



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 1012 (as enacted)
Sponsor: Senator Curtis S. VanderWall
Senate Committee: Health Policy and Human Services
House Committee: Health Policy

PUBLIC ACT 180 of 2022

Date Completed: 1-5-23

CONTENT

The bill creates a new act to do the following:

- **Require the Department of Education to create and administer a student mental health apprenticeship retention and training ("SMART") internship grant program.**
- **Require the Department to administer grant funding through the grant program to designated recipients through agreements that meet certain criteria.**
- **Prescribe how grant funding must be distributed to designated recipients.**
- **Require certain evaluations to be submitted to the Department.**
- **Require the Department to promulgate any rules necessary for the implementation of the bill.**
- **Require the Department to report the status and outcomes of the grant program to certain entities and individuals, including the Governor and the Legislature.**

The bill took effect on July 25, 2022.

Definitions

The bill defines "designated recipient" as an individual who is enrolled in, and in good standing at, as determined by the program, a graduate-level mental health professional program maintained by an institution of higher education located in Michigan or out-of-State, which includes a Department-approved school counselor education or preparation program maintained by an institution of higher education located in Michigan or out-of-State, school social worker education or preparation program maintained by an institution of higher education located in Michigan or out-of-State, or school psychology education or preparation program maintained by an institution of higher education located in Michigan or out-of-State that offers designations, a focus, or special certifications in the provision of school mental health services, and who is working toward obtaining any of the following:

- A preliminary school psychologist certificate.
- A preliminary school psychologist certificate.
- A school psychologist certificate.
- A school counselor license.
- A preliminary school counselor credential.
- A school counseling endorsement.
- Temporary or full school social worker approval.

"Field supervisor", "field instructor", or "supervisor" means an individual who supervises an eligible designated recipient and to whom the following apply, as applicable:

- For an individual who is supervising, as described in this subdivision, a designated recipient who is working toward obtaining a preliminary school psychologist certificate or a school psychologist certificate, the individual providing supervision maintains a school psychologist certificate during the supervision.
- For an individual who is supervising, as described in this subdivision, a designated recipient who is working toward obtaining temporary or full school social worker approval, the individual providing supervision maintains full school social worker approval during the supervision.
- For an individual who is supervising, as described in this subdivision, a designated recipient who is working toward obtaining a school counselor license, a preliminary school counselor credential, or a school counselor endorsement issued by the Department on his or her teaching certificate, the individual providing supervision maintains a school counselor license, maintains a school counselor endorsement on his or her teaching certificate, or is a school counselor educator in a Department-approved school counselor preparation program during the supervision.

"Public school" means that term as defined in Section 5 of the Revised School Code. (A public elementary or secondary educational entity or agency that is established under the Revised School Code or under other Michigan law, has as its primary mission the teaching and learning of academic and vocational-technical skills and knowledge, and is operated by a school district, intermediate school district, school of excellence corporation, public school academy corporation, strict discipline academy corporation, urban high school academy corporation, or by the Department, the State Board, or another public body. The term also includes a laboratory school or other elementary or secondary school that is controlled and operated by a State public university.)

Grant Program

The bill requires the Department to create and administer a student mental health apprenticeship retention and training internship grant program to provide grants to designated recipients, field supervisors, field instructors, and supervisors. The Department must administer grant funding through the grant program to designated recipients through agreements. The agreements must meet the following criteria:

- Include a requirement that the designated recipient who receives the funding through the grant program must work at a public school for at least three school years as of the date of the agreement.
- The Department must administer grant funding in an amount per eligible designated recipient that is equal to \$25 per hour for each hour spent in an intern capacity for up to 20 hours per week of an internship in a public school that occurs over a 30-week period in a school year or a lump sum amount equal to \$15,000 for up to 20 hours per week of an internship in a public school that occurs over a 30-week period in a school year.

The lump sum amount must be paid at the end of the 30-week period. "Eligible designated recipient" means a designated recipient to whom both of the following apply:

- At least one of the following applies to the individual's work: a) the individual is interning in a discipline that has been designated as critical shortage by the Superintendent of Public Instruction for the immediately preceding school fiscal year under the Public School Employees Retirement Act; b) the individual is interning in a public school in which at least 50% of pupils enrolled are eligible for free or reduced-price meals under the National School Lunch Act; or c) the individual is interning in a public school that received a supplemental payment for rural districts under Section 22d of the State School Aid Act in the immediately preceding school fiscal year.

- Either of the following: a) the individual is enrolled in a graduate-level mental health program who is in the first year of an internship period required by the program and who is serving as a substitute teacher or in a paraprofessional role in a public school or who is in a supervised role in a public school and following best-practice training and supervision requirements as indicated by national standards set forth by the appropriate national professional organizations; or b) the individual is enrolled in a graduate-level mental health professional program who is in the second year of an internship period required by the program and who is in a supervised role in a public school and following best-practice training and supervision required as indicated by national standards set forth by the appropriate national professional organizations.

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

"Supervised role" means a role in which the individual is supervised by a field supervisor, field instructor, or supervisor while he or she is serving in the role.

A payment or payments of funding through the grant program must be made as follows to designated recipients, under an agreement between the designated recipient, the public school in which he or she is interning, and the graduate-level mental health professional program that he or she is enrolled:

- On the same pay period or schedule offered to other educational professionals at the public school in which the designated recipient is serving.
- Through one lump-sum payment on the date on which the recipient's service ends.

For recipients of funding who receive \$25 per hour:

- If the recipient permanently ceased to satisfy the qualification requirements that initially made the recipient eligible for funding either by his or her own initiative, by initiative of the public school in which he or she was interning, or by initiative of the graduate-level mental health professional program, payments would have to stop as of the date on which that occurred.
- If the recipient temporarily ceased to satisfy the qualification requirements that initially made the recipient eligible for funding because he or she was relocating to intern in another public school or because of a leave of absence, payment would have to stop during the period in which the individual did not meet the requirement, but could be continued when he or she again met the qualification requirements, but could not be continued beyond 30 weeks from the date the individual initially started his or her internship.

For recipients of funding who receive the lump sum of \$15,000:

- If the recipient permanently ceases to satisfy the qualification requirements that initially made the recipient eligible for funding either by his or her own initiative, by initiative of the public school in which he or she is interning, or by initiative of the graduate-level mental health professional program, the recipient may receive a pro rata amount of the lump sum that reflects the number of hours he or she interned at the public school while meeting the qualification requirements for funding.
- If the recipient temporarily ceases to satisfy the qualification requirements that initially made the recipient eligible for funding because he or she is relocating to intern in another public school or because of a leave of absence, the individual still is eligible to receive the full amount of the lump sum if he or she completes all of the qualification requirements for funding.

The Department, for extenuating circumstances, may make a debt or expense repayment to a designated recipient before or during each year of service that the designated recipient must complete or is completing for the purposes of qualifying for funding. "Extenuating circumstance" means a circumstance determined by the Department in consultation with the designated recipient to whom the circumstance applies or who is affected by the circumstance. "Debt or expenses repayment" means debt or expenses connected to a recipient's student loans.

Each State university that designated recipients are enrolled in for the graduate-level mental health professional program may continue implementing any existing evaluation processes required as part of certification, licensing, or approval requirements associated with serving as a school mental health professional. The results from an evaluation may be used as a reason for the individual's disqualification for grant funding.

A designated recipient that receives a grant must submit evaluations he or she receives, and any evaluations received from the public school in which he or she is interning to the Department. After receiving an evaluation, the Department must determine whether the designated recipient still is eligible to receive grant funding and whether the recipient is subject to funding distributions described in the bill and must notify the recipient of its determination.

The Department must administer grant funding through the grant program to field supervisors, field instructors, or supervisors. A grant to a field supervisor, field instructor, or supervisor may not exceed \$250 for each designated recipient that he or she supervises.

A designated recipient who receives a grant is not prohibited from applying for another grant under the Act if he or she meets the qualification for grant funding.

Rule Promulgation

The bill requires the Department to promulgate any rules necessary for the implementation of the act.

Reporting

The bill requires the Department to report to the Senate and House of Representatives appropriations subcommittees on the Department of Education, the Senate and House Fiscal Agencies, the Governor, and the advisory council described in Section 31n of the State School Aid Act the status and outcomes of the grant program. (Section 31n requires the Department and the Department of Health and Human Services to maintain an advisory council for programs funded to add licensed behavioral health providers for general education pupils.)

Legislative Intent

The bill specifies that it is the intent of the Legislature that the grant program lead to, at a minimum, both of the following:

- The provision of paid and educationally meaningful internship practicum in school settings for designated recipients.
- The utilization of funding obtained by a public school under Section 31o of the State School Aid Act to hire designated recipients who obtained a grant under the act.

Legislative Analyst: Stephen P. Jackson

FISCAL IMPACT

The bill will have a negative fiscal impact on the State and no fiscal impact on local units of government. The Department will experience administrative costs to administer the SMART internship grant program, issue school psychologist certifications, and award internship grants. The program will require one-time costs to create the program and to approve graduate-level programs, as well as ongoing costs for staffing and administration of the program. It is currently unknown how many universities will have approved graduate-level mental health professional programs and how many individuals will be enrolled in the internship program and be eligible to receive grants. Overall costs likely will be greater than current appropriations.

Fiscal Analyst: Cory Savino, PhD

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.