

Act No. 212  
Public Acts of 2022  
Approved by the Governor  
October 11, 2022  
Filed with the Secretary of State  
October 12, 2022  
EFFECTIVE DATE: October 12, 2022

**STATE OF MICHIGAN  
101ST LEGISLATURE  
REGULAR SESSION OF 2022**

Introduced by Senator LaSata

## **ENROLLED SENATE BILL No. 842**

AN ACT to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 11, 51a, 56, 216, 236, 236j, and 251 (MCL 388.1611, 388.1651a, 388.1656, 388.1816, 388.1836, 388.1836j, and 388.1851), sections 11, 51a, 56, 236, and 251 as amended and sections 216 and 236j as added by 2022 PA 144, and by adding sections 31c, 99j, 248, and 248a.

*The People of the State of Michigan enact:*

Sec. 11. (1) For the fiscal year ending September 30, 2023, there is appropriated for the public schools of this state and certain other state purposes relating to education the sum of \$16,754,072,900.00 from the state school aid fund, the sum of \$124,200,000.00 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 \$140,400,000.00 from the MPSERS retirement obligation reform reserve fund created under section 147b. In addition, all available federal funds are only appropriated as allocated in this article for the fiscal year ending September 30, 2023.

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

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

Sec. 31c. (1) Subject to subsection (6), from the general fund money appropriated in section 11, there is allocated \$12,000,000.00 for 2022-2023 to an eligible vendor to, subject to subsections (3), (4), and (5), provide literacy tutoring services and enrichment programs to districts or intermediate districts or both districts and intermediate districts.

(2) Except as otherwise provided in this section, to receive money under this section, an eligible vendor must apply for the money in a form and manner prescribed by the department. In its application described in this subsection, the eligible vendor must pledge to, subject to subsections (3) and (4), use the money it receives under this section to provide literacy tutoring services and enrichment programs to districts or intermediate districts or both districts and intermediate districts for the 2022-2023, 2023-2024, and 2024-2025 fiscal years.

(3) An eligible vendor that receives money under this section shall ensure that, at a minimum, all of the following criteria apply to the literacy tutoring services provided as described in subsection (1):

(a) The services include the provision of assessments that, with the advice of the district or intermediate district receiving the services, includes the identification of students for participation in individualized literacy intervention programs.

(b) The services include certified testers who assess students pre- and postintervention through the literacy tutoring services described in this subsection and the provision of a literacy prescription for students.

(c) The services include reading tutors who are trained in 1 or more methods that are adapted for students' individual literacy prescriptions as described in subdivision (b).

(d) Each tutor provided through the services must provide 1-on-1 reading tutoring 1 hour each day, 5 times each week for the duration the tutor is to provide services to a student as prescribed in the student's individual literacy prescription as described in subdivision (b).

(e) Through the services, based on each student's individual literacy prescription as described in subdivision (b), each student must participate in either or both of the following:

(i) Intervention in 1 or more of the following areas:

(A) Foundational phonemic awareness.

(B) Multisensory structured literacy.

(C) Upper morphology, vocabulary, and comprehension.

(ii) Reading and writing programs focused on college and career readiness. The programs described in this subparagraph must be made available only to students enrolled in high school. As used in this subparagraph, "high school" means a school that offers at least 1 of grades 9 to 12.

(4) An eligible vendor that receives money under this section shall ensure that, at a minimum, all of the following criteria apply to the enrichment programs provided as described in subsection (1):

(a) The programs include, for students enrolled in any of grades K to 6, a publishing center that helps students write and edit original stories that are bound into hardcover books.

(b) The programs include, for students enrolled in any of grades 7 to 12, a variety of fun opportunities to improve writing skills using the fundamental principles of essay writing.

(c) The programs include lessons about master artists that cover the topics of history, geography, and artistic techniques as applicable to those master artists and that students can utilize in a variety of projects.

(d) The programs provide for international art and writing opportunities that allow school children from around the world to creatively express their interpretation of the year's theme through paintings or writing essays that are shared with other participants.

(5) An eligible vendor that receives money under this section shall use the money to, subject to subsections (3) and (4), provide literacy tutoring services and enrichment programs to districts or intermediate districts or both districts and intermediate districts as required under subsection (1) for the 2022-2023, 2023-2024, and 2024-2025 fiscal years.

(6) All of the following criteria apply to payments of money allocated under subsection (1):

(a) The department may make payments to the eligible vendor in an amount not to exceed 1/3 of the amount allocated in subsection (1) for services described in subsection (3) and programs described in subsection (4) provided to the first 1,000 students served by the eligible vendor that receives money under this section.

(b) The department shall make subsequent payments, in addition to the payments described in subdivision (a), or, if payments are not made as described in subdivision (a), all payments, to the eligible vendor for services described in subsection (3) and programs described in subsection (4) based on the number of students served in addition to the students served as described in subdivision (a), or, if payments are not made as described in subdivision (a), based on the number of students served, in a manner determined by the department.

(7) By not later than September 30, 2025, the eligible vendor that receives money under this section shall provide a report to the house and senate subcommittees on K to 12 school aid, the house and senate fiscal agencies, and the state budget director, concerning the reading readiness outcomes for students that received services with money received by the eligible vendor under this section. The report described in this subsection must include aggregated results from pre- and postassessments of reading readiness, best practices for implementing similar services and programs statewide to the services and programs implemented by the eligible vendor, and identifications of barriers to the successful implementation of the services provided by the eligible vendor to students with money received under this section.

(8) The funds allocated under this section for 2022-2023 are a work project appropriation, and any unexpended funds for 2022-2023 are carried forward into 2023-2024. The purpose of the work project is to continue the support of the implementation of literacy tutoring services and enrichment programs described in this section. The

estimated completion date of the work project is September 30, 2025.

(9) As used in this section, “eligible vendor” means a vendor to which both of the following apply:

(a) It provides literacy tutoring services that meet the criteria described in subsection (3) and enrichment programs that meet the criteria described in subsection (4).

(b) It meets both of the following:

(i) In its application described in subsection (2), it has submitted to the department an implementation plan that includes, at a minimum, all of the following:

(A) An identification of at least 3 geographically diverse districts that will receive services from money received under this section.

(B) A plan to serve at least 3,000 students from the 2022-2023 fiscal year to the 2024-2025 fiscal year with services from money received under this section.

(C) Methods to collect and report to the department pre- and postassessments of reading readiness by students receiving services from money received under this section.

(D) A plan to provide data-based outcome metrics to the department in a form, time frame, and manner determined by the department.

(ii) The department has approved the implementation plan described in subparagraph (i).

Sec. 51a. (1) From the state school aid fund money in section 11, there is allocated an amount not to exceed \$1,089,096,100.00 for 2021-2022 and there is allocated an amount not to exceed \$1,460,503,100.00 for 2022-2023 from state sources and all available federal funding under sections 1411 to 1419 of part B of the individuals with disabilities education act, 20 USC 1411 to 1419, estimated at \$380,000,000.00 for 2021-2022 and \$390,000,000.00 for 2022-2023, plus any carryover federal funds from previous year appropriations. The allocations under this subsection are for the purpose of reimbursing districts and intermediate districts for special education programs, services, and special education personnel as prescribed in article 3 of the revised school code, MCL 380.1701 to 380.1761; net tuition payments made by intermediate districts to the Michigan Schools for the Deaf and Blind; and special education programs and services for pupils who are eligible for special education programs and services according to statute or rule. For meeting the costs of special education programs and services not reimbursed under this article, a district or intermediate district may use money in general funds or special education funds, not otherwise restricted, or contributions from districts to intermediate districts, tuition payments, gifts and contributions from individuals or other entities, or federal funds that may be available for this purpose, as determined by the intermediate district plan prepared under article 3 of the revised school code, MCL 380.1701 to 380.1761. Notwithstanding section 17b, the department shall make payments of federal funds to districts, intermediate districts, and other eligible entities under this section on a schedule determined by the department.

(2) From the funds allocated under subsection (1), there is allocated the amount necessary, estimated at \$311,800,000.00 for 2021-2022 and estimated at \$323,300,000.00 for 2022-2023, for payments toward reimbursing districts and intermediate districts for 28.6138% of total approved costs of special education, excluding costs reimbursed under section 53a, and 70.4165% of total approved costs of special education transportation. Allocations under this subsection are made as follows:

(a) For 2021-2022, 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) For 2022-2023, 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 25% of the foundation allowance under section 20 of the pupil’s district of residence, plus 25% of the amount of the district’s per-pupil allocation under section 20m, not to exceed 25% of 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 25% of 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 25% of the foundation allowance under section 20 of the pupil's district of residence, not to exceed 25% of the target foundation allowance for the current fiscal year, and that district's per-pupil allocation under section 20m.

(c) After the allocations under subdivision (a) or (b), as applicable, the department shall pay a district or intermediate district for which the payments calculated under subdivision (a) or (b), as applicable, 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 2021-2022 an amount not to exceed \$1,000,000.00 and there is allocated for 2022-2023 an amount not to exceed \$1,000,000.00 to make payments to districts and intermediate districts under this subsection. If the amount allocated to a district or intermediate district for the fiscal year under subsection (2)(c) 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) 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) 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, for 2021-2022 only, 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. Beginning in 2022-2023, if the amount allocated under subsection (2)(b) 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 2021-2022 and there is allocated an amount not to exceed \$2,200,000.00 for 2022-2023 to reimburse 100% of the net increase in necessary costs incurred by a district or intermediate district in implementing the revisions in the administrative rules for special education that became effective on July 1, 1987. As used in this subsection, "net increase in necessary costs" means the necessary additional costs incurred solely because of new or revised requirements in the administrative rules minus cost savings permitted in implementing the revised rules. The department shall determine net increase in necessary costs in a manner specified by the department.

(7) For purposes of this section and sections 51b to 58, all of the following apply:

(a) "Total approved costs of special education" are determined in a manner specified by the department and may include indirect costs, but must not exceed 115% of approved direct costs for section 52 and section 53a programs. The total approved costs include salary and other compensation for all approved special education personnel for the program, including payments for Social Security and Medicare and public school employee retirement system contributions. The total approved costs do not include salaries or other compensation paid to administrative personnel who are not special education personnel as that term is defined in section 6 of the revised school code, MCL 380.6. Costs reimbursed by federal funds, other than those federal funds included in the allocation made under this article, are not included. Special education approved personnel not utilized full time in the evaluation of students or in the delivery of special education programs, ancillary, and other related services are reimbursed under this section only for that portion of time actually spent providing these programs and services, with the exception of special education programs and services provided to youth placed in child caring institutions or juvenile detention programs approved by the department to provide an on-grounds education program.

(b) 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. 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) 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 individual would otherwise be entitled had that individual 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 \$1,500,000.00 for 2021-2022 and estimated at \$1,500,000.00 for 2022-2023, to pay the foundation allowances for pupils described in this subsection. The department shall calculate the allocation to a district under this subsection by multiplying the number of pupils described in this subsection who are counted in membership in the district times the sum of the foundation allowance under section 20 of the pupil's district of residence, plus the amount of the district's per-pupil allocation under section 20m, not to exceed the target foundation allowance for the current fiscal year, or, for a pupil described in this subsection who is counted in membership in a district that is a public school academy, times an amount equal to the amount per membership pupil under section 20(6). The department shall calculate the allocation to an intermediate district under this subsection in the same manner as for a district, using the foundation allowance under section 20 of the pupil's district of residence not to exceed the target foundation allowance for the current fiscal year and that district's per-pupil allocation under section 20m. This subsection applies to all of the following pupils:

(a) Pupils described in section 53a.

(b) Pupils counted in membership in an intermediate district who are not special education pupils and are served by the intermediate district in a juvenile detention or child caring facility.

(c) Pupils with an emotional impairment counted in membership by an intermediate district and provided educational services by the department of health and human services.

(12) If it is determined that funds allocated under subsection (2) or (11) or under section 51c will not be expended, funds up to the amount necessary and available may be used to supplement the allocations under subsection (2) or (11) or under section 51c in order to fully fund those allocations. After payments under subsections (2) and (11) and section 51c, the department shall expend the remaining funds from the allocation in subsection (1) in the following order:

- (a) One hundred percent of the reimbursement required under section 53a.
- (b) One hundred percent of the reimbursement required under subsection (6).
- (c) One hundred percent of the payment required under section 54.
- (d) One hundred percent of the payment required under subsection (3).
- (e) One hundred percent of the payments under section 56.

(13) The allocations under subsections (2), (3), and (11) are allocations to intermediate districts only and are not allocations to districts, but instead are calculations used only to determine the state payments under section 22b.

(14) If a public school academy that is not a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, enrolls under this section a pupil who resides outside of the intermediate district in which the public school academy is located and who is eligible for special education programs and services according to statute or rule, or who is a child with a disability, as that term is defined under the individuals with disabilities education act, Public Law 108-446, the intermediate district in which the public school academy is located and the public school academy shall enter into a written agreement with the intermediate district in which the pupil resides for the purpose of providing the pupil with a free appropriate public education, and the written agreement must include at least an agreement on the responsibility for the payment of the added costs of special education programs and services for the pupil. If the public school academy that enrolls the pupil does not enter into an agreement under this subsection, the public school academy shall not charge the pupil's resident intermediate district or the intermediate district in which the public school academy is located the added costs of special education programs and services for the pupil, and the public school academy is not eligible for any payouts based on the funding formula outlined in the resident or nonresident intermediate district's plan. If a pupil is not enrolled in a public school academy under this subsection, the provision of special education programs and services and the payment of the added costs of special education programs and services for a pupil described in this subsection are the responsibility of the district and intermediate district in which the pupil resides.

(15) For the purpose of receiving its federal allocation under part B of the individuals with disabilities education act, Public Law 108-446, a public school academy that is a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, and is in compliance with section 553a of the revised school code, MCL 380.553a, directly receives the federal allocation under part B of the individuals with disabilities education act, Public Law 108-446, from the intermediate district in which the cyber school is located, as the subrecipient. If the intermediate district does not distribute the funds described in this subsection to the cyber school by the part B application due date of July 1, the department may distribute the funds described in this subsection directly to the cyber school according to the formula prescribed in 34 CFR 300.705 and 34 CFR 300.816. Beginning July 1, 2021, this subsection is subject to section 8c. It is the intent of the legislature that the immediately preceding sentence apply retroactively and is effective July 1, 2021.

(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. Beginning July 1, 2021, this subsection is subject to section 8c. It is the intent of the legislature that the immediately preceding sentence apply retroactively and is effective July 1, 2021.

(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. 56. (1) For the purposes of this section:

(a) "Membership" means for a particular fiscal year the total membership of the intermediate district and the districts constituent to the intermediate district, except that if a district has elected not to come under part 30 of the revised school code, MCL 380.1711 to 380.1741, membership of the district is not included in the membership

of the intermediate district.

(b) "Millage levied" means the millage levied for special education under part 30 of the revised school code, MCL 380.1711 to 380.1741, including a levy for debt service obligations.

(c) "Taxable value" means the total taxable value of the districts constituent to an intermediate district, except that if a district has elected not to come under part 30 of the revised school code, MCL 380.1711 to 380.1741, taxable value of the district is not included in the taxable value of the intermediate district.

(2) From the allocation under section 51a(1), there is allocated an amount not to exceed \$40,008,100.00 for 2021-2022 and an amount not to exceed \$40,008,100.00 for 2022-2023 to reimburse intermediate districts levying millages for special education under part 30 of the revised school code, MCL 380.1711 to 380.1741. The purpose, use, and expenditure of the reimbursement are limited as if the funds were generated by these millages and governed by the intermediate district plan adopted under article 3 of the revised school code, MCL 380.1701 to 380.1761. As a condition of receiving funds under this section, an intermediate district distributing any portion of special education millage funds to its constituent districts must submit for departmental approval and implement a distribution plan.

(3) Except as otherwise provided in this subsection, reimbursement for those millages levied in 2020-2021 is made in 2021-2022 at an amount per 2020-2021 membership pupil computed by subtracting from \$218,200.00 the 2020-2021 taxable value behind each membership pupil and multiplying the resulting difference by the 2020-2021 millage levied, and then subtracting from that amount 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.

(4) Except as otherwise provided in this subsection, reimbursement for those millages levied in 2021-2022 is made in 2022-2023 at an amount per 2021-2022 membership pupil computed by subtracting from \$229,600.00 the 2021-2022 taxable value behind each membership pupil and multiplying the resulting difference by the 2021-2022 millage levied, and then subtracting from that amount the 2021-2022 local community stabilization share revenue for special education purposes and 2021-2022 tax increment revenues captured by a brownfield redevelopment authority created under the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2651 to 125.2670, behind each membership pupil for reimbursement of personal property exemption loss under the local community stabilization authority act, 2014 PA 86, MCL 123.1341 to 123.1362, and reimbursements paid under section 26d for tax increment revenues captured by a brownfield redevelopment authority under the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2651 to 125.2670. Reimbursement in 2022-2023 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 subsection (2) 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 subsection (2) is not less than 75% of the amount allocated to the intermediate district under subsection (2) for the immediately preceding fiscal year.

(7) From the allocation under section 51a(1), there is allocated an amount not to exceed \$34,200,000.00 for 2021-2022 and an amount not to exceed \$34,200,000.00 for 2022-2023, to provide payments to intermediate districts levying millages for special education under part 30 of the revised school code, MCL 380.1711 to 380.1741. The purpose, use, and expenditure of the payments under this subsection are limited as if the funds were generated by these millages and governed by the intermediate district plan adopted under article 3 of the revised school code, MCL 380.1701 to 380.1761. The department shall provide a payment under this subsection to each intermediate district described in this subsection as follows:

(a) For 2021-2022, except as otherwise provided in this subsection, for an intermediate district with a 3-year average special education millage revenue per pupil in the immediately preceding fiscal year 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 3-year average special education millage revenue per pupil in the immediately preceding fiscal year 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 3-year average membership in the immediately preceding fiscal year, and then subtracting from that amount the amount allocated under subsection (2) for the current fiscal year. If the calculation under this subdivision results in an amount below zero, there is no payment under this subdivision.

(b) For 2021-2022, except as otherwise provided in this subsection, for an intermediate district with a 3-year average special education millage revenue per pupil in the immediately preceding fiscal year 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 3-year average special education millage revenue per pupil in the immediately preceding fiscal year, 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 3-year average membership in the immediately preceding fiscal year, and then subtracting from that amount the amount allocated under subsection (2) for the current fiscal year. If the calculation under this subdivision results in an amount below zero, there is no payment under this subdivision.

(c) For 2022-2023, except as otherwise provided in this subsection, for an intermediate district with a 3-year average special education millage revenue per pupil in the immediately preceding fiscal year 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 3-year average special education millage revenue per pupil in the immediately preceding fiscal year 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 3-year average membership in the immediately preceding fiscal year, and then subtracting from that amount the amount allocated under subsection (2) for the current fiscal year. If the calculation under this subdivision results in an amount below zero, there is no payment under this subdivision.

(d) For 2022-2023, except as otherwise provided in this subsection, for an intermediate district with a 3-year average special education millage revenue per pupil in the immediately preceding fiscal year that is less than \$296.00 and that is levying at least 60.0% of its maximum millage rate allowed under section 1724a of the revised school code, MCL 380.1724a, an amount computed by subtracting from \$296.00 the 3-year average special education millage revenue per pupil in the immediately preceding fiscal year, 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 3-year average membership in the immediately preceding fiscal year, and then subtracting from that amount the amount allocated under subsection (2) for the current fiscal year. 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) "3-year average membership" means the 3-year average pupil membership for each of the 3 most recent fiscal years.

(b) "3-year average special education millage revenue per pupil" means the 3-year average taxable value per mill levied behind each membership pupil for each of the 3 most recent fiscal years multiplied by the millage levied in the most recent fiscal year.

Sec. 99j. (1) Subject to subsection (2), from the general fund money appropriated in section 11, there is allocated an amount not to exceed \$200,000.00 for 2022-2023 only for a grant to Square One, the vendor that provides STEM learning opportunities for teachers and students, to host robotics programs and competitions for students in public schools and nonpublic schools who are enrolled in grades K to 12 to expand those students' opportunities to improve their mathematics, science, and technology skills.

(2) Square One must receive the funding allocated under subsection (1) even if it receives funding under section 99h.

Sec. 216. (1) Except as otherwise provided in section 248a(3)(f)(iv), funds appropriated in section 201(7) for the Michigan reconnect grant program short-term training grants must be used to expand the Michigan reconnect grant program short-term training grants to include eligible students who are at least 21 years old. The funds appropriated in section 201(7) must be expended to award grants, administer the program, and support the duties outlined in section 21 of the Michigan reconnect grant recipient act, 2020 PA 68, MCL 390.1721.

(2) Federal funds appropriated in section 201(7) must be allocated and expended in a manner consistent with federal rules and regulations.

(3) The department of labor and economic opportunity must report on the status of funds appropriated in section 201(7), and all funds appropriated related to the coronavirus relief effort, to the house and senate appropriations subcommittees on community colleges, the house and senate fiscal agencies, and the state budget director on a quarterly basis until all funds are exhausted.

(4) Any unexpended and unencumbered funds remaining on September 30, 2023 from the amounts appropriated in section 201(7) for the Michigan reconnect grant program short-term training grants for fiscal year 2022-2023 do not lapse on September 30, 2023 but continue to be available for the purposes described in subsection (1) in the 2023-2024 and 2024-2025 fiscal years under a work project account. The use of these unexpended fiscal year 2022-2023 funds under this subsection terminates at the end of the 2024-2025 fiscal year.



Sec. 236. (1) Subject to the conditions set forth in this article, the amounts listed in this section are appropriated for higher education for the fiscal year ending September 30, 2023, from the funds indicated in this section. The following is a summary of the appropriations in this section and section 236j:

(a) The gross appropriation is \$2,016,635,700.00. After deducting total interdepartmental grants and intradepartmental transfers in the amount of \$0.00, the adjusted gross appropriation is \$2,016,635,700.00.

(b) The sources of the adjusted gross appropriation described in subdivision (a) are as follows:

(i) Total federal revenues, \$128,526,400.00.

(ii) Total local revenues, \$0.00.

(iii) Total private revenues, \$0.00.

(iv) Total other state restricted revenues, \$347,888,300.00.

(v) State general fund/general purpose money, \$1,540,221,000.00.

(c) The totals and subtotals reflected in subdivisions (a) and (b) do not include amounts appropriated under subsection (7)(f) or (8)(c) to avoid duplicating totals of amounts appropriated in this section and section 236j.

(2) Amounts appropriated for public universities are as follows:

(a) The appropriation for Central Michigan University is \$91,145,100.00, \$87,600,000.00 for operations, \$0.00 for per-student floor funding, \$1,752,000.00 for operations increase, and \$1,793,100.00 for costs incurred under the North American Indian tuition waiver.

(b) The appropriation for Eastern Michigan University is \$79,152,400.00, \$77,253,700.00 for operations, \$0.00 for per-student floor funding, \$1,545,100.00 for operations increase, and \$353,600.00 for costs incurred under the North American Indian tuition waiver.

(c) The appropriation for Ferris State University is \$56,952,900.00, \$55,025,500.00 for operations, \$0.00 for per-student floor funding, \$1,100,500.00 for operations increase, and \$826,900.00 for costs incurred under the North American Indian tuition waiver.

(d) The appropriation for Grand Valley State University is \$81,253,800.00, \$72,313,500.00 for operations, \$7,661,000.00 for per-student floor funding, \$0.00 for operations increase, and \$1,279,300.00 for costs incurred under the North American Indian tuition waiver.

(e) The appropriation for Lake Superior State University is \$14,361,900.00, \$13,307,000.00 for operations, \$0.00 for per-student floor funding, \$266,100.00 for operations increase, and \$788,800.00 for costs incurred under the North American Indian tuition waiver.

(f) The appropriation for Michigan State University is \$372,054,800.00, \$287,331,700.00 for operations, \$0.00 for per-student floor funding, \$14,349,600.00 for operations increase, \$2,046,400.00 for costs incurred under the North American Indian tuition waiver, \$36,684,200.00 for MSU AgBioResearch, and \$31,642,900.00 for MSU Extension.

(g) The appropriation for Michigan Technological University is \$51,951,000.00, \$50,101,600.00 for operations, \$0.00 for per-student floor funding, \$1,002,000.00 for operations increase, and \$847,400.00 for costs incurred under the North American Indian tuition waiver.

(h) The appropriation for Northern Michigan University is \$50,751,100.00, \$47,809,100.00 for operations, \$0.00 for per-student floor funding, \$1,780,700.00 for operations increase, and \$1,161,300.00 for costs incurred under the North American Indian tuition waiver.

(i) The appropriation for Oakland University is \$60,761,900.00, \$53,147,400.00 for operations, \$7,259,200.00 for per-student floor funding, \$0.00 for operations increase, and \$355,300.00 for costs incurred under the North American Indian tuition waiver.

(j) The appropriation for Saginaw Valley State University is \$32,274,600.00, \$30,583,800.00 for operations, \$132,900.00 for per-student floor funding, \$1,369,600.00 for operations increase, and \$188,300.00 for costs incurred under the North American Indian tuition waiver.

(k) The appropriation for University of Michigan – Ann Arbor is \$339,198,000.00, \$321,970,100.00 for operations, \$0.00 for per-student floor funding, \$16,390,200.00 for operations increase, and \$837,700.00 for costs incurred under the North American Indian tuition waiver.

(l) The appropriation for University of Michigan – Dearborn is \$28,115,900.00, \$26,167,000.00 for operations, \$1,702,700.00 for per-student floor funding, \$0.00 for operations increase, and \$246,200.00 for costs incurred under the North American Indian tuition waiver.

(m) The appropriation for University of Michigan – Flint is \$25,159,200.00, \$23,616,200.00 for operations, \$953,900.00 for per-student floor funding, \$204,700.00 for operations increase, and \$384,400.00 for costs incurred under the North American Indian tuition waiver.

(n) The appropriation for Wayne State University is \$213,639,700.00, \$202,996,700.00 for operations, \$0.00 for per-student floor funding, \$10,289,900.00 for operations increase, and \$353,100.00 for costs incurred under the North American Indian tuition waiver.

(o) The appropriation for Western Michigan University is \$114,351,900.00, \$111,522,200.00 for operations, \$0.00 for per-student floor funding, \$2,230,400.00 for operations increase, and \$599,300.00 for costs incurred under the North American Indian tuition waiver.

(3) The amount appropriated in subsection (2) for public universities is \$1,611,124,200.00, appropriated from the following:

(a) State school aid fund, \$343,168,300.00.

(b) State general fund/general purpose money, \$1,267,955,900.00.

(4) The amount appropriated for Michigan public school employees' retirement system reimbursement is \$70,000.00, appropriated from the state school aid fund.

(5) The amount appropriated for state and regional programs is \$316,800.00, appropriated from general fund/general purpose money and allocated as follows:

(a) Higher education database modernization and conversion, \$200,000.00.

(b) Midwestern Higher Education Compact, \$116,800.00.

(6) The amount appropriated for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks program is \$2,691,500.00, appropriated from general fund/general purpose money and allocated as follows:

(a) Select student support services, \$1,956,100.00.

(b) Michigan college/university partnership program, \$586,800.00.

(c) Morris Hood, Jr. educator development program, \$148,600.00.

(7) Subject to subsection (8), the amount appropriated for grants and financial aid is \$397,783,200.00, allocated as follows:

(a) State competitive scholarships, \$29,861,700.00.

(b) Tuition grants, \$42,021,500.00.

(c) Tuition incentive program, \$71,300,000.00.

(d) Children of veterans and officer's survivor tuition grant programs, \$1,400,000.00.

(e) Project GEAR-UP, \$3,200,000.00.

(f) Michigan achievement scholarships, \$250,000,000.00. From this amount, up to \$10,000,000.00 may be used to award skills scholarships under section 248a.

(8) The money appropriated in subsection (7) for grants and financial aid is appropriated from the following:

(a) Federal revenues under the United States Department of Education, Office of Elementary and Secondary Education, GEAR-UP program, \$3,200,000.00.

(b) Federal revenues under the social security act, temporary assistance for needy families, \$125,326,400.00.

(c) Postsecondary scholarship fund, \$250,000,000.00.

(d) State general fund/general purpose money, \$19,256,800.00.

(9) For fiscal year 2022-2023 only, in addition to the allocation under subsection (4), from the appropriations described in subsection (1), there is allocated an amount not to exceed \$4,650,000.00 for payments to participating public universities, appropriated from the state school aid fund. A university that receives money under this subsection shall use that money solely for the purpose of offsetting the normal cost contribution rate. As used in this subsection, "participating public universities" means public universities that are a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that pay contributions to the Michigan public school employees' retirement system for the state fiscal year.

Sec. 236j. (1) The postsecondary scholarship fund is created in the department of treasury for the purpose of providing scholarship awards to eligible students who attend eligible postsecondary educational institutions in this state, as provided in subsection (5).

(2) The state treasurer may receive money or other assets from any source for deposit into the postsecondary scholarship fund. The state treasurer shall direct the investment of the postsecondary scholarship fund. The state treasurer shall credit to the postsecondary scholarship fund interest and earnings from postsecondary scholarship fund investments.

(3) Except as otherwise provided in subsection (5)(c), money in the postsecondary scholarship fund at the close of the fiscal year must remain in the postsecondary scholarship fund and not lapse to the general fund.

(4) The department of treasury shall be the administrator of the postsecondary scholarship fund for auditing purposes.

(5) The expenditure of money from the postsecondary scholarship fund is subject to all of the following:

(a) Money must be expended from the postsecondary scholarship fund only for the purpose of providing scholarship awards to eligible students who attend eligible postsecondary educational institutions in this state.

(b) Criteria for student and institutional eligibility under subdivision (a), along with all other program requirements, must be established pursuant to a postsecondary scholarship program enacted into the law of this state that is effective by not later than September 30, 2023.

(c) If a postsecondary scholarship program is not enacted into law with an effective date as described in subdivision (b), money in the postsecondary scholarship fund must remain in the postsecondary scholarship fund and not lapse to the general fund.

(6) For the fiscal year ending September 30, 2023, \$250,000,000.00 is deposited into the postsecondary scholarship fund from the state general fund/general purpose money.

(7) It is the intent of the legislature that the postsecondary scholarship fund serves as the primary funding source of the Michigan achievement scholarship. To ensure the Michigan achievement scholarship provides ongoing supports for students, it is the intent of the legislature to increase annual deposits into the postsecondary scholarship fund by \$50,000,000.00 per year until the fully implemented costs of the Michigan achievement scholarship are deposited annually into the postsecondary scholarship fund.

Sec. 248. (1) The funds appropriated in section 236 for Michigan achievement scholarships must be distributed as provided in this section and section 248a, pursuant to the administrative procedures for Michigan achievement scholarships of the department.

(2) As used in this section:

(a) "Department" means the department of treasury.

(b) "Eligible institution" means a public university that receives an appropriation in section 236, a community college that receives an appropriation in section 201, a federally recognized tribal college in this state, or an independent nonprofit college or university in this state as described in section 1 of 1966 PA 313, MCL 390.991.

(c) "Gift aid" includes federal Pell grants under 20 USC 1070a, tuition incentive program benefits under section 256, state tuition grants under section 252, awards received for minimum payments awarded in subsection (4), higher education expenses paid under the Michigan promise zone authority act, 2008 PA 549, MCL 390.1661 to 390.1679, and all other federal, state, local, or institutional aid in the form of grants, scholarships, or discounts applied toward tuition and mandatory fees. Gift aid does not include student loans, work-study awards, qualified withdrawals made from education savings accounts to pay higher education expenses pursuant to the Michigan education savings program act, 2000 PA 161, MCL 390.1471 to 390.1486, or higher education expenses paid under the Michigan education trust program pursuant to the Michigan education trust act, 1986 PA 316, MCL 390.1421 to 390.1442.

(d) "High school equivalency certificate" means that term as defined in section 4.

(3) An individual must meet all of the following criteria and financial thresholds each year to be eligible for a Michigan achievement scholarship awarded under this section:

(a) Be a resident of this state for at least the immediately preceding year.

(b) Have graduated from high school in this state with a diploma or certificate of completion or achieved a high school equivalency certificate in 2023 or after.

(c) Be a full-time undergraduate student at an eligible institution, as defined by that eligible institution, and be a first-time enrollee in an eligible institution during the 2023-2024 academic year, or a subsequent academic year, within 15 months after high school graduation or attainment of a high school equivalency certificate or have received a Michigan achievement scholarship in a previous academic year. For the purposes of this subdivision, participation in a dual enrollment, early college, or other similar program while attending high school does not disqualify a student from being considered a first-time enrollee.

(d) Maintain satisfactory academic progress, as defined by the eligible institution in which the student is enrolled.

(e) Not be incarcerated in a corrections institution.

(f) Not be in default on a federal student loan.

(g) Timely complete the Free Application for Federal Student Aid and have an expected family contribution of \$25,000.00 or less.

(h) Timely apply for all available gift aid for each academic year in which the individual applies for a Michigan achievement scholarship.

(4) Michigan achievement scholarships are subject to all of the following:

(a) Subject to section 248a(3)(f)(i), an eligible student may receive an award under this section or section 248a for a maximum of 5 academic years, not more than 3 of which may be for attending eligible institutions that are community colleges or federally recognized tribal colleges. A student may not receive an award under this subsection and section 248a(3)(f)(i) during the same academic year.

(b) The amount awarded to an eligible student at an eligible institution that is a community college or federally recognized tribal college must equal the sum of following:

(i) A minimum payment of \$1,750.00, which is comprised of a base payment of \$1,000.00 plus an additional payment of \$750.00.

(ii) The lesser of \$1,000.00 or the student's last-dollar payment amount.

(c) The amount awarded to an eligible student at an eligible institution that is a public university must equal the sum of following:

(i) A minimum payment of \$2,500.00, which is comprised of a base payment of \$1,000.00 plus an additional payment of \$1,500.00.

(ii) The lesser of \$3,000.00 or the student's last-dollar payment amount.

(d) The amount awarded to an eligible student at an eligible institution that is an independent nonprofit college or university must equal the sum of the following:

(i) A minimum payment of \$1,000.00.

(ii) The lesser of \$3,000.00 or the student's last-dollar payment amount.

(e) Money awarded under this subsection for a Michigan achievement scholarship must be paid to the eligible institution for credit to the student's account.

(f) As used in this subsection:

(i) "Last-dollar payment amount" means an amount equal to the tuition cost for an eligible student's courses at the resident rate, regardless of whether the student actually incurred that rate, plus the student's mandatory fees, minus all gift aid received by the student.

(ii) "Resident rate" means the lowest tuition rate charged to in-state students by the eligible institution, including, if any, an in-district tuition rate.

(5) The department shall work closely with participating institutions to provide the highest level of participation and ensure that all requirements of the program are met.

(6) The department shall ensure that Michigan achievement scholarships are well publicized and that high school students are provided information on the program. The department shall provide the necessary funding and staff to fully operate the program.

(7) The following reporting obligations apply to the Michigan achievement scholarship program:

(a) Beginning December 1, 2023, by December 1 of each year, the department shall provide a written report, organized by eligible institution, to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director that includes the following information for the previous academic year:

(i) The number of students who qualified for a Michigan achievement scholarship.

(ii) The number of students who received a Michigan achievement scholarship.

(iii) The average number of credits earned by students who received a Michigan achievement scholarship.

(iv) The number of Michigan achievement scholarships that were canceled due to failure to maintain satisfactory academic progress under subsection (3)(d).

(v) The number of Michigan achievement scholarships that were canceled due to a student ceasing attendance at an eligible institution. The number must not include any known transfers to another eligible institution.

(vi) The number of Michigan achievement scholarships that were canceled due to a student's failure to maintain full-time status.

(b) Each eligible institution whose students receive awards under this section shall cooperate with the department in a timely manner to facilitate the creation of the report under subdivision (a).

(8) Beginning April 1, 2024, by April 1 of each year, each eligible institution shall submit a report that provides the following information to the department, the state budget office, and the house and senate fiscal agencies:

(a) A description of each financial aid or scholarship program offered by the eligible institution to undergraduate students attending that institution, including the minimum and maximum dollar amounts available to a qualifying student for each program and the types of costs that awards from each program may cover. At a minimum, this report must include the amount of institutional aid, including student loans, work-

study awards, merit-based scholarships, and need-based grants, offered by the institution.

(b) A description of any changes made to institutional undergraduate financial aid programs between the current academic year and prior academic year.

(c) The total institutional grant aid per full-year equated undergraduate student for the current institution fiscal year and for the immediately preceding 3 institution fiscal years. If the institution does not maintain total institutional grant aid per full-year equated undergraduate student at the average amount provided over the immediately preceding 3 institution fiscal years, the institution must include in the report a description of changes to institutional finances or the student population that prevented the institution from maintaining support for institutional aid. An institution's report of total institutional grant aid per full-year equated undergraduate student pursuant to this subdivision must be consistent with data most recently reported to the Integrated Postsecondary Education Data System.

(d) The number of students who received an award and the total dollar amount of awards for each program described under subdivision (a).

(9) For each fiscal year, an eligible institution becomes ineligible for funding under this section if, in the immediately preceding fiscal year, the institution exceeds 1 of the following tuition restraint requirements, as applicable:

(a) For an eligible institution that is a community college, the tuition restraint described in section 230(5).

(b) For an eligible institution that is a public university or independent nonprofit college or university, the tuition restraint described in section 265.

(10) It is the intent of the legislature that an eligible institution will not make changes to scholarship or financial aid programs offered by that eligible institution that have the goal or net effect of shifting the cost burden of those programs to the program described in this section.

Sec. 248a. (1) The funds appropriated in section 236 for Michigan achievement scholarships must be distributed as provided in this section and section 248, pursuant to the administrative procedures for Michigan achievement scholarship private training program of the department.

(2) As used in this section:

(a) "Department" means the department of labor and economic opportunity.

(b) "Gift aid" means that term as defined in section 248.

(c) "High school equivalency certificate" means that term as defined in section 4.

(d) "Qualified occupational training program" and "qualified private training institution" mean those terms as defined in section 13 of the Michigan reconnect grant recipient act, 2020 PA 68, MCL 390.1713.

(3) The department shall do all of the following:

(a) Develop and implement a process by which those seeking to participate in the Michigan achievement scholarship private training program as a qualified private training institutions offering qualified occupational training programs must apply to the department.

(b) Approve as a qualified occupational training program a program for which an application is submitted under subdivision (a) that meets all of the criteria to qualify as a qualified occupational training program, and post these criteria to the department's website.

(c) Ensure that an applicant under subdivision (a) is first included on this state's eligible training provider list as a qualified private training institution before each of the applicant's programs receives separate approval from the department as being a qualified occupational training program.

(d) Require that qualified private training institutions accepted to participate in the Michigan achievement scholarship private training program comply with data requests from the department as a condition of continued participation. For purposes of this subdivision, the department shall require institutions operating apprenticeship programs subject to this section to provide data that tracks relevant work experience required to verify a student's status as an apprentice.

(e) Maintain on its website a list of all qualified occupational training program options available to potential skills scholarship recipients.

(f) Award skills scholarships, subject to all of the following:

(i) A skills scholarship is a grant not to exceed \$2,000.00 per year to contribute to tuition costs for a qualified occupational training program at a qualified private training institution, both of which are approved under this section, for a training program participant who meets the requirements of subparagraph (ii). A skills scholarship is available under this section only if the program participant has applied for all other gift aid, if any is available, and must not cause the total amount of all gift aid, including a skills scholarship awarded under this section, if any, to exceed the full amount of the tuition charged for the training program. A program participant may receive a skills scholarship under this section for a maximum of 2 academic years.

(ii) To receive the skills scholarship described in subparagraph (i), a qualified occupational training program participant must meet all of the following:

(A) Be a resident of this state for at least the immediately preceding year.

(B) Have graduated from a high school in this state with a diploma or certificate of completion or achieved a high school equivalency certificate in 2023 or after.

(C) Not have previously earned an associate or baccalaureate degree.

(D) Not have previously earned a degree, certificate, or other credential using a skills scholarship awarded under this section.

(E) Timely complete a Michigan achievement scholarship private training program skills scholarship application in a form and manner determined by the department.

(F) Timely apply for all other gift aid, if any is available, for the qualified occupational training program.

(iii) Subject to subparagraph (iv), the department may award skills scholarships under this section only until money appropriated to the Michigan achievement scholarship private training program has been fully committed.

(iv) Once money allocated to the Michigan achievement scholarship private training program in section 236 has been fully committed, the department may continue to award skills scholarships under this section using money appropriated for Michigan reconnect grant program short-term training grants under section 201(7).

(g) Inform each recipient of a skills scholarship that the recipient will remain eligible for the Michigan achievement scholarship under section 248 for a maximum of 5 years, less any years of eligibility used for a skills scholarship awarded under this section, to pursue an associate degree, baccalaureate degree, or occupational certificate upon completion of a certification course of study at a qualified private training institution.

(4) Except as otherwise provided in subsection (5), the department shall promulgate rules to implement subsection (3)(a), (b), and (d) only, pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, subject to all of the following:

(a) Under subsection (3)(a), the department is limited to developing the form for the application described in subsection (3)(a) and prescribing the time and manner of its completion.

(b) Under subsection (3)(b), the department is limited to applying the eligibility criteria described in subsection (3)(b) and shall not apply any other eligibility criteria.

(c) Under subsection (3)(d), the department is limited to requiring compliance with data requests as described in subsection (3)(d).

(5) To facilitate implementation of the Michigan achievement scholarship private training program prior to final rules being adopted, the department may develop and administer the program in accordance with its proposed rules or other policy or directive of the department established pursuant to this section.

(6) It is the intent of the legislature that a qualified private training institution will not make changes to scholarship or financial aid programs offered by that qualified private training institution that have the goal or net effect of shifting the cost burden of those programs to the program described in this section.

Sec. 251. (1) Payments of the amounts included in section 236 for the state competitive scholarship program must be distributed pursuant to 1964 PA 208, MCL 390.971 to 390.981.

(2) Pursuant to section 6 of 1964 PA 208, MCL 390.976, the department of treasury shall determine an actual state competitive scholarship award per student, which must be \$1,500.00, that ensures that the aggregate payments for the state competitive scholarship program do not exceed the appropriation contained in section 236 for the state competitive scholarship program. If the department determines that insufficient funds are available to establish an award amount equal to \$1,500.00, the department shall immediately report to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director regarding the estimated amount of additional funds necessary to establish a \$1,500.00 award amount. For the purpose of determining a student's financial need under section 6 of 1964 PA 208, MCL 390.976, the department of treasury shall presume that a student who receives a Michigan achievement scholarship under section 248(4)(b) or (c) has no need for a state competitive scholarship under this section.

(3) The department of treasury shall implement a proportional competitive scholarship award level for recipients enrolled less than full-time in a given semester or term.

(4) If a student who receives an award under this section has his or her tuition and fees paid under the Michigan educational trust program, pursuant to the Michigan education trust act, 1986 PA 316, MCL 390.1421 to 390.1442, and still has financial need, the funds awarded under this section may be used for educational expenses other than tuition and fees.

(5) If the department of treasury increases the award per eligible student from that provided in the previous fiscal year, it must not have the effect of reducing the number of eligible students receiving awards in relation to the total number of eligible applicants. Any increase in the award must be proportional for all eligible students

receiving awards.

(6) Veterans Administration benefits must not be considered in determining eligibility for the award of scholarships under 1964 PA 208, MCL 390.971 to 390.981.

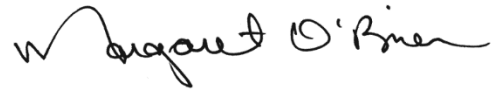
Enacting section 1. (1) In accordance with section 30 of article IX of the state constitution of 1963, total state spending on school aid under article I of the state school aid act of 1979, 1979 PA 94, MCL 388.1601 to 388.1772, as amended by 2021 PA 48, 2022 PA 93, 2022 PA 144, and this amendatory act, from state sources for fiscal year 2021-2022 is estimated at \$14,635,534,200.00 and state appropriations for school aid to be paid to local units of government for fiscal year 2021-2022 are estimated at \$13,448,739,600.00. 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 2022 PA 144 and this amendatory act, from state sources for fiscal year 2022-2023 is estimated at \$17,090,672,900.00 and state appropriations for school aid to be paid to local units of government for fiscal year 2022-2023 are estimated at \$15,764,187,600.00.

(2) In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources for higher education for fiscal year 2022-2023 under article III of the state school aid act of 1979, 1979 PA 94, MCL 388.1836 to 388.1891, as amended by 2022 PA 144 and this amendatory act, is estimated at \$1,888,109,300.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2022-2023 is estimated at \$0.00.

Enacting section 2. (1) Sections 51a and 56 of the state school aid act of 1979, 1979 PA 94, MCL 388.1651a and 388.1656, as amended, if granted immediate effect pursuant to section 27 of article IV of the state constitution of 1963, take effect on enactment of this amendatory act.

(2) Except as otherwise provided for the sections listed in subsection (1), the remaining sections of this amendatory act take effect October 1, 2022.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved \_\_\_\_\_

\_\_\_\_\_  
Governor