 11 during the 2019-2020-2020-2021 school year and who were not able to take the examination during the 2019-2020-2020-2021 school year.

(b) Pupils who took the examination during the 2020-2021 school year and request to take the examination again in the fall of 2021.

(2) For the 2020-2021-2021-2022 school year only, a district shall make the PSAT available in the fall of 2020-2021 to pupils both of the following:

(a) Pupils who were in grades 8, 9, and 10 during the 2019-2020-2020-2021 school year and who were not able to take the examination during the 2019-2020-2020-2021 school year.

(b) Pupils who took the examination during the 2020-2021 school year and request to take the examination again in the fall of 2021.

(3) The examinations offered by a district in subsections (1) and (2) are not considered state summative assessments or the college entrance portion of the Michigan merit examination for the 2020-2021-2021-2022 school year.

(4) Pupils must be encouraged but not required to take the examinations under subsections (1) and (2).

(5) The department shall grant credits to districts that administer the exams described under this section upon submission of an invoice and proof of payment from any school eligible to administer the examinations.

Sec. 104h. (1) From the state school aid fund money
appropriated under section 11, there is allocated for 2021-2022 an amount not to exceed $11,500,000.00 to districts to begin implementation of a benchmark assessment system for the 2022-2023 school year. All of the following apply to the benchmark assessment system described in this subsection:

(a) The system must provide for all of the following:

(i) That, within the first 9 weeks of the 2022-2023 school year, the district shall administer 1 or more benchmark assessments provided by a provider approved under subsection (6), benchmark assessments described in subdivision (b), or local benchmark assessments, or any combination thereof, to all pupils in grades K to 8 to measure proficiency in reading and mathematics.

(ii) That, in addition to the benchmark assessment or benchmark assessments administered under subparagraph (i), by not later than the last day of the 2022-2023 school year, the district shall administer 1 or more benchmark assessments provided by a provider approved under subsection (6), benchmark assessments described in subdivision (b), or local benchmark assessments, or any combination thereof, to all pupils in grades K to 8 to measure proficiency in reading and mathematics.

(b) A district may administer 1 or more of the following benchmark assessments toward meeting the requirements under subdivision (a):

(i) A benchmark assessment in reading for students in grades K to 9 that contains progress monitoring tools and enhanced diagnostic assessments.

(ii) A benchmark assessment in math for students in grades K to 8 that contains progress monitoring tools.

(c) The system must provide that, to the extent practicable,
if a district administers a benchmark assessment or benchmark assessments under this section, the district shall administer the same benchmark assessment or benchmark assessments provided by a provider approved under subsection (6), benchmark assessment or benchmark assessments described in subdivision (b), or local benchmark assessment or local benchmark assessments that it administered to pupils in previous school years, as applicable.

(d) The system must provide that, if a district administers a benchmark assessment or benchmark assessments under this section, the district shall provide each pupil's data from the benchmark assessment or benchmark assessments, as available, to the pupil's parent or legal guardian within 30 days of administering the benchmark assessment or benchmark assessments.

(e) The system must provide that, if a local benchmark assessment or local benchmark assessments are administered under subdivision (a), the district shall report to the department and the center, in a form and manner prescribed by the center, the local benchmark assessment or local benchmark assessments that were administered and how that assessment or those assessments measure changes, including any losses, as applicable, in learning, and the district's plan for addressing any losses in learning.

(f) The system must provide that, by not later than 30 days after a benchmark assessment or benchmark assessments are administered under subparagraph (1)(a)(ii), the district shall send benchmark assessment data from all benchmark assessments administered in the 2022-2023 school year, excluding data from a local benchmark assessment, as applicable, aggregated by grade level, student demographic subgroups, and mode of instruction to the department. If available, the data described in this
subdivision must include information concerning pupil growth from fall 2022 to spring 2023.

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

(3) The department shall pay an amount equal to $12.50 per membership pupil in grades K to 8 in the district to each district that applies for funding under this section.

(4) The department shall make 1 of the benchmark assessments provided by a provider approved under subsection (6) available to districts at no cost to the districts for purposes of meeting the requirements under this section. The benchmark assessment described in this subsection must meet all of the following:
   (a) Be aligned to the content standards of this state.
   (b) Complement the state's summative assessment system.
   (c) Be internet-delivered and include a standards-based assessment.
   (d) Provide information on pupil achievement with regard to learning content required in a given year or grade span.
   (e) Provide timely feedback to pupils and teachers.
   (f) Be nationally normed.
   (g) Provide information to educators about student growth and allow for multiple testing opportunities.

(5) By not later than June 15, 2023, the department shall submit a report to the house and senate appropriations committees, the house and senate appropriations subcommittees on school aid, and the house and senate fiscal agencies regarding the benchmark assessment data received under this section, disaggregated by grade level and demographic subgroup for each district. If information
concerning pupil growth is included in the data described in this subsection, it must be incorporated in the report described in this subsection.

(6) The department shall approve at least 4 but not more than 6 providers of benchmark assessments for the purposes of this section. The department shall inform districts of all of the providers approved under this subsection in an equitable manner. The benchmark assessments, with the exclusion of the benchmark assessment described in subsection (4), provided by approved providers under this subsection must meet all of the following:

(a) Be aligned to the content standards of this state.

(b) Complement the state's summative assessment system.

(c) Be internet-delivered and include a standards-based remote, in-person, or both remote and in-person assessment using a computer-adaptive model to target the instructional level of each pupil.

(d) Provide information on pupil achievement with regard to learning content required in a given year or grade span.

(e) Provide immediate feedback to pupils and teachers.

(f) Be nationally normed.

(g) Provide multiple measures of growth and provide for multiple testing opportunities.

Sec. 105. (1) In order to avoid a penalty under this section, and in order to count a nonresident pupil residing within the same intermediate district in membership without the approval of the pupil's district of residence, a district must comply with this section.

(2) Except as otherwise provided in this section, a district shall determine whether or not it will accept applications for
enrollment by nonresident applicants residing within the same
intermediate district for the next school year. If the district
determines to accept applications for enrollment of a number of
nonresidents, beyond those entitled to preference under this
section, the district shall use the following procedures for
accepting applications from and enrolling nonresidents:

(a) The district shall publish the grades, schools, and
special programs, if any, for which enrollment may be available to,
and for which applications will be accepted from, nonresident
applicants residing within the same intermediate district.

(b) If the district has a limited number of positions
available for nonresidents residing within the same intermediate
district in a grade, school, or program, all of the following apply
to accepting applications for and enrollment of nonresidents in
that grade, school, or program:

(i) The district shall do all of the following not later than
the second Friday in August:

(A) Provide notice to the general public that applications
will be taken for a period of at least 15 calendar days but not
more than 30 calendar days from nonresidents residing within the
same intermediate district for enrollment in that grade, school, or
program. The notice must identify the dates of the application
period and the place and manner for submitting applications.

(B) During the application period under sub-subparagraph (A),
accept applications from nonresidents residing within the same
intermediate district for enrollment in that grade, school, or
program.

(C) Within 15 calendar days after the end of the application
period under sub-subparagraph (A), or, for 2020-2021 only, not
later than October 13, 2020, using the procedures and preferences required under this section, determine which nonresident applicants will be allowed to enroll in that grade, school, or program, using the random draw system required under subsection (14)–(13) as necessary, and notify the parent or legal guardian of each nonresident applicant of whether or not the applicant may enroll in the district. The notification to parents or legal guardians of nonresident applicants accepted for enrollment must contain notification of the date by which the applicant must enroll in the district and procedures for enrollment. The date for enrollment must be no later than the end of the first week of school. For 2020-2021 only, not later than October 13, 2020.

(ii) Beginning on the third Monday in August and not later than the end of the first week of school, or, for 2020-2021 only, not later than October 13, 2020, if any positions become available in a grade, school, or program due to accepted applicants failing to enroll or to more positions being added, the district may enroll nonresident applicants from the waiting list maintained under subsection (14)–(13), offering enrollment in the order that applicants appear on the waiting list. If there are still positions available after enrolling all applicants from the waiting list who desire to enroll, the district may not fill those positions until the second semester or trimester enrollment under subsection (3), as provided under that subsection, or until the next school year.

(c) For a grade, school, or program that has an unlimited number of positions available for nonresidents residing within the same intermediate district, all of the following apply to enrollment of nonresidents in that grade, school, or program:

(i) The district may accept applications for enrollment in that
grade, school, or program, and may enroll nonresidents residing within the same intermediate district in that grade, school, or program until the end of the first week of school. or, for 2020-2021 only, the district may enroll nonresidents residing within the same intermediate district in that grade, school, or program until October 13, 2020 if the application was received by the end of the first week of school. The district shall provide notice to the general public of the place and manner for submitting applications and, if the district has a limited application period, the notice must include the dates of the application period. The application period shall be at least a 15-calendar-day period.

(ii) Not later than the end of the first week of school, or, for 2020-2021 only, not later than October 13, 2020, the district shall notify the parent or legal guardian of each nonresident applicant who is accepted for enrollment that the applicant has been accepted for enrollment in the grade, school, or program and of the procedures for enrollment. The date for enrollment must be no later than the end of the first week of school. or, for 2020-2021 only, not later than October 13, 2020.

(3) If a district determines during the first semester or trimester of a school year that it has positions available for enrollment of a number of nonresidents residing within the same intermediate district, beyond those entitled to preference under this section, for the second semester or trimester of the school year, the district may accept applications from and enroll nonresidents residing within the same intermediate district for the second semester or trimester using the following procedures:

(a) Not later than 2 weeks before the end of the first semester or trimester, the district shall publish the grades,
schools, and special programs, if any, for which enrollment for the
second semester or trimester may be available to, and for which
applications will be accepted from, nonresident applicants residing
within the same intermediate district.

(b) During the last 2 weeks of the first semester or
trimester, the district shall accept applications from nonresidents
residing within the same intermediate district for enrollment for
the second semester or trimester in the available grades, schools,
and programs.

(c) By the beginning of the second semester or trimester,
using the procedures and preferences required under this section,
the district shall determine which nonresident applicants will be
allowed to enroll in the district for the second semester or
trimester and notify the parent or legal guardian of each
nonresident applicant residing within the same intermediate
district of whether or not the applicant may enroll in the
district. The notification to parents or legal guardians of
nonresident applicants accepted for enrollment must contain
notification of the date by which the applicant must enroll in the
district and procedures for enrollment. The date for enrollment
must be no later than the end of the first week of school.

(4) If deadlines similar to those described in subsection (2)
or (3) have been established in an intermediate district, and if
those deadlines are not later than the deadlines under subsection
(2) or (3), the districts within the intermediate district may use
those deadlines.

(5) A district offering to enroll nonresident applicants
residing within the same intermediate district may limit the number
of nonresident pupils it accepts in a grade, school, or program, at
its discretion, and may use that limit as the reason for refusal to
enroll an applicant.

(6) A nonresident applicant residing within the same
intermediate district must not be granted or refused enrollment
based on intellectual, academic, artistic, or other ability,
talent, or accomplishment, or lack thereof, or based on a mental or
physical disability, except that a district may refuse to admit a
nonresident applicant if the applicant does not meet the same
criteria, other than residence, that an applicant who is a resident
of the district must meet to be accepted for enrollment in a grade
or a specialized, magnet, or intra-district choice school or
program to which the applicant applies.

(7) A nonresident applicant residing within the same
intermediate district must not be granted or refused enrollment
based on age, except that a district may refuse to admit a
nonresident applicant applying for a program that is not
appropriate for the age of the applicant.

(8) A nonresident applicant residing within the same
intermediate district must not be granted or refused enrollment
based on religion, race, color, national origin, sex, height,
weight, marital status, or athletic ability, or, generally, in
violation of any state or federal law prohibiting discrimination.

(9) Subject to subsection (10), a district may refuse to
enroll a nonresident applicant if any of the following are met:

(a) The applicant is, or has been within the preceding 2
years, suspended from another school.

(b) The applicant, at any time before enrolling under this
section, has been expelled from another school.

(c) The applicant, at any time before enrolling under this
section, has been convicted of a felony.

(10) If a district has counted a pupil in membership on either
the pupil membership count day or the supplemental count day, the
district shall not refuse to enroll or refuse to continue to enroll
that pupil for a reason specified in subsection (9). This
subsection does not prohibit a district from expelling a pupil
described in this subsection for disciplinary reasons.

(11) A district shall continue to allow a pupil who was
enrolled in and attended the district under this section in the
school year or semester or trimester immediately preceding the
school year or semester or trimester in question to enroll in the
district until the pupil graduates from high school. This
subsection does not prohibit a district from expelling a pupil
described in this subsection for disciplinary reasons.

(12) A district shall give preference for enrollment under
this section over all other nonresident applicants residing within
the same intermediate district to other school-age children who
reside in the same household as a pupil described in subsection
(11).

(13) If a nonresident pupil was enrolled in and attending
school in a district as a nonresident pupil in the 1995-96 school
year and continues to be enrolled continuously each school year in
that district, the district shall allow that nonresident pupil to
continue to enroll in and attend school in the district until high
school graduation, without requiring the nonresident pupil to apply
for enrollment under this section. This subsection does not
prohibit a district from expelling a pupil described in this
subsection for disciplinary reasons.

(14) If the number of qualified nonresident applicants
eligible for acceptance in a school, grade, or program does not exceed the positions available for nonresident pupils in the school, grade, or program, the school district shall accept for enrollment all of the qualified nonresident applicants eligible for acceptance. If the number of qualified nonresident applicants residing within the same intermediate district eligible for acceptance exceeds the positions available in a grade, school, or program in a district for nonresident pupils, the district shall use a random draw system, subject to the need to abide by state and federal antidiscrimination laws and court orders and subject to preferences allowed by this section. The district shall develop and maintain a waiting list based on the order in which nonresident applicants were drawn under this random draw system.

(14) (15) If a district, or the nonresident applicant, requests the district in which a nonresident applicant resides to supply information needed by the district for evaluating the applicant's application for enrollment or for enrolling the applicant, the district of residence shall provide that information on a timely basis.

(15) (16) If a district is subject to a court-ordered desegregation plan, and if the court issues an order prohibiting pupils residing in that district from enrolling in another district or prohibiting pupils residing in another district from enrolling in that district, this section is subject to the court order.

(16) (17) This section does not require a district to provide transportation for a nonresident pupil enrolled in the district under this section or for a resident pupil enrolled in another district under this section. However, at the time a nonresident pupil enrolls in the district, a district shall provide to the
pupil's parent or legal guardian information on available transportation to and from the school in which the pupil enrolls.

(17) A district may participate in a cooperative education program with 1 or more other districts or intermediate districts whether or not the district enrolls any nonresidents under this section.

(18) A district that, under this section, enrolls a nonresident pupil who is eligible for special education programs and services according to statute or rule, or who is a child with disabilities, a disability, as that term is defined under the individuals with disabilities education act, Public Law 108-446, is considered to be the resident district of the pupil for the purpose of providing the pupil with a free appropriate public education. Consistent with state and federal law, that district is responsible for developing and implementing an individualized education program annually for a nonresident pupil described in this subsection.

(19) If a district does not comply with this section, the district forfeits 5% of the total state school aid allocation to the district under this act.

(20) Upon application by a district, the superintendent may grant a waiver for the district from a specific requirement under this section for not more than 1 year.

Sec. 105c. (1) In order to avoid a penalty under this section, and in order to count a nonresident pupil residing in a district located in a contiguous intermediate district in membership without the approval of the pupil's district of residence, a district must comply with this section.

(2) Except as otherwise provided in this section, a district shall determine whether or not it will accept applications for
enrollment by nonresident applicants residing in a district located in a contiguous intermediate district for the next school year. If the district determines to accept applications for enrollment of a number of nonresidents under this section, beyond those entitled to preference under this section, the district shall use the following procedures for accepting applications from and enrolling nonresidents under this section:

(a) The district shall publish the grades, schools, and special programs, if any, for which enrollment may be available to, and for which applications will be accepted from, nonresident applicants residing in a district located in a contiguous intermediate district.

(b) If the district has a limited number of positions available for nonresidents residing in a district located in a contiguous intermediate district in a grade, school, or program, all of the following apply to accepting applications for and enrollment of nonresidents under this section in that grade, school, or program:

(i) The district shall do all of the following not later than the second Friday in August:

(A) Provide notice to the general public that applications will be taken for a period of at least 15 calendar days but not more than 30 calendar days from nonresidents residing in a district located in a contiguous intermediate district for enrollment in that grade, school, or program. The notice must identify the dates of the application period and the place and manner for submitting applications.

(B) During the application period under sub-subparagraph (A), accept applications from nonresidents residing in a district
located in a contiguous intermediate district for enrollment in
that grade, school, or program.

(C) Within 15 calendar days after the end of the application
period under sub-subparagraph (A), or, for 2020-2021 only, not
later than October 13, 2020, using the procedures and preferences
required under this section, determine which nonresident applicants
will be allowed to enroll under this section in that grade, school,
or program, using the random draw system required under subsection
(14) (13) as necessary, and notify the parent or legal guardian of
each nonresident applicant of whether or not the applicant may
enroll in the district. The notification to parents or legal
guardians of nonresident applicants accepted for enrollment under
this section must contain notification of the date by which the
applicant must enroll in the district and procedures for
enrollment. The date for enrollment must be no later than the end
of the first week of school. or, for 2020-2021 only, not later than

(ii) Beginning on the third Monday in August and not later than
the end of the first week of school, or, for 2020-2021 only, not
later than October 13, 2020, if any positions become available in a
grade, school, or program due to accepted applicants failing to
enroll or to more positions being added, the district may enroll
nonresident applicants from the waiting list maintained under
subsection (14), (13), offering enrollment in the order that
applicants appear on the waiting list. If there are still positions
available after enrolling all applicants from the waiting list who
desire to enroll, the district may not fill those positions until
the second semester or trimester enrollment under subsection (3),
as provided under that subsection, or until the next school year.
(c) For a grade, school, or program that has an unlimited number of positions available for nonresidents residing in a district located in a contiguous intermediate district, all of the following apply to enrollment of nonresidents in that grade, school, or program under this section:

(i) The district may accept applications for enrollment in that grade, school, or program, and may enroll nonresidents residing in a district located in a contiguous intermediate district in that grade, school, or program until the end of the first week of school. or, for 2020-2021 only, the district may enroll nonresidents residing in a district located in a contiguous intermediate district in that grade, school, or program until October 13, 2020 if the application was received by the end of the first week of school. The district shall provide notice to the general public of the place and manner for submitting applications and, if the district has a limited application period, the notice must include the dates of the application period. The application period must be at least a 15-calendar-day period.

(ii) Not later than the end of the first week of school, or, for 2020-2021 only, not later than October 13, 2020, the district shall notify the parent or legal guardian of each nonresident applicant who is accepted for enrollment under this section that the applicant has been accepted for enrollment in the grade, school, or program and of the date by which the applicant must enroll in the district and the procedures for enrollment. The date for enrollment must be no later than the end of the first week of school. or, for 2020-2021 only, not later than October 13, 2020.

(3) If a district determines during the first semester or trimester of a school year that it has positions available for
enrollment of a number of nonresidents residing in a district located in a contiguous intermediate district, beyond those entitled to preference under this section, for the second semester or trimester of the school year, the district may accept applications from and enroll nonresidents residing in a district located in a contiguous intermediate district for the second semester or trimester using the following procedures:

(a) Not later than 2 weeks before the end of the first semester or trimester, the district shall publish the grades, schools, and special programs, if any, for which enrollment for the second semester or trimester may be available to, and for which applications will be accepted from, nonresident applicants residing in a district located in a contiguous intermediate district.

(b) During the last 2 weeks of the first semester or trimester, the district shall accept applications from nonresidents residing in a district located in a contiguous intermediate district for enrollment for the second semester or trimester in the available grades, schools, and programs.

(c) By the beginning of the second semester or trimester, using the procedures and preferences required under this section, the district shall determine which nonresident applicants will be allowed to enroll under this section in the district for the second semester or trimester and notify the parent or legal guardian of each nonresident applicant residing in a district located in a contiguous intermediate district of whether or not the applicant may enroll in the district. The notification to parents or legal guardians of nonresident applicants accepted for enrollment must contain notification of the date by which the applicant must enroll in the district and procedures for enrollment. The date for
enrollment must be no later than the end of the first week of
school.

(4) If deadlines similar to those described in subsection (2)
or (3) have been established in an intermediate district, and if
those deadlines are not later than the deadlines under subsection
(2) or (3), the districts within the intermediate district may use
those deadlines.

(5) A district offering to enroll nonresident applicants
residing in a district located in a contiguous intermediate
district may limit the number of those nonresident pupils it
accepts in a grade, school, or program, at its discretion, and may
use that limit as the reason for refusal to enroll an applicant
under this section.

(6) A nonresident applicant residing in a district located in
a contiguous intermediate district must not be granted or refused
enrollment based on intellectual, academic, artistic, or other
ability, talent, or accomplishment, or lack thereof, or based on a
mental or physical disability, except that a district may refuse to
admit a nonresident applicant under this section if the applicant
does not meet the same criteria, other than residence, that an
applicant who is a resident of the district must meet to be
accepted for enrollment in a grade or a specialized, magnet, or
intra-district choice school or program to which the applicant
applies.

(7) A nonresident applicant residing in a district located in
a contiguous intermediate district must not be granted or refused
enrollment under this section based on age, except that a district
may refuse to admit a nonresident applicant applying for a program
that is not appropriate for the age of the applicant.
(8) A nonresident applicant residing in a district located in a contiguous intermediate district must not be granted or refused enrollment under this section based upon religion, race, color, national origin, sex, height, weight, marital status, or athletic ability, or, generally, in violation of any state or federal law prohibiting discrimination.

(9) Subject to subsection (10), a district may refuse to enroll a nonresident applicant under this section if any of the following are met:

(a) The applicant is, or has been within the preceding 2 years, suspended from another school.

(b) The applicant, at any time before enrolling under this section, has been expelled from another school.

(c) The applicant, at any time before enrolling under this section, has been convicted of a felony.

(10) If a district has counted a pupil in membership on either the pupil membership count day or the supplemental count day, the district shall not refuse to enroll or refuse to continue to enroll that pupil for a reason specified in subsection (9). This subsection does not prohibit a district from expelling a pupil described in this subsection for disciplinary reasons.

(11) A district shall continue to allow a pupil who was enrolled in and attended the district under this section in the school year or semester or trimester immediately preceding the school year or semester or trimester in question to enroll in the district until the pupil graduates from high school. This subsection does not prohibit a district from expelling a pupil described in this subsection for disciplinary reasons.

(12) A district shall give preference for enrollment under
this section over all other nonresident applicants residing in a
district located in a contiguous intermediate district to other
school-age children who reside in the same household as a pupil
described in subsection (11).

(13) If a nonresident pupil was enrolled in and attending
school in a district as a nonresident pupil in the 1995-96 school
year and continues to be enrolled continuously each school year in
that district, the district shall allow that nonresident pupil to
continue to enroll in and attend school in the district until high
school graduation, without requiring the nonresident pupil to apply
for enrollment under this section. This subsection does not
prohibit a district from expelling a pupil described in this
subsection for disciplinary reasons.

(14) If the number of qualified nonresident applicants
eligible for acceptance under this section in a school, grade, or
program does not exceed the positions available for nonresident
pupils under this section in the school, grade, or program, the
school district shall accept for enrollment all of the qualified
nonresident applicants eligible for acceptance. If the number of
qualified nonresident applicants residing in a district located in
a contiguous intermediate district eligible for acceptance under
this section exceeds the positions available in a grade, school, or
program in a district for nonresident pupils, the district shall
use a random draw system, subject to the need to abide by state and
federal antidiscrimination laws and court orders and subject to
preferences allowed by this section. The district shall develop and
maintain a waiting list based on the order in which nonresident
applicants were drawn under this random draw system.

(15) If a district, or the nonresident applicant,
requests the district in which a nonresident applicant resides to supply information needed by the district for evaluating the applicant's application for enrollment or for enrolling the applicant under this section, the district of residence shall provide that information on a timely basis.

(15) If a district is subject to a court-ordered desegregation plan, and if the court issues an order prohibiting pupils residing in that district from enrolling in another district or prohibiting pupils residing in another district from enrolling in that district, this section is subject to the court order.

(16) This section does not require a district to provide transportation for a nonresident pupil enrolled in the district under this section or for a resident pupil enrolled in another district under this section. However, at the time a nonresident pupil enrolls in the district, a district shall provide to the pupil's parent or legal guardian information on available transportation to and from the school in which the pupil enrolls.

(17) A district may participate in a cooperative education program with 1 or more other districts or intermediate districts whether or not the district enrolls any nonresidents pursuant to this section.

(18) In order for a district or intermediate district to enroll under this section a nonresident pupil who resides in a district located in a contiguous intermediate district and who is eligible for special education programs and services according to statute or rule, or who is a child with disabilities, as defined under the individuals with disabilities education act, Public Law 108-446, the enrolling district shall have a written agreement with the resident district of the pupil for the purpose of providing the
pupil with a free appropriate public education. The written agreement must include, but is not limited to, an agreement on the responsibility for the payment of the added costs of special education programs and services for the pupil. The written agreement must address how the agreement must be amended in the event of significant changes in the costs or level of special education programs or services required by the pupil.

(19) If a district does not comply with this section, the district forfeits 5% of the total state school aid allocation to the district under this act.

(20) Upon application by a district, the superintendent may grant a waiver for the district from a specific requirement under this section for not more than 1 year.

(21) This section is repealed if the final decision of a court of competent jurisdiction holds that any portion of this section is unconstitutional, ineffective, invalid, or in violation of federal law.

(22) As used in this section, "district located in a contiguous intermediate district" means a district located in an intermediate district that is contiguous to the intermediate district in which a pupil's district of residence is located.

Sec. 107. (1) From the appropriation in section 11, there is allocated an amount not to exceed $30,000,000.00 for 2020-2021 and 2021-2022 for adult education programs authorized under this section. Except as otherwise provided under subsections (14) and (15), funds allocated under this section are restricted for adult education programs as authorized under this section only. A recipient of funds under this section shall not use those funds for any other purpose.
(2) To be eligible for funding under this section, an eligible adult education provider shall employ certificated teachers and qualified administrative staff and shall offer continuing education opportunities for teachers to allow them to maintain certification.

(3) To be eligible to be a participant funded under this section, an individual must be enrolled in an adult basic education program, an adult secondary education program, an adult English as a second language program, a high school equivalency test preparation program, or a high school completion program, that meets the requirements of this section, and for which instruction is provided, and the individual must be at least 18 years of age by July 1 of the program year and the individual's graduating class must have graduated.

(4) By April 1 of each fiscal year, the intermediate districts within a prosperity region or subregion shall determine which intermediate district will serve as the prosperity region's or subregion's fiscal agent for the next fiscal year and shall notify the department in a form and manner determined by the department. The department shall approve or disapprove of the prosperity region's or subregion's selected fiscal agent. From the funds allocated under subsection (1), an amount as determined under this subsection is allocated to each intermediate district serving as a fiscal agent for adult education programs in each of the prosperity regions or subregions identified by the department. An intermediate district shall not use more than 5% of the funds allocated under this subsection for administration costs for serving as the fiscal agent. The allocation provided to each intermediate district serving as a fiscal agent is an amount equal to what the intermediate district received in 2018-2019.
follows:

(a) Sixty percent of this portion of the funding must be distributed based upon the proportion of the state population of individuals between the ages of 18 and 24 that are not high school graduates that resides in each of the prosperity regions or subregions located within the intermediate district, as reported by the most recent 5-year estimates from the American Community Survey (ACS) from the United States Census Bureau.

(b) Thirty-five percent of this portion of the funding must be distributed based upon the proportion of the state population of individuals age 25 or older who are not high school graduates that resides in each of the prosperity regions or subregions located within the intermediate district, as reported by the most recent 5-year estimates from the American Community Survey (ACS) from the United States Census Bureau.

(c) Five percent of this portion of the funding must be distributed based upon the proportion of the state population of individuals age 18 or older who lack basic English language proficiency that resides in each of the prosperity regions or subregions located within the intermediate district, as reported by the most recent 5-year estimates from the American Community Survey (ACS) from the United States Census Bureau.

(5) To be an eligible fiscal agent, an intermediate district must agree to do the following in a form and manner determined by the department:

(a) Distribute funds to adult education programs in a prosperity region or subregion as described in this section.

(b) Collaborate with the career and educational advisory council, which is an advisory council of the workforce development
boards located in the prosperity region or subregion, or its successor, to develop a regional strategy that aligns adult education programs and services into an efficient and effective delivery system for adult education learners, with special consideration for providing contextualized learning and career pathways and addressing barriers to education and employment.

(c) Collaborate with the career and educational advisory council, which is an advisory council of the workforce development boards located in the prosperity region or subregion, or its successor, to create a local process and criteria that will identify eligible adult education providers to receive funds allocated under this section based on location, demand for services, past performance, quality indicators as identified by the department, and cost to provide instructional services. The fiscal agent shall determine all local processes, criteria, and provider determinations. However, the local processes, criteria, and provider services must be approved by the department before funds may be distributed to the fiscal agent.

(d) Provide oversight to its adult education providers throughout the program year to ensure compliance with the requirements of this section.

(e) Report adult education program and participant data and information as prescribed by the department.

(f) An adult basic education program, an adult secondary education program, or an adult English as a second language program operated on a year-round or school year basis may be funded under this section, subject to all of the following:

(a) The program enrolls adults who are determined by a department-approved assessment, in a form and manner prescribed by
the department, to be below twelfth grade level in reading or
mathematics, or both, or to lack basic English proficiency.

(b) The program tests individuals for eligibility under
subdivision (a) before enrollment and upon completion of the
program in compliance with the state-approved assessment policy.

(c) A participant in an adult basic education program is
eligible for reimbursement until 1 of the following occurs:

(i) The participant's reading and mathematics proficiency are
assessed at or above the ninth grade level.

(ii) The participant fails to show progress on 2 successive
assessments after having completed at least 450 hours of
instruction.

(d) A participant in an adult secondary education program is
eligible for reimbursement until 1 of the following occurs:

(i) The participant's reading and mathematics proficiency are
assessed above the twelfth grade level.

(ii) The participant fails to show progress on 2 successive
assessments after having at least 450 hours of instruction.

(e) A funding recipient enrolling a participant in an English
as a second language program is eligible for funding according to
subsection (9) until the participant meets 1 of the following:

(i) The participant is assessed as having attained basic
English proficiency as determined by a department-approved
assessment.

(ii) The participant fails to show progress on 2 successive
department-approved assessments after having completed at least 450
hours of instruction. The department shall provide information to a
funding recipient regarding appropriate assessment instruments for
this program.
(7) A high school equivalency test preparation program operated on a year-round or school year basis may be funded under this section, subject to all of the following:

(a) The program enrolls adults who do not have a high school diploma or a high school equivalency certificate.

(b) The program administers a pre-test approved by the department before enrolling an individual to determine the individual's literacy levels, administers a high school equivalency practice test to determine the individual's potential for success on the high school equivalency test, and administers a post-test upon completion of the program in compliance with the state-approved assessment policy.

(c) A funding recipient receives funding according to subsection (9) for a participant, and a participant may be enrolled in the program until 1 of the following occurs:

(i) The participant achieves a high school equivalency certificate.

(ii) The participant fails to show progress on 2 successive department-approved assessments used to determine readiness to take a high school equivalency test after having completed at least 450 hours of instruction.

(8) A high school completion program operated on a year-round or school year basis may be funded under this section, subject to all of the following:

(a) The program enrolls adults who do not have a high school diploma.

(b) The program tests participants described in subdivision (a) before enrollment and upon completion of the program in compliance with the state-approved assessment policy.
(c) A funding recipient receives funding according to subsection (9) for a participant in a course offered under this subsection until 1 of the following occurs:

(i) The participant passes the course and earns a high school diploma.

(ii) The participant fails to earn credit in 2 successive semesters or terms in which the participant is enrolled after having completed at least 900 hours of instruction.

(9) The department shall make payments to a funding recipient under this section in accordance with all of the following:

(a) Statewide allocation criteria, including 3-year average enrollments, census data, and local needs.

(b) Participant completion of the adult basic education objectives by achieving an educational gain as determined by the national reporting system levels; for achieving basic English proficiency, as determined by the department; for achieving a high school equivalency certificate or passage of 1 or more individual high school equivalency tests; for attainment of a high school diploma or passage of a course required for a participant to attain a high school diploma; for enrollment in a postsecondary institution, or for entry into or retention of employment, as applicable.

(c) Participant completion of core indicators as identified in the innovation and opportunity act.

(d) Allowable expenditures.

(10) A person who is not eligible to be a participant funded under this section may receive adult education services upon the payment of tuition. In addition, a person who is not eligible to be served in a program under this section due to the program
limitations specified in subsection (6), (7), or (8) may continue to receive adult education services in that program upon the payment of tuition. The local or intermediate district conducting the program shall determine the tuition amount.

(11) An individual who is an inmate in a state correctional facility is not counted as a participant under this section.

(12) A funding recipient shall not commingle money received under this section or from another source for adult education purposes with any other funds and shall establish a separate ledger account for funds received under this section. This subsection does not prohibit a district from using general funds of the district to support an adult education or community education program.

(13) A funding recipient receiving funds under this section may establish a sliding scale of tuition rates based upon a participant's family income. A funding recipient may charge a participant tuition to receive adult education services under this section from that sliding scale of tuition rates on a uniform basis. The amount of tuition charged per participant must not exceed the actual operating cost per participant minus any funds received under this section per participant. A funding recipient may not charge a participant tuition under this section if the participant's income is at or below 200% of the federal poverty guidelines published by the United States Department of Health and Human Services.

(14) In order to receive funds under this section, a funding recipient shall furnish to the department, in a form and manner determined by the department, all information needed to administer this program and meet federal reporting requirements; shall allow the department or the department's designee to review all records
related to the program for which it receives funds; and shall reimburse the state for all disallowances found in the review, as determined by the department. In addition, a funding recipient shall agree to pay to a career and technical education program under section 61a the amount of funding received under this section in the proportion of career and technical education coursework used to satisfy adult basic education programming, as billed to the funding recipient by programs operating under section 61a. In addition to the funding allocated under subsection (1), there is allocated for 2020–2021–2021–2022 an amount not to exceed $500,000.00 to reimburse funding recipients for administrative and instructional expenses associated with commingling programming under this section and section 61a. The department shall make payments under this subsection to each funding recipient in the same proportion as funding calculated and allocated under subsection (4).

(15) From the amount appropriated in subsection (1), an amount not to exceed $4,000,000.00 is allocated for 2020–2021–2021–2022 for grants to adult education or state-approved career technical center programs that connect adult education participants with employers as provided under this subsection. The department shall determine the amount of the grant to each program under this subsection, not to exceed $350,000.00. To be eligible for funding under this subsection, a program must provide a collaboration linking adult education programs within the county, the area career technical center, and local employers. To receive funding under this subsection, an eligible program must satisfy all of the following:

(a) Connect adult education participants directly with
employers by linking adult education, career and technical skills, and workforce development.

(b) Require adult education staff to work with Michigan Works! agency to identify a cohort of participants who are most prepared to successfully enter the workforce. Except as otherwise provided under this subdivision, participants identified under this subsection must be dually enrolled in adult education programming and in at least 1 state-approved technical course at the area career and technical center. A program that links participants identified under this subsection with adult education programming and commercial driver license courses does not need to enroll the participants in at least 1 state-approved technical course at the area career and technical center to be considered an eligible program under this subsection.

(c) Employ an individual staffed as an adult education navigator who will serve as a caseworker for each participant identified under subdivision (b). The navigator shall work with adult education staff and potential employers to design an educational program best suited to the personal and employment needs of the participant and shall work with human service agencies or other entities to address any barrier in the way of participant access.

(16) Each program funded under subsection (15) will receive funding for 3 years. After 3 years of operations and funding, a program must reapply for funding.

(17) Not later than December 1 of each year, a program funded under subsection (15) shall provide a report to the senate and house appropriations subcommittees on school aid, to the senate and house fiscal agencies, and to the state budget director identifying
the number of participants, graduation rates, and a measure of transition to employment.

(18) It is the intent of the legislature to implement a phased-in cap on the percentage of adult education participants under subsection (15) that may already have a high school diploma or a high school equivalency certificate at the time of enrollment. Except as otherwise provided in this subsection, participants under subsection (15) must be concurrently enrolled and actively working toward obtaining a high school diploma or a high school equivalency certificate. Concurrent enrollment is not required under this subsection for a participant that was enrolled in adult education during the same program year and obtained a high school diploma or a high school equivalency certificate prior to enrollment in an eligible career and technical skills program under subsection (15). Up to 25% of adult education participants served under subsection (15) may already have a high school diploma or a high school equivalency certificate at the time of enrollment in an eligible career and technical skills program under subsection (15) and receive remediation services. It is intended that the cap described in the immediately preceding sentence is continually lowered on an annual basis until it eventually is 0%.

(19) The department shall approve at least 3 high school equivalency tests and determine whether a high school equivalency certificate meets the requisite standards for high school equivalency in this state.

(20) As used in this section:

(a) "Career and educational advisory council" means an advisory council to the local workforce development boards located in a prosperity region consisting of educational, employer, labor,
(b) "Career pathway" means a combination of rigorous and high-quality education, training, and other services that comply with all of the following:

(i) Aligns with the skill needs of industries in the economy of this state or in the regional economy involved.

(ii) Prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the act of August 16, 1937, commonly referred to as the "national apprenticeship act", 29 USC 50 et seq.

(iii) Includes counseling to support an individual in achieving the individual's education and career goals.

(iv) Includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.

(v) Organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable.

(vi) Enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential.

(vii) Helps an individual enter or advance within a specific occupation or occupational cluster.

(c) "Department" means the department of labor and economic opportunity.

(d) "Eligible adult education provider" means a district, intermediate district, a consortium of districts, a consortium of
intermediate districts, or a consortium of districts and
intermediate districts that is identified as part of the local
process described in subsection (5)(c) and approved by the
department.

Sec. 147. (1) The allocation for 2020-2021-2021-2022 for the
public school employees' retirement system pursuant to the public
school employees retirement act of 1979, 1980 PA 300, MCL 38.1301
to 38.1437, is made using the individual projected benefit entry
age normal cost method of valuation and risk assumptions adopted by
the public school employees retirement board and the department of
technology, management, and budget.

(2) The annual level percentage of payroll contribution rates
for the 2020-2021-2021-2022 fiscal year, as determined by the
retirement system, are estimated as follows:

(a) Except as otherwise provided in this subdivision, for
public school employees who first worked for a public school
reporting unit before July 1, 2010 and who are enrolled in the
health premium subsidy, the annual level percentage of payroll
contribution rate is estimated at 42.72% to 43.28% with 28.21% to 28.23%
paid directly by the employer. For 2021-2022, if the retirement
system determines that the annual level percentage of payroll
contribution rate estimated in the immediately preceding sentence
needs to be adjusted, the annual level percentage of payroll
contribution rate estimations under this subdivision are the
estimations determined by the retirement system. If the retirement
system makes a determination as described in the immediately
preceding sentence, it shall issue its estimations publicly and
describe the need for the adjustment described in the immediately
preceding sentence.
(b) Except as otherwise provided in this subdivision, for public school employees who first worked for a public school reporting unit on or after July 1, 2010 and who are enrolled in the health premium subsidy, the annual level percentage of payroll contribution rate is estimated at 39.76%–40.36% with 25.25%–25.31% paid directly by the employer. For 2021-2022, if the retirement system determines that the annual level percentage of payroll contribution rate estimated in the immediately preceding sentence needs to be adjusted, the annual level percentage of payroll contribution rate estimations under this subdivision are the estimations determined by the retirement system. If the retirement system makes a determination as described in the immediately preceding sentence, it shall issue its estimations publicly and describe the need for the adjustment described in the immediately preceding sentence.

(c) Except as otherwise provided in this subdivision, for public school employees who first worked for a public school reporting unit on or after July 1, 2010 and who participate in the personal healthcare fund, the annual level percentage of payroll contribution rate is estimated at 38.90%–39.50% with 24.39%–24.45% paid directly by the employer. For 2021-2022, if the retirement system determines that the annual level percentage of payroll contribution rate estimated in the immediately preceding sentence needs to be adjusted, the annual level percentage of payroll contribution rate estimations under this subdivision are the estimations determined by the retirement system. If the retirement system makes a determination as described in the immediately preceding sentence, it shall issue its estimations publicly and describe the need for the adjustment described in the immediately preceding sentence.
For public school employees who first worked for a public school reporting unit on or after September 4, 2012, who elect defined contribution, and who participate in the personal healthcare fund, the annual level percentage of payroll contribution rate is estimated at 35.47% - 36.01% with 20.96% paid directly by the employer. For 2021-2022, if the retirement system determines that the annual level percentage of payroll contribution rate estimated in the immediately preceding sentence needs to be adjusted, the annual level percentage of payroll contribution rate estimations under this subdivision are the estimations determined by the retirement system. If the retirement system makes a determination as described in the immediately preceding sentence, it shall issue its estimations publicly and describe the need for the adjustment described in the immediately preceding sentence.

For public school employees who first worked for a public school reporting unit before July 1, 2010, who elect defined contribution, and who are enrolled in the health premium subsidy, the annual level percentage of payroll contribution rate is estimated at 36.33% - 36.87% with 21.82% paid directly by the employer. For 2021-2022, if the retirement system determines that the annual level percentage of payroll contribution rate estimated in the immediately preceding sentence needs to be adjusted, the annual level percentage of payroll contribution rate estimations under this subdivision are the estimations determined by the retirement system. If the retirement system makes a determination as described in the immediately preceding sentence, it shall issue its
estimations publicly and describe the need for the adjustment described in the immediately preceding sentence.

(f) Except as otherwise provided in this subdivision, for public school employees who first worked for a public school reporting unit before July 1, 2010, who elect defined contribution, and who participate in the personal healthcare fund, the annual level percentage of payroll contribution rate is estimated at 35.47%–36.01% with 20.96% paid directly by the employer. For 2021-2022, if the retirement system determines that the annual level percentage of payroll contribution rate estimated in the immediately preceding sentence needs to be adjusted, the annual level percentage of payroll contribution rate estimations under this subdivision are the estimations determined by the retirement system. If the retirement system makes a determination as described in the immediately preceding sentence, it shall issue its estimations publicly and describe the need for the adjustment described in the immediately preceding sentence.

(g) Except as otherwise provided in this subdivision, for public school employees who first worked for a public school reporting unit before July 1, 2010 and who participate in the personal healthcare fund, the annual level percentage of payroll contribution rate is estimated at 41.86%–42.42% with 27.35%–27.37% paid directly by the employer. For 2021-2022, if the retirement system determines that the annual level percentage of payroll contribution rate estimated in the immediately preceding sentence needs to be adjusted, the annual level percentage of payroll contribution rate estimations under this subdivision are the estimations determined by the retirement system. If the retirement system makes a determination as described in the immediately preceding sentence.
preceding sentence, it shall issue its estimations publicly and describe the need for the adjustment described in the immediately preceding sentence.

(h) Except as otherwise provided in this subdivision, for public school employees who first worked for a public school reporting unit after January 31, 2018 and who elect to become members of the MPSERS plan, the annual level percentage of payroll contribution rate is estimated at 41.67% - 42.21% with 27.16% paid directly by the employer. For 2021-2022, if the retirement system determines that the annual level percentage of payroll contribution rate estimated in the immediately preceding sentence needs to be adjusted, the annual level percentage of payroll contribution rate estimations under this subdivision are the estimations determined by the retirement system. If the retirement system makes a determination as described in the immediately preceding sentence, it shall issue its estimations publicly and describe the need for the adjustment described in the immediately preceding sentence.

(3) In addition to the employer payments described in subsection (2), the employer shall pay the applicable contributions to the Tier 2 plan, as determined by the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

(4) The contribution rates in subsection (2) reflect an amortization period of 18 years for 2020-2021, 17 years for 2021-2022. The public school employees' retirement system board shall notify each district and intermediate district by February 28 of each fiscal year of the estimated contribution rate for the next fiscal year.

Sec. 147a. (1) From the appropriation in section 11, there is allocated for 2020-2021 an amount not to exceed $100,000,000.00 and for 2021-2022 an amount not to exceed $100,000,000.00 for payments
to participating districts. A participating district that receives money under this subsection shall use that money solely for the purpose of offsetting a portion of the retirement contributions owed by the district for the fiscal year in which it is received. The amount allocated to each participating district under this subsection is based on each participating district's percentage of the total statewide payroll for all participating districts for the immediately preceding fiscal year. As used in this subsection, "participating district" means a district that is a reporting unit of the Michigan public school employees' retirement system under the public school employees' retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

(2) In addition to the allocation under subsection (1), from the state school aid fund money appropriated under section 11, there is allocated an amount not to exceed $190,430,000.00 for 2020-2021 and an amount not to exceed $155,136,000.00 for payments to participating districts and intermediate districts and from the general fund money appropriated under section 11, there is allocated an amount not to exceed $70,000.00 for 2020-2021 and an amount not to exceed $60,000.00 for payments to participating district libraries. The amount allocated to each participating entity under this subsection is based on each participating entity's reported quarterly payroll for members that became tier 1 prior to February 1, 2018 for the current fiscal year. A participating entity that receives money under this subsection shall use that money solely for the purpose
of offsetting a portion of the normal cost contribution rate. As used in this subsection:

(a) "District library" means a district library established under the district library establishment act, 1989 PA 24, MCL 397.171 to 397.196.

(b) "Participating entity" means a district, intermediate district, or district library that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

Sec. 147b. (1) The MPSERS retirement obligation reform reserve fund is created as a separate account within the state school aid fund.

(2) The state treasurer may receive money or other assets from any source for deposit into the MPSERS retirement obligation reform reserve fund. The state treasurer shall direct the investment of the MPSERS retirement obligation reform reserve fund. The state treasurer shall credit to the MPSERS retirement obligation reform reserve fund interest and earnings from the MPSERS retirement obligation reform reserve fund.

(3) Money available in the MPSERS retirement obligation reform reserve fund shall not be expended without a specific appropriation.

(4) Money in the MPSERS retirement obligation reform reserve fund at the close of the fiscal year shall remain in the MPSERS retirement obligation reform reserve fund and shall not lapse to the state school aid fund or to the general fund. The
department of treasury shall be the administrator of the MPSERS retirement obligation reform reserve fund for auditing purposes.

Sec. 147c. From the state school aid fund money appropriated in section 11, there is allocated for 2020-2021-2021-2022 an amount not to exceed $1,219,300,000.00 $1,468,500,000.00 for payments to districts and intermediate districts that are participating entities of the Michigan public school employees' retirement system. In addition, from the general fund money appropriated in section 11, there is allocated for 2020-2021-2021-2022 an amount not to exceed $500,000.00 for payments to district libraries that are participating entities of the Michigan public school employees' retirement system. All of the following apply to funding under this subsection:

(a) For 2020-2021, Except as otherwise provided in this subdivision, for 2021-2022, the amounts allocated under this subsection are estimated to provide an average MPSERS rate cap per pupil amount of $827.00 $911.00 and are estimated to provide a rate cap per pupil for districts ranging between $5.00 and $4,200.00. For 2021-2022, if the retirement system determines the average MPSERS rate cap per pupil amount and rate cap per pupil for districts estimated in the immediately preceding sentence need to be adjusted, the estimated average MPSERS rate cap per pupil amount and estimated rate cap per pupil for districts under this subdivision are the estimations determined by the retirement system. If the retirement system makes a determination as described in the immediately preceding sentence, it shall issue its estimations publicly and describe the need for the adjustment described in the immediately preceding sentence.

(b) Payments made under this subsection are equal to
the difference between the unfunded actuarial accrued liability
calculated pursuant to section 41 of the
public school employees retirement act of 1979, 1980 PA 300, MCL
38.1341, as calculated without taking into account the maximum
employer rate of 20.96% included in section 41 of the public school
employees retirement act of 1979, 1980 PA 300, MCL 38.1341, and the
maximum employer rate of 20.96% included in section 41 of the
public school employees retirement act of 1979, 1980 PA 300, MCL
38.1341.

(c) The amount allocated to each participating entity under
this subsection is based on each participating entity's
proportion of the total covered payroll for the immediately
preceding fiscal year for the same type of participating entities.
A participating entity that receives funds under this subsection
shall use the funds solely for the purpose of retirement
contributions as specified in subdivision (d).

(d) Each participating entity receiving funds under this
subsection shall forward an amount equal to the amount
allocated under subdivision (c) to the retirement system in a form,
manner, and time frame determined by the retirement system.

(e) Funds allocated under this subsection should be
considered when comparing a district's growth in total state aid
funding from 1 fiscal year to the next.

(f) Not later than December 20, 2020, 2021, the department
shall publish and post on its website an estimated MPSERS rate cap
per pupil for each district.

(g) The office of retirement services shall first apply funds
allocated under this subsection to pension contributions
and, if any funds remain after that payment, shall apply those
remaining funds to other postemployment benefit contributions.

(h) As used in this section:

(i) "District library" means a district library established under the district library establishment act, 1989 PA 24, MCL 397.171 to 397.196.

(ii) "MPSERS rate cap per pupil" means an amount equal to the quotient of the district's payment under this subsection divided by the district's pupils in membership.

(iii) "Participating entity" means a district, intermediate district, or district library that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

(iv) "Retirement board" means the board that administers the retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

(v) "Retirement system" means the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

Sec. 147e. (1) From the appropriation money appropriated in section 11, there is allocated for 2020-2021 an amount not to exceed $33,800,000.00 and there is allocated for 2021-2022 an amount not to exceed $51,400,000.00 from the state school aid fund for payments to participating entities.

(2) The payment to each participating entity under this section is the sum of the amounts under this subsection as follows:
(a) An amount equal to the contributions made by a participating entity for the additional contribution made to a qualified participant's Tier 2 account in an amount equal to the contribution made by the qualified participant not to exceed 3% of the qualified participant's compensation as provided for under section 131(6) of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1431.

(b) Beginning October 1, 2017, an amount equal to the contributions made by a participating entity for a qualified participant who is only a Tier 2 qualified participant under section 81d of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1381d, not to exceed 4%, and, beginning February 1, 2018, not to exceed 1%, of the qualified participant's compensation.

(c) An amount equal to the increase in employer normal cost contributions under section 41b(2) of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341b, for a member that was hired after February 1, 2018 and chose to participate in Tier 1, compared to the employer normal cost contribution for a member under section 41b(1) of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341b.

(3) As used in this section:

(a) "Member" means that term as defined under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

(b) "Participating entity" means a district, intermediate district, or community college that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL
38.1301 to 38.1437, and that reports employees to the Michigan public school employees’ retirement system for the applicable fiscal year.

(c) "Qualified participant" means that term as defined under section 124 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1424.

Sec. 152a. (1) As required by the court in the consolidated cases known as Adair v State of Michigan, 486 Mich 468 (2010), from the state school aid fund money appropriated in section 11, there is allocated for 2020-2021 2021-2022 an amount not to exceed $38,000,500.00 to be used solely for the purpose of paying necessary costs related to the state-mandated collection, maintenance, and reporting of data to this state.

(2) From the allocation in subsection (1), the department shall make payments to districts and intermediate districts in an equal amount per pupil per pupil based on the total number of pupils in membership in each district and intermediate district. The department shall not make any adjustment to these payments after the final installment payment under section 17b is made.

Sec. 152b. (1) From the general fund money appropriated under section 11, there is allocated an amount not to exceed $2,500,000.00 for 2017-2018 and an amount not to exceed $250,000.00 $1,000,000.00 for 2018-2019 2021-2022 to reimburse actual costs incurred by nonpublic schools in complying with a health, safety, or welfare requirement mandated by a law or administrative rule of this state.

(2) By January 1 of each applicable fiscal year, the department shall publish a form for reporting actual costs incurred by a nonpublic school in complying with a health, safety, or
welfare requirement mandated under state law containing each
health, safety, or welfare requirement mandated by a law or
administrative rule of this state applicable to a nonpublic school
and with a reference to each relevant provision of law or
administrative rule for the requirement. The form shall be posted
on the department's website in electronic form.

(3) By June 30 of each applicable fiscal year, a nonpublic
school seeking reimbursement for actual costs incurred in complying
with a health, safety, or welfare requirement under a law or
administrative rule of this state during each applicable school
year shall submit a completed form described in subsection (2) to
the department. This section does not require a nonpublic school to
submit a form described in subsection (2). A nonpublic school is
not eligible for reimbursement under this section if the nonpublic
school does not submit the form described in subsection (2) in a
timely manner.

(4) By August 15 of each applicable fiscal year, the
department shall distribute funds to each nonpublic school that
submits a completed form described under subsection (2) in a timely
manner. The superintendent shall determine the amount of funds to
be paid to each nonpublic school in an amount that does not exceed
the nonpublic school's actual costs in complying with a health,
safety, or welfare requirement under a law or administrative rule
of this state. The superintendent shall calculate a nonpublic
school's actual cost in accordance with this section.

(5) If the funds allocated under this section are insufficient
to fully fund payments as otherwise calculated under this section,
the department shall distribute funds under this section on a
prorated or other equitable basis as determined by the
superintendent.

(6) The department may review the records of a nonpublic school submitting a form described in subsection (2) only for the limited purpose of verifying the nonpublic school's compliance with this section. If a nonpublic school does not allow the department to review records under this subsection, the nonpublic school is not eligible for reimbursement under this section.

(7) The funds appropriated under this section are for purposes related to education, are considered to be incidental to the operation of a nonpublic school, are noninstructional in character, and are intended for the public purpose of ensuring the health, safety, and welfare of the children in nonpublic schools and to reimburse nonpublic schools for costs described in this section.

(8) Funds allocated under this section are not intended to aid or maintain any nonpublic school, support the attendance of any student at a nonpublic school, employ any person at a nonpublic school, support the attendance of any student at any location where instruction is offered to a nonpublic school student, or support the employment of any person at any location where instruction is offered to a nonpublic school student.

(9) For purposes of this section, "actual cost" means the hourly wage for the employee or employees performing a task or tasks required to comply with a health, safety, or welfare requirement under a law or administrative rule of this state identified by the department under subsection (2) and is to be calculated in accordance with the form published by the department under subsection (2), which shall include a detailed itemization of costs. The nonpublic school shall not charge more than the hourly wage of its lowest-paid employee capable of performing a specific...
task regardless of whether that individual is available and
regardless of who actually performs a specific task. Labor costs
under this subsection shall be estimated and charged in increments
of 15 minutes or more, with all partial time increments rounded
down. When calculating costs under subsection (4), fee components
shall be itemized in a manner that expresses both the hourly wage
and the number of hours charged. The nonpublic school may not
charge any applicable labor charge amount to cover or partially
cover the cost of health or fringe benefits. A nonpublic school
shall not charge any overtime wages in the calculation of labor
costs.

(10) For the purposes of this section, the actual cost
incurred by a nonpublic school for taking daily student attendance
shall be considered an actual cost in complying with a health,
safety, or welfare requirement under a law or administrative rule
of this state. Training fees, inspection fees, and criminal
background check fees are considered actual costs in complying with
a health, safety, or welfare requirement under a law or
administrative rule of this state.

(11) The funds allocated under this section for 2017-2018 are
a work project appropriation, and any unexpended funds for 2017-
2018 are carried forward into 2018-2019. The purpose of the work
project is to continue to reimburse nonpublic schools for actual
costs incurred in complying with a health, safety, or welfare
requirement mandated by a law or administrative rule of this state.
The estimated completion date of the work project is September 30,
2020-2022.

(12) The funds allocated under this section for 2018-2019 are
a work project appropriation, and any unexpended funds for 2018-
2019 are carried forward into 2019-2020. The purpose of the work project is to continue to reimburse nonpublic schools for actual costs incurred in complying with a health, safety, or welfare requirement mandated by a law or administrative rule of this state. The estimated completion date of the work project is September 30, 2020-2022.

(13) The funds allocated under this section for 2021-2022 are a work project appropriation, and any unexpended funds for 2021-2022 are carried forward into 2022-2023. The purpose of the work project is to continue to reimburse nonpublic schools for actual costs incurred in complying with a health, safety, or welfare requirement mandated by a law or administrative rule of this state. The estimated completion date of the work project is September 30, 2023.

(14) The department shall reimburse nonpublic schools for actual costs incurred in complying with health, safety, or welfare requirements under a law or administrative rule of this state from 2018-2019 through 2020-2021 using work project funds or, if those funds are insufficient to fund reimbursements under this subsection, from the allocation under subsection (1).

Enacting section 1. In accordance with section 30 of article IX of the state constitution of 1963, total state spending on school aid under article I of the state school aid act of 1979, 1979 PA 94, MCL 388.1601 to 388.1772, as amended by 2020 PA 165, 2021 PA 3, and this amendatory act, from state sources for fiscal year 2020-2021 is estimated at $13,850,072,600.00 and state appropriations for school aid to be paid to local units of government for fiscal year 2020-2021 are estimated at $13,680,775,500.00. In accordance with section 30 of article IX of
the state constitution of 1963, total state spending on school aid
under article I of the state school aid act of 1979, 1979 PA 94,
MCL 388.1601 to 388.1772, as amended by this amendatory act, from
state sources for fiscal year 2021-2022 is estimated at
14,954,632,200.00 and state appropriations for school aid to be
paid to local units of government for fiscal year 2021-2022 are
estimated at 14,744,857,700.00.

Enacting section 2. Sections 11d, 11p, 11q, 23b, 23c, 23e,
25j, 29a, 31k, 91a, 91c, 94b, 104d, and 105b of the state school
aid act of 1979, 1979 PA 94, MCL 388.1611d, 388.1611p, 388.1611q,
388.1623b, 388.1623c, 388.1623e, 388.1625j, 388.1629a, 388.1631k,
388.1691a, 388.1691c, 388.1694b, 388.1704d, and 388.1705b, are
repealed effective October 1, 2021.

Enacting section 3. (1) Except as otherwise provided in
subsection (2), this amendatory act takes effect October 1, 2021.

(2) Sections 6(8), 6a, 11, 11m, 11n, 11s(3), 22a, 22b, 24,
26c, 29a, 31d, 31f, 39a, 51a, 51c, 51d, 56, 62, 81, 104a, 147a, and
147e of the state school aid act of 1979, 1979 PA 94, MCL 388.1606,
388.1606a, 388.1611, 388.1611m, 388.1611n, 388.1611s, 388.1622a,
388.1622b, 388.1624, 388.1626c, 388.1629a, 388.1631d, 388.1631f,
388.1639a, 388.1651a, 388.1651c, 388.1651d, 388.1656, 388.1662,
388.1681, 388.1704a, 388.1747a, and 388.1747e, as amended and
sections 11t, 31p, and 39(9) of the state school aid act of 1979,
1979 PA 94, as added by this amendatory act, take effect upon
enactment of this amendatory act.