



## HOUSE OF REPRESENTATIVES

COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON SCHOOL AID AND DEPARTMENT  
OF EDUCATION  
REP. BRAD PAQUETTE  
CHAIR

### COMMITTEE MEETING MINUTES

Tuesday, April 26, 2022 12:00 PM Room 521, House Office Building

The House Appropriations Subcommittee on School Aid and Department of Education was called to order by Chair Paquette.

The Chair requested attendance be called:

Present: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green, Weiss, Hood, O'Neal, Thanedar.

Absent: None.

Excused: None.

Representative Beson moved to adopt the meeting minutes from March 17, 2022. There being no objection, the motion prevailed by unanimous consent.

Representative Beson moved to adopt the meeting minutes from April 21, 2022. There being no objection, the motion prevailed by unanimous consent.

Representative Beson moved to adopt substitute (H-1) to HB 5795. The motion prevailed 11-0-0:

#### FAVORABLE ROLL CALL

Yeas: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green, Weiss, Hood, O'Neal, Thanedar.

Nays: None.

Pass: None.

Jacqueline Mullen, Senior Fiscal Analyst at the House Fiscal Agency, presented a summary overview of the budget changes proposed by the subcommittee chair. Questions and discussion followed.

Representative Paquette offered the following amendment to HB 5795:

1. Amend page 265, following line 6, by inserting:

"Sec. 67. (1) From the general fund money appropriated in section 11, there is allocated an amount not to exceed ~~\$3,000,000.00~~ **\$100.00** for ~~2021-2022~~ **2022-2023** 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."

2. Amend page 366, line 10, after "61g," by striking out "67,".

Representative Paquette moved to adopt the amendment to HB 5795. The motion prevailed 11-0-0:

#### FAVORABLE ROLL CALL

Yeas: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green, Weiss, Hood, O'Neal, Thanedar.

Nays: None.

Pass: None.

Representative Paquette offered the following amendment to HB 5795:

1. Amend page 149, line 15, after "services." by striking out the balance of the line through "year." on line 20 and inserting "**An amount not to exceed 3% of the funds allocated under this subsection must be made available for technical support and coordination services from a nonprofit organization exclusively dedicated to serving adolescent health centers in this state and whose membership includes federally qualified health centers, local public health departments, hospital systems, and public school districts. Any funds allocated under this subsection that are not used for the purposes of this subsection for the fiscal year in which they are allocated are a work project and carried into the next fiscal year.**".

Representative Paquette moved to adopt the amendment to HB 5795. The motion prevailed 11-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green, Weiss, Hood, O'Neal, Thanedar.

Nays: None.

Pass: None.

Representative Hornberger offered the following amendment to HB 5795:

1. Amend page 176, line 11, by removing section 31aa from the bill and adjusting the totals in section 11 and enacting section 1 accordingly.

Representative Hornberger moved to adopt the amendment to HB 5795. The motion prevailed 7-0-4:

FAVORABLE ROLL CALL

Yeas: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Nays: None.

Pass: Reps. Weiss, Hood, O'Neal, Thanedar.

Representative Weiss offered the following amendment to HB 5795:

1. Amend page 279, following line 6, by inserting:

**"Sec. 94g. From the general fund money appropriated in section 11, there is allocated an amount not to exceed \$20,000,000.00 for 2022-2023 to the department to conduct an expedited study on capital needs in districts and intermediate districts. The study described in this section must include recommendations for minimum school safety standards and for security personnel."** and adjusting the totals in section 11 and enacting section 1 accordingly.

Representative Weiss moved to adopt the amendment to HB 5795. The motion did not prevail 4-7-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Weiss, Hood, O'Neal, Thanedar.

Nays: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Pass: None.

Representative Weiss offered the following amendment to HB 5795:

1. Amend page 279, following line 6, by inserting:

**"Sec. 94f. (1) The capital needs 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 fund. The state treasurer shall direct the investment of the fund and shall credit to the fund interest and earnings from the fund.**

**(3) Money available in the fund must not be expended without a specific appropriation.**

**(4) Money in the fund at the close of the fiscal year lapses to the state school aid fund.**

**The department of treasury is the administrator of the fund for auditing purposes.**

**(5) For the fiscal year ending September 30, 2023, \$1,000,000,000.00 from the state school aid fund must be deposited into the fund to be used for infrastructure and safety improvements based on the study conducted under section 94g.**

**(6) It is the intent of the legislature that \$600,000,000.00 from the state school aid fund will be deposited into the fund for the purposes described in subsection (5) in each fiscal year following the fiscal year ending September 30, 2023.**

**(7) As used in this section, "the fund" means the capital needs reserve fund created in subsection (1)." and adjusting the totals in section 11 and enacting section 1 accordingly.**

Representative Weiss moved to adopt the amendment to HB 5795. The motion did not prevail 4-7-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Weiss, Hood, O'Neal, Thanedar.

Nays: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Pass: None.

Representative Hood offered the following amendment to HB 5795:

1. Amend page 129, following line 13, by inserting:

**"Sec. 27c. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2021-2022 an amount not to exceed \$1,500,000,000.00 for payments to districts to recognize the work of educators and school support staff.**

**(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 make payments to districts for eligible educational personnel as described in this section. The estimated completion date of the work project is September 30, 2026.**

**(3) The payment amounts described in this section are the gross amounts paid to eligible staff members before any required payroll withholdings.**

**(4) Payments made by districts with funds from this section are considered bonus payments and must not be considered part of a district's payroll for the purposes of calculating required contributions to the public school employees' retirement system nor for the purposes of calculating an individual employee's benefits from the public school employees' retirement system.**

**(5) By October 31, 2022, the department shall make payments to districts in an amount equal to \$2,000.00 multiplied by each full-time equated teacher, administrator, paraprofessional, or other noninstructional staff member employed by the district at the beginning of the 2022-2023 school year. The district must pay all funds received under**

this subsection to each teacher, administrator, paraprofessional, and noninstructional staff member employed by the district in an amount equal to \$2,000.00 multiplied by the percentage of full-time status hours the employee is scheduled to work for the 2022-2023 school year.

(6) By October 31, 2023, the department shall make payments to districts in an amount equal to the amount calculated under this subsection. All of the following apply:

(a) For each teacher, administrator, paraprofessional, and noninstructional staff member employed by the district during the 2022-2023 school year who is still employed by the same district for the 2023-2024 school year; or for each teacher, administrator, paraprofessional, and noninstructional staff member employed by the district working in a building eligible for schoolwide title I programs for the 2023-2024 school year, an amount equal to \$2,000.00 multiplied by the percentage of full-time status hours the employee is scheduled to work for the 2023-2024 school year.

(b) For each teacher, administrator, paraprofessional, and noninstructional staff member employed by the district for the 2023-2024 school year who did not receive a payment with funds under subsection (5) because the individual was not employed by any district during the reporting period for funding paid during the 2022-2023 school year, an amount equal to \$2,000.00 multiplied by the percentage of full-time status hours the employee is scheduled to work for the 2023-2024 school year.

(c) The district must pay each teacher, administrator, paraprofessional, and non-instructional staff member counted in calculations under this subsection an amount equal to \$2,000.00 multiplied by the percentage of full-time status hours the employee is scheduled to work for the 2023-2024 school year.

(7) By October 31, 2024, the department shall make payments to districts in an amount equal to the amount calculated under this subsection. All of the following apply:

(a) For each teacher employed by the district and eligible for payments under subsection (6) who is still employed by the same district for the 2024-2025 school year; or for each teacher employed by the district working in a building eligible for schoolwide title I programs for the 2024-2025 school year, an amount equal to \$3,000.00 multiplied by the percentage of full-time status hours the employee is scheduled to work for the 2024-2025 school year.

(b) For each teacher employed by the district for the 2024-2025 school year who did not receive a payment with funds under subsection (6) because the individual was not employed by any district during the reporting period for funding paid during the 2023-2024 school year, an amount equal to \$3,000.00 multiplied by the percentage of full-time status hours the employee is scheduled to work for the 2024-2025 school year.

(c) The district must pay each teacher counted in calculations under this subsection an amount equal to \$3,000.00 multiplied by the percentage of full-time status hours the employee is scheduled to work for the 2024-2025 school year.

(8) By October 31, 2025, the department shall make payments to districts in an amount equal to the amount calculated under this subsection. All of the following apply:

(a) For each teacher employed by the district and eligible for payments under subsection (7) who is still employed by the same district for the 2025-2026 school year; or for each teacher employed by the district working in a building eligible for schoolwide title I programs for the 2025-2026 school year, an amount equal to \$4,000.00 multiplied by the percentage of full-time status hours the employee is scheduled to work for the 2025-2026 school year.

**(b) For each teacher employed by the district for the 2025-2026 school year who did not receive a payment with funds under subsection (7) because the individual was not employed by any district during the reporting period for funding paid during the 2024-2025 school year, an amount equal to \$4,000.00 multiplied by the percentage of full-time status hours the employee is scheduled to work for the 2025-2026 school year.**

**(c) The district must pay each teacher counted in calculations under this subsection an amount equal to \$4,000.00 multiplied by the percentage of full-time status hours the employee is scheduled to work for the 2023-2024 school year.**

**(d) If, after making payments under subsections (5), (6), and (7), there is not sufficient funding to make full payments under this subsection, the per-employee amount used for calculations and payments under this subsection must be prorated by the department.**

**(9) In addition to other requirements listed in this section, districts eligible for payments under this section must do all of the following:**

**(a) Provide planned annual staffing counts to the department in a form and manner prescribed by the department on a timeline determined by the department.**

**(b) Provide actual annual staffing counts to the department in a form and manner prescribed by the department on a timeline determined by the department.**

**(c) If the reported planned annual staffing count exceeds the actual annual staffing and a district is not able to use their full allocations for the purposes under subsection (5), (6), (7), or (8), remit any overpayment to the department.**

**(10) As used in this section:**

**(a) "Administrator", "paraprofessional", and "noninstructional staff member" mean those staffing groups used by the center for reporting summary information on the registry of educational personnel collections, using for those staffing groups the same assignment code rollups used by the center, excluding those personnel defined as teachers for the purposes of this section.**

**(b) "District" means a school district as that term is defined in section 6 of the revised school code, MCL 380.6, and an intermediate district.**

**(c) "Percentage of full-time status hours" means the number of hours an employee is scheduled to work in a district divided by the number of hours considered by the district to be full time. This percentage must not exceed 100%.**

**(d) "Teacher" means professional employees in districts that hold a bachelor's degree or higher and have specialized training. The department may add qualifying roles at the request of a district if the roles meet the requirement of requiring a bachelor's degree or higher, having specialized training, and not being in an administrative role. Teachers employed by a community-based provider of a great start readiness program are teachers and, for the purposes of this section only, are considered to be employed by and working in the intermediate district that allocated funds to the community-based provider for great start readiness programs. Except as otherwise provided in this subdivision, the roles of a teacher are identified in the registry of educational personnel as any of the following:**

**(i) General education codes "000AX - 000ZZ".**

**(ii) Special education "00192 - 00406".**

**(iii) Career and technical education "00500 – 00599".**

**(iv) Early childhood "60100 – 60401; 60600, 60700".**

**(11) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department." and adjusting the totals in section 11 and enacting section 1 accordingly.**

2. Amend page 366, line 23, after "23b," by striking out "and".
3. Amend page 366, line 23, after "23c" by inserting a comma and "and 27c".

Representative Hood moved to adopt the amendment to HB 5795. The motion did not prevail 4-7-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Weiss, Hood, O'Neal, Thanedar.

Nays: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Pass: None.

Representative Thanedar offered the following amendment to HB 5795:

1. Amend page 41, following line 24, by inserting:

**"Sec. 11v. From the general fund money appropriated in section 11, there is allocated \$94,400,000.00 for 2021-2022 for a community district. Funds allocated under this section are direct grant funds to a community district and are not subject to approval by the state board of education or the superintendent of public instruction. The department shall pay funds allocated under this section for literacy-related programs and initiatives to a community district not later than September 30, 2022."** and adjusting the totals in section 11 and enacting section 1 accordingly.

2. Amend page 366, line 23, after "8c," by inserting "11v,".

Representative Thanedar moved to adopt the amendment to HB 5795. The motion did not prevail 4-7-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Weiss, Hood, O'Neal, Thanedar.

Nays: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Pass: None.

Representative O'Neal offered the following amendment to HB 5795:

1. Amend page 248, line 16, after "exceed" by striking out "\$37,611,300.00" and inserting "**\$47,611,300.00**" and adjusting the totals in section 11 and enacting section 1 accordingly.

Representative O'Neal moved to adopt the amendment to HB 5795. The motion did not prevail 4-7-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Weiss, Hood, O'Neal, Thanedar.

Nays: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Pass: None.

Representative Weiss offered the following amendment to HB 5795:

1. Amend page 365, line 13, by removing section 166c from the bill.

Representative Weiss moved to adopt the amendment to HB 5795. The motion did not prevail 4-7-0:

## UNFAVORABLE ROLL CALL

Yeas: Reps. Weiss, Hood, O'Neal, Thanedar.

Nays: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Pass: None.

Representative Thanedar offered the following amendment to HB 5795:

1. Amend page 365, following line 12, by inserting:

"Sec. 166a. (1) In order to avoid forfeiture of state aid under subsection (2), the board of a district or intermediate district providing reproductive health or other sex education instruction under section 1169, 1506, or 1507 of the revised school code, MCL 380.1169, 380.1506, and 380.1507, or under any other provision of law, shall ensure that all of the following are met:

(a) That the district or intermediate district does not provide any of the instruction to a pupil who is less than 18 years of age unless the district or intermediate district notifies the pupil's parent or legal guardian in advance of the instruction and the content of the instruction, gives the pupil's parent or legal guardian a prior opportunity to review the materials to be used in the instruction, allows the pupil's parent or legal guardian to observe the instruction, and notifies the pupil's parent or legal guardian in advance of his or her rights to observe the instruction and to have the pupil excused from the instruction.

(b) That, upon the written request of a pupil's parent or legal guardian or of a pupil if the pupil is at least age 18, the pupil is excused, without penalty or loss of academic credit, from attending class sessions in which the instruction is provided.

(c) That the sex education instruction includes age-appropriate information clearly informing pupils at 1 or more age-appropriate grade levels that having sex or sexual contact with an individual under the age of 16 is a crime punishable by imprisonment, and that 1 of the other possible results of being convicted of this crime is to be listed on the sex offender registry on the internet for up to 25 years.

(d) That the district or intermediate district has adopted and implemented a disciplinary policy as required under section 166.

(2) If a parent or legal guardian of a pupil enrolled in a district or intermediate district believes that the district or intermediate district has violated this section, section 166, or section 1169, 1506, or 1507 of the revised school code, MCL 380.1169, 380.1506, and 380.1507, he or she may file a complaint with the superintendent or chief administrator of the district or intermediate district in which the pupil is enrolled. Upon receipt of the complaint, the superintendent or chief administrator of the district or intermediate district shall investigate the complaint and, within 30 days after the date of the complaint, provide a written report of his or her findings to the parent or legal guardian who filed the complaint and to the superintendent of public instruction. If the investigation reveals that 1 or more violations have occurred, the written report must contain a description of each violation and of corrective action the district or intermediate district will take to correct the situation to ensure that there is no further violation. The district or intermediate district shall take the corrective action described in the written report within 30 days after the date of the written report.

(3) If a parent who has filed a complaint with a district under subsection (2) believes that the district is still not in compliance with law based on the findings made by the superintendent or chief administrator of the district, the parent may appeal the findings to the intermediate district in which the district is located. If there is an appeal to an intermediate district under this subsection, the intermediate superintendent of the intermediate district shall investigate



the complaint and, within 30 days after the date of the appeal, provide a written report of his or her findings to the parent or legal guardian who filed the appeal and to the superintendent of public instruction. If the investigation by the intermediate superintendent reveals that 1 or more violations have occurred, the intermediate superintendent in consultation with the local district shall develop a plan for corrective action for the district to take to correct the situation to ensure that there is no further violation, and shall include this plan for corrective action with the written report provided to the parent or legal guardian and the superintendent of public instruction. The district shall take the corrective action described in the plan within 30 days after the date of the written report.

(4) If a parent who has filed a complaint with an intermediate district under subsection (2) or a parent who has filed an appeal with an intermediate district under subsection (3) believes that the district or intermediate district is still not in compliance with law based on the findings made by the intermediate superintendent of the intermediate district, the parent may appeal the findings to the department. If there is an appeal to the department under this subsection, the department shall investigate the complaint and, within 90 days after the date of the appeal, provide a written report of its findings to the parent or legal guardian who filed the appeal, to the superintendent of public instruction, and to the district and intermediate district. If the department finds 1 or more violations as a result of its investigation, then all of the following apply:

(a) The department shall develop a plan for corrective action for the district or intermediate district to take to correct the situation to ensure that there is no further violation, and shall include this plan for corrective action with the written report provided to the parent or legal guardian, the superintendent of public instruction, and the district or intermediate district. The district or intermediate district shall take the corrective action described in the plan within 30 days after the date of the written report.

(b) In addition to withholding the percentage of state school aid forfeited by the district or intermediate district under subsection (5), the department may assess a fee to the district or intermediate district that committed the violation in an amount not to exceed the actual cost to the department of conducting the investigation and making the reports required under this subsection.

(5) If an investigation conducted by the department under subsection (4) reveals that a district or intermediate district has committed 1 or more violations of this section, section 166, or section 1169, 1506, or 1507 of the revised school code, MCL 380.1169, 380.1506, and 380.1507, the district or intermediate district forfeits an amount equal to 1% of its total state school aid allocation under this act.

(6) The department, with the approval of the superintendent of public instruction, shall establish a reasonable process for a complainant to appeal to the department under subsection (4). The department shall ensure that the process does not place an undue burden on the complainant, the district or intermediate district, or the department."

2. Amend page 366, line 6, after "67b" by inserting a comma and striking out "and".

3. Amend page 366, line 6, after "99z" by inserting a comma and "and 166".

4. Amend page 366, line 7, after "388.1667b" by inserting a comma and striking out "and".

5. Amend page 366, line 7, after "388.1699z," by inserting "and 388.1766,".

Representative Thanedar moved to adopt the amendment to HB 5795. The motion did not

prevail 4-7-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Weiss, Hood, O'Neal, Thanedar.

Nays: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Pass: None.

Representative Thanedar offered the following amendment to HB 5795:

1. Amend page 365, following line 12, by inserting:

"Sec. 166. The governing board of a district or intermediate district shall adopt and implement a disciplinary policy for a school official, member of a governing board, or employee of the district or intermediate district who refers a pupil for an abortion or assists a pupil in obtaining an abortion and who is not the parent or legal guardian of that pupil. **a policy that discourages nonmedical school officials or staff from making recommendations for or against pupils seeking any medical procedure.**".

2. Amend page 365, following line 12, by inserting:

"Sec. 166a. (1) In order to avoid forfeiture of state aid under subsection (2), the board of a district or intermediate district providing reproductive health or other sex education instruction under section 1169, 1506, or 1507 of the revised school code, MCL 380.1169, 380.1506, and 380.1507, or under any other provision of law, shall ensure that all of the following are met:

(a) That the district or intermediate district does not provide any of the instruction to a pupil who is less than 18 years of age unless the district or intermediate district notifies the pupil's parent or legal guardian in advance of the instruction and the content of the instruction, gives the pupil's parent or legal guardian a prior opportunity to review the materials to be used in the instruction, allows the pupil's parent or legal guardian to observe the instruction, and notifies the pupil's parent or legal guardian in advance of his or her rights to observe the instruction and to have the pupil excused from the instruction.

(b) That, upon the written request of a pupil's parent or legal guardian or of a pupil if the pupil is at least age 18, the pupil is excused, without penalty or loss of academic credit, from attending class sessions in which the instruction is provided.

(c) That the sex education instruction includes age-appropriate information clearly informing pupils at 1 or more age-appropriate grade levels that having sex or sexual contact with an individual under the age of 16 is a crime punishable by imprisonment, and that 1 of the other possible results of being convicted of this crime is to be listed on the sex offender registry on the internet for up to 25 years.

(d) That the district or intermediate district has adopted and implemented a disciplinary policy as required under section 166.

(2) If a parent or legal guardian of a pupil enrolled in a district or intermediate district believes that the district or intermediate district has violated this section, section 166, or section 1169, 1506, or 1507 of the revised school code, MCL 380.1169, 380.1506, and 380.1507, he or she may file a complaint with the superintendent or chief administrator of the district or intermediate district in which the pupil is enrolled. Upon receipt of the complaint, the superintendent or chief administrator of the district or intermediate district shall investigate the complaint and, within 30 days after the date of the complaint, provide a written report of his or her findings to the parent or legal guardian who filed the complaint and to the superintendent of public instruction. If the investigation reveals that 1 or more violations have occurred, the written report must contain a description of each violation and

of corrective action the district or intermediate district will take to correct the situation to ensure that there is no further violation. The district or intermediate district shall take the corrective action described in the written report within 30 days after the date of the written report.

(3) If a parent who has filed a complaint with a district under subsection (2) believes that the district is still not in compliance with law based on the findings made by the superintendent or chief administrator of the district, the parent may appeal the findings to the intermediate district in which the district is located. If there is an appeal to an intermediate district under this subsection, the intermediate superintendent of the intermediate district shall investigate the complaint and, within 30 days after the date of the appeal, provide a written report of his or her findings to the parent or legal guardian who filed the appeal and to the superintendent of public instruction. If the investigation by the intermediate superintendent reveals that 1 or more violations have occurred, the intermediate superintendent in consultation with the local district shall develop a plan for corrective action for the district to take to correct the situation to ensure that there is no further violation, and shall include this plan for corrective action with the written report provided to the parent or legal guardian and the superintendent of public instruction. The district shall take the corrective action described in the plan within 30 days after the date of the written report.

(4) If a parent who has filed a complaint with an intermediate district under subsection (2) or a parent who has filed an appeal with an intermediate district under subsection (3) believes that the district or intermediate district is still not in compliance with law based on the findings made by the intermediate superintendent of the intermediate district, the parent may appeal the findings to the department. If there is an appeal to the department under this subsection, the department shall investigate the complaint and, within 90 days after the date of the appeal, provide a written report of its findings to the parent or legal guardian who filed the appeal, to the superintendent of public instruction, and to the district and intermediate district. If the department finds 1 or more violations as a result of its investigation, then all of the following apply:

(a) The department shall develop a plan for corrective action for the district or intermediate district to take to correct the situation to ensure that there is no further violation, and shall include this plan for corrective action with the written report provided to the parent or legal guardian, the superintendent of public instruction, and the district or intermediate district. The district or intermediate district shall take the corrective action described in the plan within 30 days after the date of the written report.

(b) In addition to withholding the percentage of state school aid forfeited by the district or intermediate district under subsection (5), the department may assess a fee to the district or intermediate district that committed the violation in an amount not to exceed the actual cost to the department of conducting the investigation and making the reports required under this subsection.

(5) If an investigation conducted by the department under subsection (4) reveals that a district or intermediate district has committed 1 or more violations of this section, section 166, or section 1169, 1506, or 1507 of the revised school code, MCL 380.1169, 380.1506, and 380.1507, the district or intermediate district forfeits an amount equal to 1% of its total state school aid allocation under this act.

(6) The department, with the approval of the superintendent of public instruction, shall establish a reasonable process for a complainant to appeal to the department under subsection (4). The department shall ensure that the process does not place an undue burden on the complainant, the district or intermediate district, or the department."

Representative Thanedar moved to adopt the amendment to HB 5795. The motion did not prevail 4-7-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Weiss, Hood, O'Neal, Thanedar.

Nays: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Pass: None.

Representative O'Neal offered the following amendment to HB 5795:

1. Amend page 322, line 14, after "(11)" by inserting a comma and striking out "and".
2. Amend page 322, line 14, after "(12)" by inserting a comma and "**and (14),**".
3. Amend page 325, line 18, after "subsection" by inserting "**and subject to subsection (14)**".
4. Amend page 328, line 20, after "(11)" by inserting a comma and striking out "and".
5. Amend page 328, line 20, after "(12)," by inserting "**and (14),**".
6. Amend page 332, following line 2, by inserting:

**"(14) For 2021-2022 only, both of the following apply to a district described in section 11w(1):**

**(a) Upon request by the district to the superintendent of public instruction, in a form and manner prescribed by the department, subsection (3)(d) does not apply to the district.**

**(b) In addition to other days provided under subsection (4), if pupil instruction is not provided on 1 or more days due to the district's response to an act of violence, upon request by the district to the superintendent of public instruction, in a form and manner prescribed by the department, that 1 or more of those days and the equivalent number of hours count as days and hours of pupil instruction, the department shall count those requested days and the equivalent number of hours as days and hours of pupil instruction for the purposes of the days and hours required under this section."**

Representative O'Neal moved to adopt the amendment to HB 5795. The motion did not prevail 4-7-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Weiss, Hood, O'Neal, Thanedar.

Nays: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Pass: None.

Representative Weiss offered the following amendment to HB 5795:

1. Amend page 56, line 20, by striking out "\$9,000.00" and inserting "\$9,135.00" and adjusting the totals in section 11 and enacting section 1 accordingly.
2. Amend page 58, line 6, after "(1)." by inserting "**Beginning in 2022-2023, the foundation allowance for a public school academy that was issued a contract under section 552 of the revised school code, MCL 380.552, to operate as a school of excellence that is a cyber school is \$8,700.00.**" and adjusting the totals in section 11 and enacting section 1 accordingly.

3. Amend page 92, line 12, by striking out "\$5,500,000,000.00" and inserting "\$5,672,000,000.00" and adjusting the totals in section 11 and enacting section 1 accordingly.

Representative Weiss moved to adopt the amendment to HB 5795. The motion did not prevail 4-7-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Weiss, Hood, O'Neal, Thanedar.

Nays: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Pass: None.

Representative Hood offered the following amendment to HB 5795:

1. Amend page 243, following line 29, by inserting:

"Sec. 55. (1) From the general fund money appropriated in section 11, there is allocated an amount not to exceed \$250,000.00 for ~~2021-2022-2022-2023~~ 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, ~~2021-2022~~," and adjusting the totals in section 11 and enacting section 1 accordingly.

2. Amend page 366, line 10, after "41a," by striking out "55,".

Representative Hood moved to adopt the amendment to HB 5795. The motion did not prevail 4-7-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Weiss, Hood, O'Neal, Thanedar.

Nays: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Pass: None.

Representative Hood offered the following amendment to HB 5795:

1. Amend page 171, following line 9, by inserting:

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

**(11) In addition to state school aid fund money allocated under subsection (1), from the state school aid fund money appropriated in section 11, there is allocated for 2022-2023 an amount not to exceed \$25,000,000.00 to districts and intermediate districts to improve student mental health services through the adoption and implementation of health insurance portability and accountability act compliant tools for the purposes of conducting mental health screenings, managing referral and consent, care management and coordination, virtual visits, and reporting on outcomes. The department, in collaboration with intermediate districts, shall develop guidance on tools eligible for funding under this subsection. Funds shall be distributed to districts and intermediate districts for the purchase or licensing of, and for the implementation of, eligible tools, including a platform to access multiple assessments; for professional development on the use of eligible tools and how to respond to results; and for development of local and regional systems to coordinate student services. Notwithstanding section 17b, the department shall make payments under this subsection on a schedule determined by the department. Funds allocated under this subsection for 2022-2023 are a work project appropriation, and any unexpended funds for 2022-2023 are carried forward into 2023-2024. The purpose of the work project is to provide and deploy mental health screening tools and referral processes in districts and intermediate districts statewide. The estimated completion date of the work project is September 30, 2027." and renumbering the remaining subsections and adjusting the totals in section 11 and enacting section 1 accordingly.**

2. Amend page 290, following line 13, by inserting:

**"Sec. 97d. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2022-2023 only an amount not to exceed \$15,000,000.00 to pilot a cross-system intervention approach to identifying and supporting middle and high school students that are determined to be at risk for violence through a psychiatric or psychological assessment.**

**(2) Funding allocated in this section must be awarded to a public research institution and must be used for the pilot program described in this section.**

**(3) The pilot program under this section must be a collaboration between a public research institution and a national law enforcement foundation and must include all the following:**

**(a) The use of case management, intensive mentoring, and technical assistance to reduce the threat of violence in school communities in the state and to provide early interventions for participating youth.**

**(b) Implementation in at least 5 communities from regions across the state.**

**(c) A third-party evaluation to assess outcomes and inform potential statewide implementation.**

**(d) The provision of research-informed training and technical assistance to law enforcement, schools, and community organizations to avert school violence and support young people in the state.**

**(4) The funds allocated under this section for 2022-2023 are a work project appropriation, and any unexpended funds for 2022-2023 are carried forward into 2023-2024. The purpose of the work project is to increase school safety by identifying and supporting middle and high school students that are determined to be at risk for violence. The estimated completion date of the work project is September 30, 2027.**

**(5) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department."** and adjusting the totals in section 11 and enacting section 1 accordingly.

Representative Hood moved to adopt the amendment to HB 5795. The motion did not prevail 4-7-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Weiss, Hood, O'Neal, Thanedar.

Nays: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Pass: None.

Representative Beson moved to refer House Bill No. 5795 to the Committee on Appropriations. The motion prevailed 7-3-1:

FAVORABLE ROLL CALL

Yeas: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Nays: Reps. Weiss, Hood, Thanedar.

Pass: Rep. O'Neal.

Representative Beson moved to adopt substitute (H-1) to HB 5781. The motion prevailed 11-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green, Weiss, Hood, O'Neal, Thanedar.

Nays: None.

Pass: None.

Emily Hatch, Fiscal Analyst at House Fiscal Agency, presented a summary overview of the budget changes proposed by the subcommittee chair. Questions and discussion followed.

Representative Hood offered the following amendment to HB 5781:

1. Amend page 9, following line 19, by inserting:

School board member training 260,000

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 10, following line 8, by inserting:

School board member training 260,000

3. Amend page 34, following line 24, by inserting:

"Sec. 1100. (1) From the funds appropriated in part 1 for school board member training, the department shall approve 1 or more training programs for school board members that includes courses of instruction for school board members in 1 or more of the following topic areas:

(a) Conflicts of interest, including, but not limited to, the application of section 1203 of the revised school code, 1976 PA 451, MCL 380.1203.

(b) Labor relations, including, but not limited to, in a school board's role in collective bargaining agreements, in 1947 PA 336, MCL 423.201 to 423.217, and in other laws related to employment.

(c) Education law, including, but not limited to, the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, the state school aid act of 1979, 1979 PA 94, MCL 388.1601 to 388.1896, the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, and 1937 (Ex Sess) PA 4, MCL 38.71 to 38.191, dealing with teacher tenure.

(d) School finance, including, but not limited to, the creation and management of school district budgets.

(e) Board governance, including, but not limited to, roles and responsibilities, parliamentary procedure, and best practices.

(2) Upon completion of an eligible training program, a school board member may apply for reimbursement for the cost of the eligible training program through the board member's local district, up to \$100.00 per course. The department may determine the form and manner of the application to reimburse the district for the cost.

(3) The department must create a process for the provider of a course in a topic listed in subsection (1) to apply to the department to have the course approved and be eligible for a school board member to be reimbursed for completing that course as provided under subsection (2).

(4) As used in this section:

(a) "Eligible training program" means a training program that is approved under subsection (1).

(b) "School board member" means a member of the board of a school district or intermediate school district or a member of the board of directors of a public school academy in this state."

Representative Hood moved to adopt the amendment to HB 5781. The motion did not prevail 4-7-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Weiss, Hood, O'Neal, Thanedar.

Nays: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Pass: None.

Representative Beson moved to refer House Bill No. 5781 to the Committee on Appropriations. The motion prevailed 7-0-4:

#### FAVORABLE ROLL CALL

Yeas: Reps. Paquette, Glenn, Brann, Hornberger, VanSingel, Beson, Green.

Nays: None.

Pass: Reps. Weiss, Hood, O'Neal, Thanedar.

There being no further business before the subcommittee, Chair Paquette adjourned the meeting at 12:52 PM.

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Representative Brad Paquette, Chair

Emily Hatch



Committee Clerk  
ehatch@house.mi.gov

PROPOSED