

**SUBSTITUTE FOR  
SENATE BILL NO. 216**

A bill to amend 1979 PA 94, entitled  
"The state school aid act of 1979,"  
by amending sections 11, 11n, 11r, and 23b (MCL 388.1611,  
388.1611n, 388.1611r, and 388.1623b), section 11 as amended and  
sections 11n, 11r, and 23b as added by 2021 PA 3, and by adding  
sections 11o and 23d.

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

**1**       Sec. 11. (1) For the fiscal year ending September 30, 2021,  
**2** there is appropriated for the public schools of this state and  
**3** certain other state purposes relating to education the sum of  
**4** \$13,759,819,500.00 from the state school aid fund, the sum of  
**5** \$50,964,600.00 from the general fund, an amount not to exceed  
**6** \$77,700,000.00 from the community district education trust fund

created under section 12 of the Michigan trust fund act, 2000 PA 489, MCL 12.262, and an amount not to exceed \$100.00 from the water emergency reserve fund. In addition, all available federal funds are **only** appropriated **as allocated in this article** for the fiscal year ending September 30, 2021.

(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. 11n. From the federal ~~fund money~~ **funds** appropriated under section 11, there is allocated for 2020-2021 an amount not to exceed \$125,658,900.00 from the federal funding awarded to this state from the governor's emergency education relief (GEER) fund under the coronavirus response and relief supplemental appropriations act, 2021, division M of Public Law 116-260, and there is allocated for 2020-2021 an amount not to exceed ~~\$1,650,759,800.00~~ **\$1,656,308,300.00** from the federal funding awarded to this state from the elementary and secondary school emergency relief (ESSER) fund under the coronavirus response and relief supplemental appropriations act, 2021, division M of Public Law 116-260.

**Sec. 11o. From the federal funds allocated under section 11n, there is allocated for 2020-2021 an amount not to exceed \$86,777,000.00 from the federal funding awarded to this state from the governor's emergency education relief (GEER) fund under the**

1 **coronavirus response and relief supplemental appropriations act,**  
 2 **2021, division M of Public Law 116-260, for emergency assistance to**  
 3 **nonpublic schools as provided under section 312(d) of the**  
 4 **coronavirus response and relief supplemental appropriations act,**  
 5 **2021, division M of Public Law 116-260.**

6       Sec. 11r. (1) From the federal ~~fund money~~ **funds** allocated  
 7 under section 11n, there is allocated for 2020-2021 an amount not  
 8 to exceed ~~\$1,493,410,500.00~~ **\$1,498,959,000.00** from the federal  
 9 funding awarded to this state from the elementary and secondary  
 10 school emergency relief (ESSER) fund under the coronavirus response  
 11 and relief supplemental appropriations act, 2021, division M of  
 12 Public Law 116-260, and from the state school aid fund money  
 13 appropriated under section 11, there is allocated \$136,000,000.00,  
 14 for the purposes of this section.

15       (2) From the federal funds allocated under subsection (1),  
 16 \$650,000,000.00 **from the federal funding awarded to this state from**  
 17 **the elementary and secondary school emergency relief (ESSER) fund**  
 18 **under the coronavirus response and relief supplemental**  
 19 **appropriations act, 2021, division M of Public Law 116-260, is**  
 20 allocated for payments to districts as provided under this  
 21 subsection. From the funds allocated in this subsection, the  
 22 department shall pay each district in proportion to the amount of  
 23 funds the district received under part A of title I of the  
 24 elementary and secondary education act of 1965, Public Law 103-382,  
 25 in the most recent fiscal year. The funding under this subsection  
 26 is a portion of the funding that is designated as subgrants to  
 27 local educational agencies as provided under section 313(c) of the  
 28 coronavirus response and relief supplemental appropriations act,  
 29 2021, division M of Public Law 116-260.

1           (3) Except as otherwise provided in this subsection, from the  
2 federal funds allocated under subsection (1), \$840,677,500.00 **from**  
3 **the federal funding awarded to this state from the elementary and**  
4 **secondary school emergency relief (ESSER) fund under the**  
5 **coronavirus response and relief supplemental appropriations act,**  
6 **2021, division M of Public Law 116-260,** is allocated for payments  
7 to districts as provided under this subsection. From the funds  
8 allocated in this subsection, the department shall pay each  
9 district in proportion to the amount of funds the district received  
10 under part A of title I of the elementary and secondary education  
11 act of 1965, Public Law 103-382, in the most recent fiscal year.  
12 The funding under this subsection is a portion of the funding that  
13 is designated as subgrants to local educational agencies as  
14 provided under section 313(c) of the coronavirus response and  
15 relief supplemental appropriations act, 2021, division M of Public  
16 Law 116-260. The funds allocated in this subsection must not be  
17 paid or otherwise distributed to districts as provided for under  
18 this subsection unless House Bill No. 4049 of the 101st Legislature  
19 is enacted into law and takes effect within 14 days after House  
20 Bill No. 4049 is presented to the governor.

21           (4) Except as otherwise provided in this subsection, from the  
22 federal funds allocated under subsection (1), \$840,677,500.00 **from**  
23 **the federal funding awarded to this state from the elementary and**  
24 **secondary school emergency relief (ESSER) fund under the**  
25 **coronavirus response and relief supplemental appropriations act,**  
26 **2021, division M of Public Law 116-260,** is allocated for payments  
27 to districts as provided under this subsection. From the funds  
28 allocated in this subsection, the department shall pay each  
29 district in proportion to the amount of funds the district received

1 under part A of title I of the elementary and secondary education  
 2 act of 1965, Public Law 103-382, in the most recent fiscal year.  
 3 The funding under this subsection is a portion of the funding that  
 4 is designated as subgrants to local educational agencies as  
 5 provided under section 313(c) of the coronavirus response and  
 6 relief supplemental appropriations act, 2021, division M of Public  
 7 Law 116-260.

8 (5) ~~(4)~~—From the state school aid fund money allocated under  
 9 subsection (1), there is allocated \$136,000,000.00 to eligible  
 10 districts as provided in this subsection. The department shall pay  
 11 each eligible district under this subsection an amount equal to the  
 12 product of the district's 2020-2021 pupils in membership multiplied  
 13 by the difference between \$450.00 and the district's ESSER **II**  
 14 formula payment per pupil. A district to which all of the following  
 15 apply is an eligible district under this subsection:

16 (a) The district's ESSER **II** formula payment per pupil is less  
 17 than \$450.00.

18 (b) ~~By~~ **Except as otherwise provided in this subdivision, by**  
 19 not later than March 22, 2021, excluding days that are part of a  
 20 previously scheduled period of time for which the district is not  
 21 in session, the district offers in-person instruction at least 20  
 22 hours each school week if the district's school week includes 5  
 23 school days or, if the district's school week does not include 5  
 24 school days, offers in-person instruction in an amount of hours  
 25 necessary each school week to provide the instruction it would have  
 26 provided in 20 hours for a 5-school-day school week to all pupils  
 27 enrolled in the district, regardless of whether or not all pupils  
 28 enrolled in the district participate in the in-person instruction  
 29 offered. **The previous sentence does not apply to any district whose**

**board of education adopted or adopts a public health order closing schools for public health reasons to protect public health or to any district that closed or closes schools due to a local public health order.** This subdivision does not apply to a district that operates as a cyber school as that term is defined in section 551 of the revised school code, MCL 380.551. As used in this subdivision, "in-person instruction" means instruction that a pupil receives while he or she is physically present at a school building designated by the district in which he or she is enrolled.

(c) The district has an extended COVID-19 learning plan that has been approved under section 98a. This subdivision does not apply to a district that operates as a cyber school as that term is defined in section 551 of the revised school code, MCL 380.551.

(d) The district pledges that it will, beginning with the first meeting after ~~the effective date of the amendatory act that added this subdivision,~~ **March 9, 2021**, at each meeting of the board ~~or board of directors, as applicable,~~ of the district during which the district reconfirms how instruction is going to be delivered under section 98a, confirm that it is offering instruction to pupils as described in subdivision (b). This subdivision does not apply to a district that operates as a cyber school as that term is defined in section 551 of the revised school code, MCL 380.551.

**(6)** ~~(5)~~ Funds received by districts under ~~this section~~ **subsections (2) and (4)** must be used for the purposes described in section 313(d) of the coronavirus response and relief supplemental appropriations act, 2021, division M of Public Law 116-260.

**(7)** ~~(6)~~ In order to receive funding under ~~this section,~~ **subsections (2), (4), and (5)**, a district must submit a spending plan to the department by not later than ~~45 days after the~~

~~effective date of the amendatory act that added this section. April~~  
**23, 2021.** A spending plan described in this subsection must include  
 the district's estimated spending of funds received under this  
 section for the purposes described in subsection ~~(5),~~ **(6),**  
 disaggregated by the type of service provided. The department shall  
 send a report concerning the spending plans received under this  
 subsection to the legislature.

**(8)** ~~(7)~~ From the federal funds allocated under subsection (1),  
 there is allocated ~~\$2,733,000.00~~ **\$8,281,500.00 from the federal**  
**funding awarded to this state from the elementary and secondary**  
**school emergency relief (ESSER) fund under the coronavirus response**  
**and relief supplemental appropriations act, 2021, division M of**  
**Public Law 116-260,** to the department for administrative costs in  
 implementing this section.

**(9)** ~~(8)~~ As used in this section, "ESSER **II** formula payment per  
 pupil" means an amount equal to the sum of the amount of funds the  
 district receives under subsection (2) and ~~, if House Bill No. 4049~~  
~~is enacted into law and effective within 14 days after House Bill~~  
~~No. 4049 is presented to the governor, the amount of funds the~~  
~~district receives under subsection (3) or, if House Bill No. 4049~~  
~~is not enacted into law and effective within 14 days after House~~  
~~Bill No. 4049 is presented to the governor, the amount of funds the~~  
 district would have received under subsection (3) if House Bill No.  
**4049 of the 101st Legislature** was enacted into law and effective  
 within 14 days after House Bill No. 4049 was presented to the  
 governor ~~, as applicable,~~ divided by the district's pupils in  
 membership for the 2020-2021 school year as calculated under  
 section 6.

Sec. 23b. (1) From the federal fund money allocated under

1 section 11n awarded to this state from the elementary and secondary  
2 school emergency relief (ESSER) fund under the coronavirus response  
3 and relief supplemental appropriations act, 2021, division M of  
4 Public Law 116-260, there is allocated for 2020-2021 an amount not  
5 to exceed \$152,400,000.00, and from the state school aid fund money  
6 appropriated under section 11, there is allocated for 2020-2021 an  
7 amount not to exceed \$10,000,000.00 to eligible districts and  
8 eligible intermediate districts described in subsection (4) to be  
9 used for COVID-19 remediation services in the manner described in  
10 subsection (6).

11 (2) The funds allocated under subsection (1) must be  
12 distributed by the department as follows:

13 (a) An amount not to exceed \$90,000,000.00 from the federal  
14 funding allocated under subsection (1) for summer programs that are  
15 offered as part of COVID-19 remediation services under this  
16 section.

17 (b) An amount not to exceed \$45,000,000.00 from the federal  
18 funding allocated under subsection (1) for credit recovery programs  
19 that are offered as part of COVID-19 remediation services under  
20 this section.

21 (c) An amount not to exceed \$17,400,000.00 from the federal  
22 funding allocated under subsection (1) for before-school, after-  
23 school, or before-and-after school programs that are offered as  
24 part of COVID-19 remediation services under this section.

25 (d) An amount not to exceed \$10,000,000.00 from the state  
26 school aid fund money allocated under subsection (1) for additional  
27 payments for summer programs and credit recovery programs that are  
28 offered as part of COVID-19 remediation services under this section  
29 that the department's innovation council designates as innovative



1 under subsection (11).

2 (3) Except as otherwise provided in this subsection, to  
3 receive funding under this section, a district or intermediate  
4 district must apply for the funding in a form and manner prescribed  
5 by the department. An application for funding under this section  
6 must be submitted to the department by not later than ~~April 15,~~  
7 ~~2021.~~**May 15, 2021.**

8 (4) A district or intermediate district that meets all of the  
9 following is an eligible district or eligible intermediate district  
10 under this section:

11 (a) In its application for funding under this section, the  
12 district or intermediate district pledges to provide COVID-19  
13 remediation services to eligible ~~pupils-~~**children.**

14 (b) In its application for funding under this section, the  
15 district or intermediate district includes a COVID-19 remediation  
16 services plan. A plan described in this subdivision must include at  
17 least all of the following, as applicable:

18 (i) For COVID-19 remediation services that include a summer  
19 program, all of the following:

20 (A) A description of the summer program.

21 (B) The number of potential eligible ~~pupils-~~**children** that will  
22 enroll or the number of eligible ~~pupils-~~**children** enrolled in the  
23 summer program.

24 (C) An estimate of costs for the preparation and  
25 implementation of the summer program.

26 (D) A statement indicating whether or not the district or  
27 intermediate district is requesting that the summer program be  
28 designated as innovative under subsection (11) and the reasons the  
29 district or intermediate district believes its program is

1 innovative.

2 (ii) For COVID-19 remediation services that include a credit  
3 recovery program, all of the following:

4 (A) A description of the credit recovery program.

5 (B) The number of potential eligible ~~pupils~~**-children** that will  
6 enroll or the number of eligible ~~pupils~~**-children** enrolled in the  
7 credit recovery program.

8 (C) An estimate of costs for the preparation and  
9 implementation of the credit recovery program.

10 (D) A statement indicating whether or not the district or  
11 intermediate district is requesting that the credit recovery  
12 program be designated as innovative under subsection (11) and the  
13 reasons the district or intermediate district believes its program  
14 is innovative.

15 (iii) For COVID-19 remediation services that include a before-  
16 school, after-school, or before-and-after school program, all of  
17 the following:

18 (A) A description of the before-school, after-school, or  
19 before-and-after school program.

20 (B) The number of potential ~~pupils~~**-eligible children** that will  
21 enroll or the number of eligible ~~pupils~~**-children** enrolled in the  
22 before-school, after-school, or before-and-after school program.

23 (C) An estimate of costs for the preparation and  
24 implementation of the before-school, after-school, or before-and-  
25 after school program.

26 (D) Assurance that the before-school, after-school, or before-  
27 and-after school program is designed to emphasize remediation for  
28 eligible ~~pupils~~**-children**.

29 (c) In its application for funding under this section, the

1 district or intermediate district provides information concerning  
2 whether or not the district or intermediate district intends to  
3 contract for services as described in subsection (6) (a) in  
4 providing a summer program, credit recovery program, or before-  
5 school, after-school, or before-and-after school program as part of  
6 its COVID-19 remediation services under this section.

7 (5) Subject to subsections (2) and (7), from the funding  
8 allocated under subsection (1), the department shall pay each  
9 eligible district and each eligible intermediate district all of  
10 the following, as applicable:

11 (a) An amount equal to \$550.00 for each eligible ~~pupil~~-**child**  
12 that, based on the application for funding under this section, will  
13 be enrolled or is enrolled in the eligible district's or eligible  
14 intermediate district's summer program, as applicable, offered as  
15 part of the eligible district's or eligible intermediate district's  
16 COVID-19 remediation services under this section.

17 (b) An amount equal to \$550.00 for each eligible ~~pupil~~-**child**  
18 that, based on the application for funding under this section, will  
19 be enrolled or is enrolled in the eligible district's or eligible  
20 intermediate district's credit recovery program, as applicable,  
21 offered as part of the eligible district's or eligible intermediate  
22 district's COVID-19 remediation services under this section.

23 (c) An amount not to exceed \$25,000.00 to each eligible  
24 district or eligible intermediate district for its before-school,  
25 after-school, or before-and-after school program offered as part of  
26 its COVID-19 remediation services under this section.

27 (d) In addition to the amounts distributed under subdivisions  
28 (a) and (b), an amount not to exceed \$100.00 for each eligible  
29 ~~pupil~~-**child** who, based on the application for funding under this

section, will be enrolled or is enrolled in the eligible district's or eligible intermediate district's summer program or credit recovery program, as applicable, if the program or programs have been designated as innovative under subsection (11).

(6) An eligible district or eligible intermediate district that receives funding under this section shall only use that funding to provide COVID-19 remediation services to eligible ~~pupils~~-**children**. Both of the following apply for purposes of this subsection:

(a) An eligible district or eligible intermediate district may contract with public or private entities, other districts or intermediate districts, or a consortium of other districts or intermediate districts to provide COVID-19 remediation services under this section.

(b) An eligible intermediate district may provide its COVID-19 remediation services to its constituent districts to provide to eligible ~~pupils~~-**children**.

(7) If funds allocated under this section for summer programs that are offered as part of COVID-19 remediation services under this section are insufficient to fully fund calculations under this section, the department shall apply proration of an equal dollar amount per eligible ~~pupil~~-**child** in a summer program. If funds allocated under this section for credit recovery programs that are offered as part of COVID-19 remediation services under this section are insufficient to fully fund calculations under this section, the department shall apply proration of an equal dollar amount per eligible ~~pupil~~-**child** in a credit recovery program. If funds allocated under this section for before-school, after-school, or before-and-after school programs that are offered as part of COVID-

19 remediation services under this section are insufficient to fully fund calculations under this section, the department shall apply proration in equal proportion to the amount the eligible district or eligible intermediate district would have received under this section for that program but for the application of proration under this subsection. If funds specifically allocated under this section for summer programs and credit recovery programs that are offered as part of COVID-19 remediation services under this section that have been designated as innovative under subsection (11) are insufficient to fully fund calculations under this section, the department shall apply proration of an equal dollar amount per eligible ~~pupil~~**-child** in the program or programs described in this sentence.

(8) In awarding funding under this section, the department shall prioritize funding under this section that is distributed for before-school, after-school, and before-and-after school programs offered as part of COVID-19 remediation services under this section to the following eligible districts or eligible intermediate districts that offer those programs as part of their COVID-19 remediation services:

(a) Eligible districts or eligible intermediate districts with the highest number of eligible ~~pupils~~**-children** who, based on the application for funding under this section, will enroll or are enrolled in the program.

(b) Eligible districts or eligible intermediate districts with the largest size program.

(c) Eligible districts or eligible intermediate districts with the highest amount of costs for the program.

(9) A before-school, after-school, or before-and-after school

1 program that is offered as part of COVID-19 remediation services  
 2 under this section must be provided to eligible ~~pupils-children~~ in  
 3 a manner in which the eligible ~~pupils-children~~ are in person at a  
 4 school building designated by the eligible district or eligible  
 5 intermediate district providing the program. A before-school,  
 6 after-school, or before-and-after school program that is offered as  
 7 part of COVID-19 remediation services under this section must  
 8 provide educational programming in core subject areas, including,  
 9 but not limited to, mathematics, reading, and science. As used in  
 10 this subsection, "in person" means physically present.

11 (10) If, in its application for funding under this section, an  
 12 eligible district or eligible intermediate district submits the  
 13 potential number of eligible ~~pupils-children~~ that will enroll in  
 14 its summer program as described in subsection (4) (b) (i), potential  
 15 number of eligible ~~pupils-children~~ that will enroll in its credit  
 16 recovery program as described in subsection (4) (b) (ii), or potential  
 17 number of eligible ~~pupils-children~~ that will enroll in its before-  
 18 school, after-school, or before-and-after school program as  
 19 described in subsection (4) (b) (iii), as applicable, and the eligible  
 20 district or eligible intermediate district receives funding under  
 21 this section based on those estimations, by ~~June 15, 2021,~~ **July 15,**  
 22 **2021**, the eligible district or eligible intermediate district shall  
 23 submit the number of ~~pupils-~~**eligible children** who actually enrolled  
 24 in the eligible district's or eligible intermediate district's  
 25 summer program, credit recovery program, or before-school, after-  
 26 school, or before-and-after school program. If the eligible  
 27 district or eligible intermediate district received an overpayment  
 28 of funds under this section based on its submitted estimates of  
 29 eligible ~~pupils-children~~ as described in this subsection, as

determined by the department, the eligible district or eligible intermediate district shall refund the department in the amount of the overpayment.

(11) For purposes of determining which eligible districts and eligible intermediate districts will receive additional payments as described in subsection (5)(d), the department's innovation council shall, based on applications submitted under this section, designate summer programs and credit recovery programs that are offered as part of COVID-19 remediation services under this section that, in their applications for funding under this section, request innovative designation as innovative if it determines those programs are innovative. A program that is designated as innovative under this subsection may include, without limitation, 1 or more of the following:

- (a) Community-based projects.
- (b) Integrated kinesthetic or cognitive growth programs.
- (c) STEM-based programs.
- (d) Outdoor or adventure-based programs.
- (e) Any programs that integrate public and private partnerships.

(12) Notwithstanding section 17b and except as otherwise provided in this subsection, the department shall make payments under this section on a schedule determined by the department. The department shall distribute all funding under this section by not later than ~~May 20, 2021~~. **June 20, 2021.**

(13) As used in this section:

(a) "Constituent district" means a district that is located in the geographic boundaries of the intermediate district.

(b) "COVID-19 remediation services" means any of the

1 following:

2 (i) A summer program.

3 (ii) A credit recovery program.

4 (iii) A before-school, after-school, or before-and-after school  
5 program.

6 (c) "Credit recovery program" means an educational program  
7 that meets at least all of the following:

8 (i) Is offered to each eligible ~~pupil~~-**child** described in  
9 subdivision (d) (ii) who was enrolled in any of grades 9 to 12 in the  
10 2020-2021 school year.

11 (ii) Is a program that is designed to provide educational  
12 remediation to ~~pupils~~-**children**.

13 (iii) Is offered in person, online, digitally, by other remote  
14 means, in a synchronous or asynchronous format, or through any  
15 combination of these.

16 (iv) Is a program that was developed based on the input of  
17 teachers and that is teacher-led.

18 (d) "Eligible ~~pupil~~-**child**" means a child to whom the  
19 following apply, as applicable:

20 (i) For participation in a summer program offered as part of  
21 COVID-19 remediation services under this section, ~~both of the~~  
22 ~~following apply:~~

23 ~~(A) Any of the following apply:~~

24 ~~(I) If an eligible district that is not a public school~~  
25 ~~academy is providing the COVID-19 remediation services, the child~~  
26 ~~resides within the geographic boundaries of the district.~~

27 ~~(II) If an eligible district that is a public school academy~~  
28 ~~is providing the COVID-19 remediation services, the child resides~~  
29 ~~within the geographic boundaries of the intermediate district in~~



1 ~~which the district is located.~~

2 ~~(III) If an eligible intermediate district is providing the~~  
 3 ~~COVID-19 remediation services, the child resides within the~~  
 4 ~~geographic boundaries of the intermediate district.~~

5 ~~(B) The~~ **the** eligible district or eligible intermediate  
 6 district providing the summer program under this section has  
 7 determined that the child is eligible for enrollment in the  
 8 eligible district's or eligible intermediate district's summer  
 9 program. An eligible district or eligible intermediate district is  
 10 encouraged to base the determination described in this ~~sub-~~  
 11 ~~subparagraph~~ **subparagraph** on benchmark assessment data from the  
 12 benchmark assessment or benchmark assessments administered to the  
 13 child under section 104, as applicable, **or on local assessments and**  
 14 **is encouraged, in making its determination under this subparagraph,**  
 15 **to consider the children with the greatest need based on academics,**  
 16 **social-emotional and mental-health risk, or student engagement.**

17 (ii) For participation in a credit recovery program offered as  
 18 part of COVID-19 remediation services under this section, both of  
 19 the following apply:

20 (A) In the 2020-2021 school year, the child was enrolled in  
 21 the eligible district, eligible intermediate district, or a  
 22 constituent district of the eligible intermediate district that  
 23 provides the credit recovery program to the child under this  
 24 section.

25 (B) Any of the following apply:

26 (I) The child has failed 1 or more credits or courses in the  
 27 2020-2021 school year.

28 (II) The child is not on track to graduate from high school,  
 29 as determined by the eligible district, eligible intermediate

1 district, or constituent district of the eligible intermediate  
 2 district in which the child was enrolled as described in sub-  
 3 subparagraph (A).

4 (III) The eligible district, eligible intermediate district,  
 5 or constituent district of the eligible intermediate district in  
 6 which the child was enrolled as described in sub-subparagraph (A)  
 7 has determined that the child is eligible for enrollment in the  
 8 eligible district's or eligible intermediate district's credit  
 9 recovery program.

10 (iii) For participation in a before-school, after-school, or  
 11 before-and-after school program offered as part of COVID-19  
 12 remediation services under this section, both of the following  
 13 apply:

14 (A) In the 2020-2021 school year, the child was enrolled in  
 15 any of grades K to 12 in the eligible district, eligible  
 16 intermediate district, or a constituent district of the eligible  
 17 intermediate district that provides the before-school, after-  
 18 school, or before-and-after school program to the child under this  
 19 section.

20 (B) The eligible district, eligible intermediate district, or  
 21 constituent district of the eligible intermediate district in which  
 22 the child was enrolled as described in sub-subparagraph (A) has  
 23 determined that the child is eligible for enrollment in the  
 24 eligible district's or eligible intermediate district's before-  
 25 school, after-school, or before-and-after school program.

26 (e) "Summer program" means an educational program that meets  
 27 at least all of the following:

28 (i) Is offered to each eligible ~~pupil~~**child** described in  
 29 subdivision (d) (i) who was enrolled in any of grades K to ~~8-12~~ in

1 the 2020-2021 school year.

2 (ii) Is offered at any point after June 1, 2021 and before  
3 September 1, 2021.

4 ~~(iii) Is an 8-week program. As used in this subparagraph, "week"~~  
5 ~~means a period beginning on Monday and ending on the following~~  
6 ~~Friday.~~

7 ~~(iv) Is provided to eligible pupils described in subdivision~~  
8 ~~(d) (i) in a manner in which the eligible pupils are in person at a~~  
9 ~~school building designated by the eligible district or eligible~~  
10 ~~intermediate district providing the program. As used in this~~  
11 ~~subparagraph, "in person" means physically present.~~

12 (iii) Provides at least 30 hours of research-based or innovative  
13 learning geared toward the needs of the children in the program.

14 (iv) ~~(v)~~ Is a program that was developed based on the input of  
15 teachers and that is teacher-led.

16 (v) ~~(vi)~~ Includes programming in core subject areas, including,  
17 but not limited to, mathematics, reading, and science.

18 **Sec. 23d. (1) From the federal funds allocated under section**  
19 **11n from the federal funding awarded to this state from the**  
20 **governor's emergency education relief (GEER) fund under the**  
21 **coronavirus response and relief supplemental appropriations act,**  
22 **2021, division M of Public Law 116-260, there is allocated for**  
23 **2020-2021 an amount not to exceed \$10,000,000.00 for the purposes**  
24 **of this section. The department shall establish a grant program to**  
25 **distribute this funding to eligible parents and eligible legal**  
26 **guardians described in subsection (3).**

27 (2) Except as otherwise provided in this subsection, to  
28 receive funding under this section, an eligible parent or eligible  
29 legal guardian must apply for the funding in a form and manner

1 prescribed by the department. An application for funding under this  
2 section must be submitted to the department by not later than  
3 September 1, 2021.

4 (3) A parent or legal guardian to whom all of the following  
5 apply is an eligible parent or eligible legal guardian under this  
6 section:

7 (a) The child of the parent or legal guardian is enrolled in  
8 summer programming in 2021.

9 (b) The child described in subdivision (a) is at least age 5  
10 but not older than age 18.

11 (c) In his or her application for funding under this section,  
12 the parent or legal guardian provides proof that the child  
13 described in subdivision (a) is enrolled in summer programming. As  
14 used in this subdivision, "proof" means sufficient documentation as  
15 determined by the department.

16 (d) If the parent or legal guardian is seeking reimbursement  
17 for expenses incurred in relation to providing summer programming  
18 for his or her child as described in subdivision (a), in his or her  
19 application for funding under this section, the parent or legal  
20 guardian describes those expenses.

21 (4) From the funding allocated under subsection (1), the  
22 department shall provide payments to each eligible parent or  
23 eligible legal guardian as follows:

24 (a) An amount equal to \$50.00 for each child enrolled in  
25 summer programming as described in subsection (3)(a).

26 (b) An amount equal to the cost of the expenses submitted in  
27 the application for funding under this section as described in  
28 subsection (3)(d), but not exceeding \$200.00, for each child for  
29 whom the eligible parent or eligible legal guardian has incurred

1 expenses.

2 (5) The department shall make all payments to an eligible  
3 parent or eligible legal guardian under this section by not later  
4 than 29 days after an application for funding under this section is  
5 received.

6 (6) If funds allocated under this section are insufficient to  
7 fully fund payments under this section, the department shall apply  
8 proration in equal proportion to the amount the eligible parent or  
9 eligible legal guardian would have received under this section but  
10 for the application of proration under this subsection.

11 (7) As used in this section, "summer programming" means an  
12 educational enrichment program, including, but not limited to, a  
13 summer program or credit recovery program offered as part of COVID-  
14 19 remediation services under section 23b, a program that  
15 incorporates extracurricular activities, or any other educational  
16 program that is provided in person, online, digitally, by other  
17 remote means, in a synchronous or asynchronous format, or through  
18 any combination of these.

19 Enacting section 1. In accordance with section 30 of article  
20 IX of the state constitution of 1963, total state spending on  
21 school aid under article I of the state school aid act of 1979,  
22 1979 PA 94, MCL 388.1601 to 388.1772, as amended by 2020 PA 165,  
23 2021 PA 3, and this amendatory act, from state sources for fiscal  
24 year 2020-2021 is estimated at \$13,888,484,200.00 and state  
25 appropriations for school aid to be paid to local units of  
26 government for fiscal year 2020-2021 are estimated at  
27 \$13,716,487,100.00.