

**SUBSTITUTE FOR
HOUSE BILL NO. 4236**

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending sections 236, 236a, 236b, 236c, 237, 241, 245, 245a,
251, 252, 256, 263, 264, 265, 265a, 265b, 265c, 265d, 267, 268,
269, 270, 274, 274c, 276, 277, 278, 279, 280, 281, 282, 283, and
289 (MCL 388.1836, 388.1836a, 388.1836b, 388.1836c, 388.1837,
388.1841, 388.1845, 388.1845a, 388.1851, 388.1852, 388.1856,
388.1863, 388.1864, 388.1865, 388.1865a, 388.1865b, 388.1865c,
388.1865d, 388.1867, 388.1868, 388.1869, 388.1870, 388.1874,
388.1874c, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880,
388.1881, 388.1882, 388.1883, and 388.1889), sections 236, 236a,
236b, 236c, 241, 245, 251, 252, 256, 263, 264, 265a, 267, 268, 269,
270, 274, 274c, 276, 277, 278, 279, 280, 281, 282, and 289 as



amended and sections 245a, 265b, 265c, and 265d as added by 2018 PA 265, section 237 as amended by 2012 PA 201, section 265 as amended by 2018 PA 586, and section 283 as amended by 2017 PA 108.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 236. (1) Subject to the conditions set forth in this
2 article, the amounts listed in this section are appropriated for
3 higher education for the fiscal year ending September 30, ~~2019,~~
4 **2020**, from the funds indicated in this section. The following is a
5 summary of the appropriations in this section:

6 (a) The gross appropriation is ~~\$1,669,732,600.00.~~
7 **\$1,681,045,100.00**. After deducting total interdepartmental grants
8 and intradepartmental transfers in the amount of \$0.00, the
9 adjusted gross appropriation is ~~\$1,669,732,600.00.~~
10 **\$1,681,045,100.00.**

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

13 (i) Total federal revenues, \$123,526,400.00.

14 (ii) Total local revenues, \$0.00.

15 (iii) Total private revenues, \$0.00.

16 (iv) Total other state restricted revenues,
17 ~~\$500,188,300.00.~~**\$150,000.00.**

18 (v) State general fund/general purpose money,
19 ~~\$1,046,017,900.00.~~**\$1,557,368,700.00.**

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

22 (a) The appropriation for Central Michigan University is
23 ~~\$87,415,000.00, \$85,654,400.00 for operations and \$1,760,600.00 for~~
24 ~~performance funding.~~**\$89,076,800.00, \$87,415,000.00 for operations,**
25 **\$421,600.00 for performance funding, and \$1,240,200.00 for Indian**



1 **tuition waiver shortfall payment.**

2 (b) The appropriation for Eastern Michigan University is
 3 ~~\$76,979,300.00, \$75,169,900.00 for operations and \$1,809,400.00 for~~
 4 ~~performance funding.~~**\$77,402,000.00, \$76,979,300.00 for operations,**
 5 **\$288,200.00 for performance funding, and \$134,500.00 for Indian**
 6 **tuition waiver shortfall payment.**

7 (c) The appropriation for Ferris State University is
 8 ~~\$54,950,700.00, \$53,595,500.00 for operations and \$1,355,200.00 for~~
 9 ~~performance funding.~~**\$55,955,600.00, \$54,950,700.00 for operations,**
 10 **\$254,500.00 for performance funding, and \$750,400.00 for Indian**
 11 **tuition waiver shortfall payment.**

12 (d) The appropriation for Grand Valley State University is
 13 ~~\$72,056,600.00, \$70,100,100.00 for operations and \$1,956,500.00 for~~
 14 ~~performance funding.~~**\$73,187,600.00, \$72,056,600.00 for operations,**
 15 **\$362,100.00 for performance funding, and \$768,900.00 for Indian**
 16 **tuition waiver shortfall payment.**

17 (e) The appropriation for Lake Superior State University is
 18 ~~\$13,987,000.00, \$13,775,000.00 for operations and \$212,000.00 for~~
 19 ~~performance funding.~~**\$14,282,100.00, \$13,987,000.00 for operations,**
 20 **\$31,400.00 for performance funding, and \$263,700.00 for Indian**
 21 **tuition waiver shortfall payment.**

22 (f) The appropriation for Michigan State University is
 23 ~~\$350,703,300.00, \$281,239,100.00 for operations, \$5,035,100.00 for~~
 24 ~~performance funding, \$34,591,400.00 for MSU AgBioResearch, and~~
 25 ~~\$29,837,700.00 for MSU Extension.~~**\$353,208,500.00, \$286,274,200.00**
 26 **for operations, \$872,000.00 for performance funding, \$988,900.00**
 27 **for Indian tuition waiver shortfall payment, \$34,937,300.00 for MSU**
 28 **AgBioResearch, and \$30,136,100.00 for MSU Extension.**

29 (g) The appropriation for Michigan Technological University is



1 ~~\$49,949,600.00, \$49,052,200.00 for operations and \$897,400.00 for~~
 2 ~~performance funding.~~ **\$50,440,600.00, \$49,949,600.00 for operations,**
 3 **\$158,000.00 for performance funding, and \$333,000.00 for Indian**
 4 **tuition waiver shortfall payment.**

5 (h) The appropriation for Northern Michigan University is
 6 ~~\$47,998,400.00, \$47,137,400.00 for operations and \$861,000.00 for~~
 7 ~~performance funding.~~ **\$48,786,000.00, \$47,998,400.00 for operations,**
 8 **\$147,500.00 for performance funding, and \$640,100.00 for Indian**
 9 **tuition waiver shortfall payment.**

10 (i) The appropriation for Oakland University is
 11 ~~\$52,819,200.00, \$51,235,900.00 for operations and \$1,583,300.00 for~~
 12 ~~performance funding.~~ **\$53,370,100.00, \$52,819,200.00 for operations,**
 13 **\$374,600.00 for performance funding, and \$176,300.00 for Indian**
 14 **tuition waiver shortfall payment.**

15 (j) The appropriation for Saginaw Valley State University is
 16 ~~\$30,528,000.00, \$29,766,100.00 for operations and \$761,900.00 for~~
 17 ~~performance funding.~~ **\$30,784,400.00, \$30,528,000.00 for operations,**
 18 **\$116,900.00 for performance funding, and \$139,500.00 for Indian**
 19 **tuition waiver shortfall payment.**

20 (k) The appropriation for University of Michigan - Ann Arbor
 21 is ~~\$320,782,400.00, \$314,589,100.00 for operations and~~
 22 ~~\$6,193,300.00 for performance funding.~~ **\$321,986,700.00,**
 23 **\$320,782,400.00 for operations, \$929,800.00 for performance**
 24 **funding, and \$274,500.00 for Indian tuition waiver shortfall**
 25 **payment.**

26 (l) The appropriation for University of Michigan - Dearborn is
 27 ~~\$26,071,800.00, \$25,421,900.00 for operations and \$649,900.00 for~~
 28 ~~performance funding.~~ **\$26,312,400.00, \$26,071,800.00 for operations,**
 29 **\$172,500.00 for performance funding, and \$68,100.00 for Indian**



1 **tuition waiver shortfall payment.**

2 (m) The appropriation for University of Michigan - Flint is
 3 ~~\$23,585,400.00, \$23,061,800.00 for operations and \$523,600.00 for~~
 4 ~~performance funding.~~ **\$23,869,800.00, \$23,585,400.00 for operations,**
 5 **\$118,000.00 for performance funding, and \$166,400.00 for Indian**
 6 **tuition waiver shortfall payment.**

7 (n) The appropriation for Wayne State University is
 8 ~~\$202,363,200.00, \$199,169,800.00 for operations and \$3,193,400.00~~
 9 ~~for performance funding.~~ **\$203,096,400.00, \$202,363,200.00 for**
 10 **operations, \$568,800.00 for performance funding, and \$164,400.00**
 11 **for Indian tuition waiver shortfall payment.**

12 (o) The appropriation for Western Michigan University is
 13 ~~\$111,151,000.00, \$109,376,800.00 for operations and \$1,774,200.00~~
 14 ~~for performance funding.~~ **\$112,164,500.00, \$111,151,000.00 for**
 15 **operations, \$435,300.00 for performance funding, and \$578,200.00**
 16 **for Indian tuition waiver shortfall payment.**

17 (3) The amount appropriated in subsection (2) for public
 18 universities is **\$1,533,923,500.00**, appropriated from ~~the following:~~

19 ~~(a) State school aid fund, \$494,286,300.00.~~

20 ~~(b) State general fund/general purpose money. 7~~

21 ~~\$1,027,054,600.00.~~

22 (4) The amount appropriated for Michigan public school
 23 employees' retirement system reimbursement is ~~\$5,133,000.00,~~
 24 **\$5,017,000.00**, appropriated from ~~the state school aid fund.~~ **general**
 25 **fund/general purpose money.**

26 (5) The amount appropriated for state and regional programs is
 27 \$315,000.00, appropriated from general fund/general purpose money
 28 and allocated as follows:

29 (a) Higher education database modernization and conversion,



1 \$200,000.00.

2 (b) Midwestern Higher Education Compact, \$115,000.00.

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

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

7 (b) Michigan college/university partnership program,
8 \$586,800.00.

9 (c) Morris Hood, Jr. educator development program,
10 \$148,600.00.

11 (7) Subject to subsection (8), the amount appropriated for
12 grants and financial aid is ~~\$139,583,200.00~~, ~~\$137,714,100.00~~,
13 allocated as follows:

14 (a) State competitive scholarships,
15 ~~\$32,361,700.00~~. ~~\$30,292,600.00~~.

16 (b) Tuition grants, ~~\$38,021,500.00~~. ~~\$38,521,500.00~~.

17 (c) Tuition incentive program, \$64,300,000.00.

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

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

21 ~~(f) North American Indian tuition waiver, \$300,000.00.~~

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

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

27 (b) Federal revenues under the social security act, temporary
28 assistance for needy families, \$120,326,400.00.

29 ~~(c) Contributions to children of veterans tuition grant~~



1 ~~program, \$100,000.00.~~

2 **(c) ~~(d)~~** State general fund/general purpose money,
3 ~~\$15,956,800.00.~~ **\$14,187,700.00.**

4 (9) For fiscal year ~~2018-2019~~ **2019-2020** only, in addition to
5 the allocation under subsection (4), from the appropriations
6 described in subsection (1), there is allocated an amount not to
7 exceed ~~\$669,000.00~~ **\$1,234,000.00** for payments to participating
8 public universities, appropriated from ~~the state school aid fund.~~
9 **general fund/general purpose money.** A university that receives
10 money under this subsection shall use that money solely for the
11 purpose of offsetting the normal cost contribution rate. As used in
12 this subsection, "participating public universities" means public
13 universities that are a reporting unit of the Michigan public
14 school employees' retirement system under the public school
15 employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to
16 38.1437, and that pay contributions to the Michigan public school
17 employees' retirement system for the state fiscal year.

18 **(10) The amount appropriated for pregnant and parenting**
19 **student services is \$150,000.00, appropriated from the pregnant and**
20 **parenting student services fund created in, and subject to the**
21 **conditions of, the pregnant and parenting services act, 2004 PA**
22 **500, MCL 390.1591 to 390.1596.**

23 Sec. 236a. It is the intent of the legislature to provide
24 appropriations for the fiscal year ending on September 30, ~~2020~~
25 **2021** for the items listed in section 236. The fiscal year ~~2019-2020~~
26 **2020-2021** appropriations are anticipated to be the same as those
27 for fiscal year ~~2018-2019~~, **2019-2020**, except that the amounts will
28 be adjusted for changes in caseload and related costs, federal fund
29 match rates, economic factors, and available revenue. These



1 adjustments will be determined after the January ~~2019~~**2020**
 2 consensus revenue estimating conference.

3 Sec. 236b. In addition to the funds appropriated in section
 4 236, there is appropriated for grants and financial aid in fiscal
 5 year ~~2018-2019~~**2019-2020** an amount not to exceed \$6,000,000.00 for
 6 federal contingency funds. These funds are not available for
 7 expenditure until they have been transferred under section 393(2)
 8 of the management and budget act, 1984 PA 431, MCL 18.1393, for
 9 another purpose under this article.

10 Sec. 236c. In addition to the funds appropriated for fiscal
 11 year ~~2018-2019~~**2019-2020** in section 236, appropriations to the
 12 department of technology, management, and budget in the act
 13 providing general appropriations for fiscal year ~~2018-2019~~**2019-**
 14 **2020** for state building authority rent, totaling an estimated
 15 ~~\$155,478,500.00,~~**\$144,995,300.00** provide funding for the state
 16 share of costs for previously constructed capital projects for
 17 state universities. These appropriations for state building
 18 authority rent represent additional state general fund support
 19 provided to public universities, and the following is an estimate
 20 of the amount of that support to each university:

21 (a) Central Michigan University,
 22 ~~\$12,936,500.00.~~**\$12,141,800.00.**

23 (b) Eastern Michigan University, ~~\$7,083,900.00.~~**\$7,673,600.00.**

24 (c) Ferris State University, ~~\$8,275,000.00.~~**\$8,434,200.00.**

25 (d) Grand Valley State University,
 26 ~~\$8,800,000.00.~~**\$6,752,400.00.**

27 (e) Lake Superior State University,
 28 ~~\$2,285,800.00.~~**\$1,856,100.00.**

29 (f) Michigan State University, ~~\$16,790,400.00.~~**\$15,514,900.00.**



1 (g) Michigan Technological University,

2 ~~\$6,782,000.00.~~ **\$6,912,500.00.**

3 (h) Northern Michigan University, ~~\$7,309,000.00.~~ **\$7,449,600.00.**

4 (i) Oakland University, ~~\$12,665,000.00.~~ **\$12,908,600.00.**

5 (j) Saginaw Valley State University,

6 ~~\$10,984,000.00.~~ **\$10,670,900.00.**

7 (k) University of Michigan - Ann Arbor,

8 ~~\$11,861,000.00.~~ **\$9,795,900.00.**

9 (l) University of Michigan - Dearborn,

10 ~~\$10,918,000.00.~~ **\$9,522,700.00.**

11 (m) University of Michigan - Flint,

12 ~~\$6,244,800.00.~~ **\$4,128,900.00.**

13 (n) Wayne State University, ~~\$16,480,200.00.~~ **\$16,008,000.00.**

14 (o) Western Michigan University,

15 ~~\$16,062,900.00.~~ **\$15,225,200.00.**

16 Sec. 237. All of the appropriations authorized under this
17 article are subject to the management and budget act, 1984 PA 431,
18 MCL 18.1101 to 18.1594.

19 Sec. 241. (1) Subject to sections 244 and 265a, the funds
20 appropriated in section 236 to public universities shall be paid
21 out of the state treasury and distributed by the state treasurer to
22 the respective institutions in 11 equal monthly installments on the
23 sixteenth of each month, or the next succeeding business day,
24 beginning with October 16, ~~2018.~~ **2019.** Except for Wayne State
25 University, each institution shall accrue its July and August ~~2019~~
26 **2020** payments to its institutional fiscal year ending June 30,
27 ~~2019.~~ **2020.**

28 (2) All public universities shall submit higher education
29 institutional data inventory (HEIDI) data and associated financial



1 and program information requested by and in a manner prescribed by
 2 the state budget director. For public universities with fiscal
 3 years ending June 30, ~~2018~~, **2019**, these data shall be submitted to
 4 the state budget director by October 15, ~~2018~~. **2019**. Public
 5 universities with a fiscal year ending September 30, ~~2018~~ **2019**
 6 shall submit preliminary HEIDI data by November 15, ~~2018~~ **2019** and
 7 final data by December 15, ~~2018~~. **2019**. If a public university fails
 8 to submit HEIDI data and associated financial aid program
 9 information in accordance with this reporting schedule, the state
 10 treasurer may withhold the monthly installments under subsection
 11 (1) to the public university until those data are submitted.

12 Sec. 245. (1) A public university shall maintain a public
 13 transparency website available through a link on its website
 14 homepage. The public university shall update this website within 30
 15 days after the university's governing board adopts its annual
 16 operating budget for the next academic year, or after the governing
 17 board adopts a subsequent revision to that budget.

18 (2) The website required under subsection (1) shall include
 19 all of the following concerning the public university:

20 (a) The annual operating budget and subsequent budget
 21 revisions.

22 (b) A summary of current expenditures for the most recent
 23 fiscal year for which they are available, expressed as pie charts
 24 in the following 2 categories:

25 (i) A chart of personnel expenditures, broken into the
 26 following subcategories:

27 (A) Earnings and wages.

28 (B) Employee benefit costs, including, but not limited to,
 29 medical, dental, vision, life, disability, and long-term care



1 benefits.

2 (C) Retirement benefit costs.

3 (D) All other personnel costs.

4 (ii) A chart of all current expenditures the public university
5 reported as part of its higher education institutional data
6 inventory data under section 241(2), broken into the same
7 subcategories in which it reported those data.

8 (c) Links to all of the following for the public university:

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

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

16 (iii) Audits and financial reports for the most recent fiscal
17 year for which they are available.

18 (d) A list of all positions funded partially or wholly through
19 institutional general fund revenue that includes the position title
20 and annual salary or wage amount for each position.

21 (e) General fund revenue and expenditure projections for the
22 current fiscal year and the next fiscal year.

23 (f) A listing of all debt service obligations, detailed by
24 project, anticipated fiscal year payment for each project, and
25 total outstanding debt for the current fiscal year.

26 (g) The institution's policy regarding the transferability of
27 core college courses between community colleges and the university.

28 (h) A listing of all community colleges that have entered into
29 reverse transfer agreements with the university.



1 **(i) The number and percentage of graduates who remain in this**
 2 **state.**

3 (3) On the website required under subsection (1), a public
 4 university shall provide a dashboard or report card demonstrating
 5 the university's performance in several "best practice" measures.
 6 The dashboard or report card shall include at least all of the
 7 following for the 3 most recent academic years for which the data
 8 are available:

9 (a) Enrollment.

10 (b) Student retention rate.

11 (c) Six-year graduation rates.

12 (d) Number of Pell grant recipients and graduating Pell grant
 13 recipients.

14 (e) Geographic origination of students, categorized as in-
 15 state, out-of-state, and international.

16 (f) Faculty to student ratios and total university employee to
 17 student ratios.

18 (g) Teaching load by faculty classification.

19 (h) Graduation outcome rates, including employment and
 20 continuing education.

21 (4) For statewide consistency and public visibility, public
 22 universities must use the icon badge provided by the department of
 23 technology, management, and budget consistent with the icon badge
 24 developed by the department of education for K-12 school districts.
 25 It must appear on the front of each public university's homepage.
 26 The size of the icon may be reduced to 150 x 150 pixels. The font
 27 size and style for this reporting must be consistent with other
 28 documents on each university's website.

29 (5) The state budget director shall determine whether a public



1 university has complied with this section. The state budget
 2 director may withhold a public university's monthly installments
 3 described in section 241 until the public university complies with
 4 this section.

5 (6) By **the first business day of** November ~~15~~ of each year, a
 6 public university shall report the following information to the
 7 center and post the information on its website under the budget
 8 transparency icon badge:

9 (a) Opportunities for earning college credit through the
 10 following programs:

11 (i) State approved career and technical education or a tech
 12 prep articulated program of study.

13 (ii) Direct college credit or concurrent enrollment.

14 (iii) Dual enrollment.

15 (iv) An early college/middle college program.

16 (b) For each program described in subdivision (a) that the
 17 public university offers, all of the following information:

18 (i) The number of high school students participating in the
 19 program.

20 (ii) The number of school districts that participate in the
 21 program with the public university.

22 (iii) Whether a university professor, qualified local school
 23 district employee, or other individual teaches the course or
 24 courses in the program.

25 (iv) The total cost to the public university to operate the
 26 program.

27 (v) The cost per credit hour for the course or courses in the
 28 program.



1 (vi) The location where the course or courses in the program
2 are held.

3 (vii) Instructional resources offered to the program
4 instructors.

5 (viii) Resources offered to the student in the program.

6 (ix) Transportation services provided to students in the
7 program.

8 (7) A public university shall collect and report the number
9 and percentage of graduates who remain in this state, broken out by
10 undergraduate and graduate/professional classifications, to the
11 center and post the information on its website under the budget
12 transparency icon badge.

13 (8) A public university shall collect and report the number
14 and percentage of all enrolled students who complete the Free
15 Application for Federal Student Aid, broken out by undergraduate
16 and graduate/professional classifications, to the center and post
17 the information on its website under the budget transparency icon
18 badge.

19 Sec. 245a. (1) A public university shall develop, maintain,
20 and update a "campus safety information and resources" link,
21 prominently displayed on the homepage of its website, to a section
22 of its website containing all of the information required under
23 subsection (2).

24 (2) The "campus safety information and resources" section of a
25 public university's website shall include, but not be limited to,
26 all of the following information:

27 (a) Emergency contact numbers for police, fire, health, and
28 other services.

29 (b) Hours, locations, phone numbers, and electronic mail



1 contacts for campus public safety offices and title IX offices.

2 (c) A listing of safety and security services provided by the
3 university, including transportation, escort services, building
4 surveillance, anonymous tip lines, and other available security
5 services.

6 (d) A public university's policies applicable to minors on
7 university property.

8 (e) A directory of resources available at the university or
9 surrounding community for students or employees who are survivors
10 of sexual assault or sexual abuse.

11 (f) An electronic copy of "A Resource Handbook for Campus
12 Sexual Assault Survivors, Friends and Family", published in 2018 by
13 the office of the governor in conjunction with the first lady of
14 Michigan.

15 (g) Campus security policies and crime statistics pursuant to
16 the student right-to-know and campus security act, Public Law 101-
17 542, 104 Stat 2381. Information shall include all material prepared
18 pursuant to the public information reporting requirements under the
19 crime awareness and campus security act of 1990, title II of the
20 student right-to-know and campus security act, Public Law 101-542,
21 104 Stat 2381.

22 (3) A public university shall certify to the state budget
23 director by August 31, ~~2018~~**2019** that it is in compliance with this
24 section. The state budget director may withhold a public
25 university's monthly installments described in section 241 until
26 the public university complies with this section.

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



1 (2) Pursuant to section 6 of 1964 PA 208, MCL 390.976, the
2 department of treasury shall determine an actual maximum state
3 competitive scholarship award per student, which shall be not less
4 than \$1,000.00, that ensures that the aggregate payments for the
5 state competitive scholarship program do not exceed the
6 appropriation contained in section 236 for the state competitive
7 scholarship program. If the department determines that insufficient
8 funds are available to establish a maximum award amount equal to at
9 least \$1,000.00, the department shall immediately report to the
10 house and senate appropriations subcommittees on higher education,
11 the house and senate fiscal agencies, and the state budget director
12 regarding the estimated amount of additional funds necessary to
13 establish a \$1,000.00 maximum award amount.

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

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

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

29 (6) Veterans Administration benefits shall not be considered



1 in determining eligibility for the award of scholarships under 1964
2 PA 208, MCL 390.971 to 390.981.

3 (7) Any unexpended and unencumbered funds remaining on
4 September 30, ~~2019-2020~~ from the amounts appropriated in section
5 236 for the state competitive scholarship program for fiscal year
6 ~~2018-2019-2019-2020~~ do not lapse on September 30, ~~2019,~~**2020**, but
7 continue to be available for the expenditure for state competitive
8 scholarships provided in the ~~2019-2020~~**2020-2021** fiscal year under
9 a work project account. The use of these unexpended fiscal year
10 ~~2018-2019-2019-2020~~ funds terminates at the end of the ~~2019-2020~~
11 **2020-2021** fiscal year.

12 Sec. 252. (1) The amounts appropriated in section 236 for the
13 state tuition grant program shall be distributed pursuant to 1966
14 PA 313, MCL 390.991 to 390.997a.

15 (2) Tuition grant awards shall be made to all eligible
16 Michigan residents enrolled in undergraduate degree programs who
17 are qualified and who apply ~~before~~**by** March 1 of each year for the
18 next academic year.

19 (3) Pursuant to section 5 of 1966 PA 313, MCL 390.995, and
20 subject to subsections (7) and (8), the department of treasury
21 shall determine an actual maximum tuition grant award per student,
22 which shall be no less than ~~\$2,400.00,~~**\$2,450.00**, that ensures that
23 the aggregate payments for the tuition grant program do not exceed
24 the appropriation contained in section 236 for the state tuition
25 grant program. If the department determines that insufficient funds
26 are available to establish a maximum award amount equal to at least
27 ~~\$2,400.00,~~**\$2,450.00**, the department shall immediately report to
28 the house and senate appropriations subcommittees on higher
29 education, the house and senate fiscal agencies, and the state



1 budget director regarding the estimated amount of additional funds
 2 necessary to establish a ~~\$2,400.00~~ **\$2,450.00** maximum award amount.
 3 If the department determines that sufficient funds are available to
 4 establish a maximum award amount equal to at least ~~\$2,400.00,~~
 5 **\$2,450.00**, the department shall immediately report to the house and
 6 senate appropriations subcommittees on higher education, the house
 7 and senate fiscal agencies, and the state budget director regarding
 8 the maximum award amount established and the projected amount of
 9 any projected year-end appropriation balance based on that maximum
 10 award amount. By February 18 of each fiscal year, the department
 11 shall analyze the status of award commitments, shall make any
 12 necessary adjustments, and shall confirm that those award
 13 commitments will not exceed the appropriation contained in section
 14 236 for the tuition grant program. The determination and actions
 15 shall be reported to the state budget director and the house and
 16 senate fiscal agencies no later than the final day of February of
 17 each year. If award adjustments are necessary, the students shall
 18 be notified of the adjustment by March 4 of each year.

19 (4) Any unexpended and unencumbered funds remaining on
 20 September 30, ~~2019~~ **2020** from the amounts appropriated in section
 21 236 for the tuition grant program for fiscal year ~~2018~~ ~~2019~~ **2019-**
 22 **2020** do not lapse on September 30, ~~2019,~~ **2020**, but continue to be
 23 available for expenditure for tuition grants provided in the ~~2019-~~
 24 ~~2020~~ **2020-2021** fiscal year under a work project account.

25 (5) The department of treasury shall continue a proportional
 26 tuition grant maximum award level for recipients enrolled less than
 27 full-time in a given semester or term.

28 (6) If the department of treasury increases the maximum award
 29 per eligible student from that provided in the previous fiscal



1 year, it shall not have the effect of reducing the number of
2 eligible students receiving awards in relation to the total number
3 of eligible applicants. Any increase in the maximum grant shall be
4 proportional for all eligible students receiving awards for that
5 fiscal year.

6 (7) Except as provided in subsection (4), the department of
7 treasury shall not award more than ~~\$4,200,000.00~~ **\$5,000,000.00** in
8 tuition grants to eligible students enrolled in the same
9 independent nonprofit college or university in this state. Any
10 decrease in the maximum grant shall be proportional for all
11 eligible students enrolled in that college or university, as
12 determined by the department. The limit described in this
13 subsection does not apply to any other student financial aid
14 program or in combination with any other student financial aid
15 program.

16 (8) The department of treasury shall not award tuition grants
17 to otherwise eligible students enrolled in an independent college
18 or university that does not report, in a form and manner directed
19 by and satisfactory to the department of treasury, by October 31 of
20 each year, all of the following:

21 (a) The number of students in the most recently completed
22 academic year who in any academic year received a state tuition
23 grant at the reporting institution and successfully completed a
24 program or graduated.

25 (b) The number of students in the most recently completed
26 academic year who in any academic year received a state tuition
27 grant at the reporting institution and took a remedial education
28 class.

29 (c) The number of students in the most recently completed



1 academic year who in any academic year received a Pell grant at the
 2 reporting institution and successfully completed a program or
 3 graduated.

4 (9) By February 1, ~~2019~~, **2020**, each independent college and
 5 university participating in the tuition grant program shall report
 6 to the senate and house appropriations subcommittees on higher
 7 education, the senate and house fiscal agencies, and the state
 8 budget director on its efforts to develop and implement sexual
 9 assault response training for the institution's title IX
 10 coordinator, campus law enforcement personnel, campus public safety
 11 personnel, and any other campus personnel charged with responding
 12 to on-campus incidents, including information on sexual assault
 13 response training materials and the status of implementing sexual
 14 assault response training for institutional personnel.

15 Sec. 256. (1) The funds appropriated in section 236 for the
 16 tuition incentive program shall be distributed as provided in this
 17 section and pursuant to the administrative procedures for the
 18 tuition incentive program of the department of treasury.

19 (2) As used in this section:

20 (a) "Phase I" means the first part of the tuition incentive
 21 program defined as the academic period of 80 semester or 120 term
 22 credits, or less, leading to an associate degree or certificate.
 23 Students must be enrolled in a certificate or associate degree
 24 program and taking classes within the program of study for a
 25 certificate or associate degree. Tuition will not be covered for
 26 courses outside of a certificate or associate degree program.

27 (b) "Phase II" means the second part of the tuition incentive
 28 program which provides assistance in the third and fourth year of
 29 4-year degree programs.



1 (c) "Department" means the department of treasury.

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

4 (3) An individual shall meet the following basic criteria and
5 financial thresholds to be eligible for tuition incentive program
6 benefits:

7 (a) To be eligible for phase I, an individual shall meet all
8 of the following criteria:

9 (i) Apply for certification to the department any time after he
10 or she begins the sixth grade but before August 31 of the school
11 year in which he or she graduates from high school or before
12 achieving a high school equivalency certificate.

13 (ii) Be less than 20 years of age at the time he or she
14 graduates from high school with a diploma or certificate of
15 completion or achieves a high school equivalency certificate or,
16 for students attending a 5-year middle college approved by the
17 Michigan department of education, be less than 21 years of age when
18 he or she graduates from high school.

19 (iii) Be a United States citizen and a resident of this state
20 according to institutional criteria.

21 (iv) Be at least a half-time student, earning less than 80
22 semester or 120 term credits at a participating educational
23 institution within 4 years of high school graduation or achievement
24 of a high school equivalency certificate. All program eligibility
25 expires 6 years from high school graduation or achievement of a
26 high school equivalency certificate.

27 (v) Meet the satisfactory academic progress policy of the
28 educational institution he or she attends.

29 (b) To be eligible for phase II, an individual shall meet



1 either of the following criteria in addition to the criteria in
2 subdivision (a):

3 (i) Complete at least 56 transferable semester or 84
4 transferable term credits.

5 (ii) Obtain an associate degree or certificate at a
6 participating institution.

7 (c) To be eligible for phase I or phase II, an individual ~~must~~
8 ~~not be incarcerated and~~ must be financially eligible as determined
9 by the department. An individual is financially eligible for the
10 tuition incentive program if he or she was eligible for Medicaid
11 from this state for 24 months within the 36 consecutive months
12 before application. The department shall accept certification of
13 Medicaid eligibility only from the department of health and human
14 services for the purposes of verifying if a person is Medicaid
15 eligible for 24 months within the 36 consecutive months before
16 application. Certification of eligibility may begin in the sixth
17 grade. ~~As used in this subdivision, "incarcerated" does not include~~
18 ~~detention of a juvenile in a state operated or privately operated~~
19 ~~juvenile detention facility.~~

20 (4) For phase I, the department shall provide payment on
21 behalf of a person eligible under subsection (3). The department
22 shall only accept standard per-credit hour tuition billings and
23 shall reject billings that are excessive or outside the guidelines
24 for the type of educational institution.

25 (5) For phase I, all of the following apply:

26 (a) Payments for associate degree or certificate programs
27 shall not be made for more than 80 semester or 120 term credits for
28 any individual student at any participating institution.

29 (b) For persons enrolled at a Michigan community college, the



1 department shall pay the current in-district tuition and mandatory
2 fees. For persons residing in an area that is not included in any
3 community college district, the out-of-district tuition rate may be
4 authorized.

5 (c) For persons enrolled at a Michigan public university, the
6 department shall pay lower division resident tuition and mandatory
7 fees for the current year.

8 (d) For persons enrolled at a Michigan independent, nonprofit
9 degree-granting college or university, or a Michigan federal
10 tribally controlled community college, or Focus: HOPE, the
11 department shall pay mandatory fees for the current year and a per-
12 credit payment that does not exceed the average community college
13 in-district per-credit tuition rate as reported on August 1, for
14 the immediately preceding academic year.

15 (6) A person participating in phase II may be eligible for
16 additional funds not to exceed \$500.00 per semester or \$400.00 per
17 term up to a maximum of \$2,000.00 subject to the following
18 conditions:

19 (a) Credits are earned in a 4-year program at a Michigan
20 degree-granting 4-year college or university.

21 (b) The tuition reimbursement is for coursework completed
22 within 30 months of completion of the phase I requirements.

23 (7) The department shall work closely with participating
24 institutions to develop an application and eligibility
25 determination process that will provide the highest level of
26 participation and ensure that all requirements of the program are
27 met.

28 (8) Applications for the tuition incentive program may be
29 approved at any time after the student begins the sixth grade. If a



1 determination of financial eligibility is made, that determination
2 is valid as long as the student meets all other program
3 requirements and conditions.

4 (9) Each institution shall ensure that all known available
5 restricted grants for tuition and fees are used prior to billing
6 the tuition incentive program for any portion of a student's
7 tuition and fees.

8 (10) The department shall ensure that the tuition incentive
9 program is well publicized and that eligible Medicaid clients are
10 provided information on the program. The department shall provide
11 the necessary funding and staff to fully operate the program.

12 (11) Any unexpended and unencumbered funds remaining on
13 September 30, ~~2019-2020~~ from the amounts appropriated in section
14 236 for the tuition incentive program for fiscal year ~~2018-2019~~
15 **2019-2020** do not lapse on September 30, ~~2019, 2020~~, but continue to
16 be available for expenditure for tuition incentive program funds
17 provided in the ~~2019-2020~~ **2020-2021** fiscal year under a work
18 project account. The use of these unexpended fiscal year ~~2018-2019~~
19 **2019-2020** funds terminates at the end of the ~~2019-2020~~ **2020-2021**
20 fiscal year.

21 (12) The department of treasury shall collaborate with the
22 center to use the P-20 longitudinal data system to report the
23 following information for each qualified postsecondary institution:

24 (a) The number of phase I students in the most recently
25 completed academic year who in any academic year received a tuition
26 incentive program award and who successfully completed a degree or
27 certificate program. Cohort graduation rates for phase I students
28 shall be calculated using the established success rate methodology
29 developed by the center in collaboration with the postsecondary



1 institutions.

2 (b) The number of students in the most recently completed
3 academic year who in any academic year received a Pell grant at the
4 reporting institution and who successfully completed a degree or
5 certificate program. Cohort graduation rates for students who
6 received Pell grants shall be calculated using the established
7 success rate methodology developed by the center in collaboration
8 with the postsecondary institutions.

9 (13) If a qualified postsecondary institution does not report
10 the data necessary to comply with subsection (12) to the P-20
11 longitudinal data system, the institution shall report, in a form
12 and manner satisfactory to the department of treasury and the
13 center, all of the information needed to comply with subsection
14 (12) by December 1, ~~2019-2020~~.

15 (14) Beginning in fiscal year ~~2019-2020~~, **2020-2021**, if a
16 qualified postsecondary institution does not report the data
17 necessary to complete the reporting in subsection (12) to the P-20
18 longitudinal data system by October 15 for the prior academic year,
19 the department of treasury shall not award phase I tuition
20 incentive program funding to otherwise eligible students enrolled
21 in that institution until the data are submitted.

22 Sec. 263. (1) Included in the appropriation in section 236 for
23 fiscal year ~~2018-2019~~ **2019-2020** for MSU AgBioResearch is
24 \$2,982,900.00 and included in the appropriation in section 236 for
25 MSU Extension is \$2,645,200.00 for Project GREEN. Project GREEN
26 is intended to address critical regulatory, food safety, economic,
27 and environmental problems faced by this state's plant-based
28 agriculture, forestry, and processing industries. "GREEN" is an
29 acronym for Generating Research and Extension to Meet Environmental



1 and Economic Needs.

2 (2) The department of agriculture and rural development and
3 Michigan State University, in consultation with agricultural
4 commodity groups and other interested parties, shall develop
5 Project GREEN and its program priorities.

6 Sec. 264. Included in the appropriation in section 236 for
7 fiscal year ~~2018-2019-2019-2020~~ for Michigan State University is
8 \$80,000.00 for the Michigan Future Farmers of America Association.
9 This \$80,000.00 allocation shall not supplant any existing support
10 that Michigan State University provides to the Michigan Future
11 Farmers of America Association.

12 Sec. 265. (1) Payments under section 265a for performance
13 funding for fiscal ~~years 2018-2019, year~~ 2019-2020 ~~, and 2020-2021~~
14 shall only be made to a public university that certifies to the
15 state budget director by August 31, ~~2018-2019~~ that its board did
16 not adopt an increase in tuition and fee rates for resident
17 undergraduate students after September 1, ~~2017-2018~~ for the ~~2017-~~
18 ~~2018-2018-2019~~ academic year and that its board will not adopt an
19 increase in tuition and fee rates for resident undergraduate
20 students for the ~~2018-2019-2019-2020~~ academic year that is greater
21 than ~~3.8%-115%~~ **115% of the higher education price index for fiscal year**
22 **2018, which amounts to 3.2%** or ~~\$490.00, \$427.00~~, whichever is
23 greater. As used in this subsection:

24 (a) "Fee" means any board-authorized fee that will be paid by
25 more than 1/2 of all resident undergraduate students at least once
26 during their enrollment at a public university, as described in the
27 higher education institutional data inventory (HEIDI) user manual.
28 A university increasing a fee that applies to a specific subset of
29 students or courses shall provide sufficient information to prove



1 that the increase applied to that subset will not cause the
 2 increase in the average amount of board-authorized total tuition
 3 and fees paid by resident undergraduate students in the ~~2018-2019~~
 4 **2019-2020** academic year to exceed the limit established in this
 5 subsection.

6 (b) "Tuition and fee rate" means the average of full-time
 7 rates paid by a majority of students in each undergraduate class,
 8 based on an unweighted average of the rates authorized by the
 9 university board and actually charged to students, deducting any
 10 uniformly rebated or refunded amounts, for the 2 semesters with the
 11 highest levels of full-time equated resident undergraduate
 12 enrollment during the academic year, as described in the higher
 13 education institutional data inventory (HEIDI) user manual.

14 (2) The state budget director shall implement uniform
 15 reporting requirements to ensure that a public university receiving
 16 a payment under section 265a for performance funding has satisfied
 17 the tuition restraint requirements of this section. The state
 18 budget director shall have the sole authority to determine if a
 19 public university has met the requirements of this section.
 20 Information reported by a public university to the state budget
 21 director under this subsection shall also be reported to the house
 22 and senate appropriations subcommittees on higher education and the
 23 house and senate fiscal agencies.

24 (3) Universities that exceed the tuition and fee rate cap
 25 described in subsection (1) shall not receive a planning or
 26 construction authorization for a state-funded capital outlay
 27 project in fiscal year ~~2019-2020, fiscal year 2020-2021, or~~
 28 ~~fiscal year 2021-2022.~~

29 (4) Notwithstanding any other provision of this act, the



1 legislature may at any time adjust appropriations for a university
2 that adopts an increase in tuition and fee rates for resident
3 undergraduate students that exceeds the rate cap established in
4 subsection (1).

5 Sec. 265a. (1) Appropriations to public universities in
6 section 236 for fiscal ~~years 2018-2019, year~~ 2019-2020 ~~, and 2020-~~
7 ~~2021~~ for performance funding shall be paid only to a public
8 university that complies with section 265 and certifies to the
9 state budget director, the house and senate appropriations
10 subcommittees on higher education, and the house and senate fiscal
11 agencies by August 31, ~~2018-2019~~ that it complies with all of the
12 following requirements:

13 (a) The university participates in reverse transfer agreements
14 described in section 286 with at least 3 Michigan community
15 colleges.

16 (b) The university does not and will not consider whether dual
17 enrollment credits earned by an incoming student were utilized
18 towards his or her high school graduation requirements when making
19 a determination as to whether those credits may be used by the
20 student toward completion of a university degree or certificate
21 program.

22 (c) The university actively participates in and submits timely
23 updates to the Michigan Transfer Network created as part of the
24 Michigan Association of Collegiate Registrars and Admissions
25 Officers transfer agreement.

26 (2) Any performance funding amounts under section 236 that are
27 not paid to a public university because it did not comply with 1 or
28 more requirements under subsection (1) are unappropriated and
29 reappropriated for performance funding to those public universities



1 that meet the requirements under subsection (1), distributed in
 2 proportion to their performance funding appropriation amounts under
 3 section 236.

4 (3) The state budget director shall report to the house and
 5 senate appropriations subcommittees on higher education and the
 6 house and senate fiscal agencies by September 30, ~~2018~~, **2019**,
 7 regarding any performance funding amounts that are not paid to a
 8 public university because it did not comply with 1 or more
 9 requirements under subsection (1) and any reappropriation of funds
 10 under subsection (2).

11 (4) Performance funding amounts described in section 236 are
 12 distributed based on the following formula:

13 (a) Proportional to each university's share of total
 14 operations funding appropriated in fiscal year 2010-2011, ~~50%~~. **30%**.

15 (b) Based on weighted undergraduate completions in critical
 16 skills areas, ~~11.1%~~. **16.1%**.

17 (c) Based on research and development expenditures, for
 18 universities classified in Carnegie classifications as doctoral
 19 universities: moderate research activity, doctoral universities:
 20 higher research activity, or doctoral universities: highest
 21 research activity only, ~~5.6%~~. **5.5%**.

22 (d) Based on ~~6-year graduation rate, total degree completions,~~
 23 ~~and institutional support as a percentage of core expenditures,~~ and
 24 the percentage of students receiving Pell grants, scored against
 25 national Carnegie classification peers and weighted by total
 26 undergraduate fiscal year equated students, ~~33.3%~~. **32.3%**.

27 **(e) Based on the in-state retention of graduates, scored**
 28 **against state peers and weighted by total undergraduate fiscal year**
 29 **equated students, 16.1%.**



1 (5) For purposes of determining the score of a university
 2 under subsection (4) (d), each university is assigned 1 of the
 3 following scores:

4 (a) A university classified as in the top 20%, a score of 3.

5 (b) A university classified as above national median, a score
 6 of 2.

7 (c) A university classified as improving, a score of 2. It is
 8 the intent of the legislature that, beginning in the ~~2019-2020~~
 9 **2020-2021** state fiscal year, a university classified as improving
 10 is assigned a score of 1.

11 (d) A university that is not included in subdivision (a), (b),
 12 or (c), a score of 0.

13 (6) As used in this section, "Carnegie classification" means
 14 the basic classification of the university according to the most
 15 recent version of the Carnegie classification of institutions of
 16 higher education, published by the Carnegie Foundation for the
 17 Advancement of Teaching.

18 **(7) For the purposes of determining the score of a university**
 19 **under subsection (4) (e), each university is assigned 1 of the**
 20 **following scores:**

21 **(a) A university with 1 of the 5 highest in-state graduate**
 22 **retention rankings, a score of 3.**

23 **(b) A university with an in-state graduate retention ranking**
 24 **of 6 to 10, a score of 2.**

25 **(c) A university with 1 of the 5 lowest in-state graduate**
 26 **retention rankings, a score of 1.**

27 **(8) ~~(7)~~—It is the intent of the legislature to allocate more**
 28 **funding based on performance metrics in future years.**

29 **Sec. 265b. (1) Appropriations to public universities in**



1 section 236 for the fiscal year ending September 30, ~~2019~~–2020 for
2 operations funding shall be reduced by 10% pursuant to the
3 procedures described in subdivision (a) for a public university
4 that fails to submit certification to the state budget director,
5 the house and senate appropriations subcommittees on higher
6 education, and the house and senate fiscal agencies by August 31,
7 ~~2018~~–2019 that the university complies with sections 274c and 274d
8 and that it complies with all of the requirements described in
9 subdivisions (b) to (i), as follows:

10 (a) If a university fails to submit certification, the state
11 budget director shall withhold 10% of that university's annual
12 operations funding until the university submits certification. If a
13 university fails to submit certification by the end of the fiscal
14 year, the 10% of its annual operations funding that is withheld
15 shall lapse to the general fund.

16 (b) For title IX investigations of alleged sexual misconduct,
17 the university prohibits the use of medical experts that have an
18 actual or apparent conflict of interest.

19 (c) For title IX investigations of alleged sexual misconduct,
20 the university prohibits the issuance of divergent reports to
21 complainants, respondents, and administration and instead requires
22 that identical reports be issued to them.

23 (d) Consistent with the university's obligations under 20 USC
24 1092(f), the university notifies each individual who reports having
25 experienced sexual assault by a student, faculty member, or staff
26 member of the university that the individual has the option to
27 report the matter to law enforcement, to the university, to both,
28 or to neither, as the individual may choose.

29 (e) The university provides both of the following:



1 (i) For all freshmen and incoming transfer students enrolled,
2 an in-person sexual misconduct prevention presentation or course,
3 which must include contact information for the title IX office of
4 the university.

5 (ii) For all students not considered freshmen or incoming
6 transfer students, an online or electronic sexual misconduct
7 prevention presentation or course.

8 (f) The university prohibits seeking compensation from the
9 recipient of any medical procedure, treatment, or care provided by
10 a medical professional who has been convicted of a felony arising
11 out of the medical procedure, treatment, or care.

12 (g) The university ~~has or plans to have~~ **had** a third party
13 review its title IX compliance office and related policies and
14 procedures by the end of the 2018-2019 academic year. A copy of the
15 third-party review shall be transmitted to the state budget
16 director, the house and senate appropriations subcommittees on
17 higher education, and the house and senate fiscal agencies. After
18 the third-party review has been conducted for the 2018-2019
19 academic year, the university shall have a third-party review once
20 every three years and a copy of the third-party review shall be
21 transmitted to the state budget director, the house and senate
22 appropriations subcommittees on higher education, and the house and
23 senate fiscal agencies.

24 (h) The university requires that the governing board and the
25 president or chancellor of the university receive not less than
26 quarterly reports from their title IX coordinator or title IX
27 office. The report shall contain aggregated data of the number of
28 sexual misconduct reports that the office received for the academic
29 year, the types of reports received, including reports received



1 against employees, and a summary of the general outcomes of the
2 reports and investigations. A member of the governing board may
3 request to review a title IX investigation report involving a
4 complaint against an employee, and the university shall provide the
5 report in a manner it considers appropriate. The university shall
6 protect the complainant's anonymity, and the report shall not
7 contain specific identifying information.

8 (i) If allegations against an employee are made in more than 1
9 title IX complaint that resulted in the university finding that no
10 misconduct occurred, the university requires that the title IX
11 officer promptly notify the president or chancellor and a member of
12 the university's governing board in writing and take all
13 appropriate steps to ensure that the matter is being investigated
14 thoroughly, including hiring an outside investigator for future
15 cases involving that employee. A third-party title IX investigation
16 under this subdivision does not prohibit the university from
17 simultaneously conducting its own title IX investigation through
18 its own title IX coordinator.

19 (2) Each public university that receives an appropriation in
20 section 236 shall also certify that its president or chancellor and
21 a member of its governing board has reviewed all title IX reports
22 involving the alleged sexual misconduct of an employee of the
23 university, and shall send the certification to the house and
24 senate appropriations subcommittees on higher education, the house
25 and senate fiscal agencies, and the state budget director by August
26 31, ~~2018-2019~~.

27 (3) For purposes of this section, "sexual misconduct"
28 includes, but is not limited to, any of the following:

29 (a) Intimate partner violence.



1 (b) Nonconsensual sexual conduct.

2 (c) Sexual assault.

3 (d) Sexual exploitation.

4 (e) Sexual harassment.

5 (f) Stalking.

6 Sec. 265c. By February 1, ~~2019, 2020 and February 1 of every~~
 7 **even-numbered year thereafter**, the Michigan Community College
 8 Association, the Michigan Association of State Universities, and
 9 the Michigan Independent Colleges and Universities, on behalf of
 10 their member colleges and universities, shall submit to the senate
 11 and house appropriations subcommittees on higher education, the
 12 senate and house appropriations subcommittees on community
 13 colleges, the senate and house fiscal agencies, and the state
 14 budget director a comprehensive report detailing the number of
 15 academic program partnerships between public community colleges,
 16 public universities, and private colleges and universities,
 17 including, but not limited to, the following information:

18 (a) The names of the baccalaureate degree programs of study
 19 offered by public and private universities on community college
 20 campuses.

21 (b) The names of the articulation agreements for baccalaureate
 22 degree programs of study between public community colleges, public
 23 universities, and private colleges and universities.

24 (c) The number of students enrolled and number of degrees
 25 awarded through articulation agreements, and the number of courses
 26 offered, number of students enrolled, and number of degrees awarded
 27 through on-campus programs named in subdivision (a) from July 1,
 28 ~~2017-2018~~ through June 30, ~~2018-2019~~.

29 Sec. 265d. ~~The legislature encourages each~~ **Each** public



1 university that receives an appropriation in section 236 **is**
 2 **encouraged** to enter into a memorandum of understanding with at
 3 least 1 local law enforcement agency with jurisdiction on or around
 4 campus for the communication and coordination of responses to
 5 incidents of sexual assault.

6 Sec. 267. All public universities shall submit the amount of
 7 tuition and fees actually charged to a full-time resident
 8 undergraduate student for academic year ~~2018-2019~~ **2019-2020** as part
 9 of their higher education institutional data inventory (HEIDI) data
 10 by August 31 of each year. A public university shall report any
 11 revisions for any semester of the reported academic year ~~2018-2019~~
 12 **2019-2020** tuition and fee charges to HEIDI within 15 days of being
 13 adopted.

14 Sec. 268. (1) For the fiscal year ending September 30, ~~2019,~~
 15 **2020**, it is the intent of the legislature that funds be allocated
 16 for unfunded North American Indian tuition waiver costs incurred by
 17 public universities under 1976 PA 174, MCL 390.1251 to 390.1253,
 18 from the general fund.

19 ~~(2) Appropriations in section 236(7)(f) for North American~~
 20 ~~Indian tuition waivers shall be paid to universities under section~~
 21 ~~2a of 1976 PA 174, MCL 390.1252a. Allocations shall be adjusted for~~
 22 ~~amounts included in university operations appropriations. If funds~~
 23 ~~are insufficient to support the entire cost of waivers, amounts~~
 24 ~~shall be prorated proportionate to each institution's shortfall as~~
 25 ~~a percentage of its fiscal year 2018-2019 state appropriation for~~
 26 ~~operations.~~

27 **(2)** ~~(3)~~ By February 15 of each year, the department of civil
 28 rights shall annually submit to the state budget director, the
 29 house and senate appropriations subcommittees on higher education,



1 and the house and senate fiscal agencies a report on North American
 2 Indian tuition waivers for the preceding academic year that
 3 includes, but is not limited to, all of the following information:

4 (a) The number of waiver applications received and the number
 5 of waiver applications approved.

6 (b) For each university submitting information under
 7 subsection (4), all of the following:

8 (i) The number of graduate and undergraduate North American
 9 Indian students enrolled each term for the previous academic year.

10 (ii) The number of North American Indian waivers granted each
 11 term, including to continuing education students, and the monetary
 12 value of the waivers for the previous academic year.

13 (iii) The number of graduate and undergraduate students
 14 attending under a North American Indian tuition waiver who withdrew
 15 from the university each term during the previous academic year.
 16 For purposes of this subparagraph, a withdrawal occurs when a
 17 student who has been awarded the waiver withdraws from the
 18 institution at any point during the term, regardless of enrollment
 19 in subsequent terms.

20 (iv) The number of graduate and undergraduate students
 21 attending under a North American Indian tuition waiver who
 22 successfully complete a degree or certificate program, separated by
 23 degree or certificate level, and the graduation rate for graduate
 24 and undergraduate students attending under a North American Indian
 25 tuition waiver who complete a degree or certificate within 150% of
 26 the normal time to complete, separated by the level of the degree
 27 or certificate.

28 (3) ~~(4)~~—A public university that receives funds under section
 29 236 shall provide to the department of civil rights any information



1 necessary for preparing the report detailed in subsection (3),
 2 using guidelines and procedures developed by the department of
 3 civil rights.

4 (4) ~~(5)~~—The department of civil rights may consolidate the
 5 report required under this section with the report required under
 6 section 223, but a consolidated report must separately identify
 7 data for universities and data for community colleges.

8 Sec. 269. For fiscal year ~~2018-2019~~, **2019-2020**, from the
 9 amount appropriated in section 236 to Central Michigan University
 10 for operations, \$29,700.00 shall be paid to Saginaw Chippewa Tribal
 11 College for the costs of waiving tuition for North American Indians
 12 under 1976 PA 174, MCL 390.1251 to 390.1253.

13 Sec. 270. For fiscal year ~~2018-2019~~, **2019-2020**, from the
 14 amount appropriated in section 236 to Lake Superior State
 15 University for operations, \$100,000.00 shall be paid to Bay Mills
 16 Community College for the costs of waiving tuition for North
 17 American Indians under 1976 PA 174, MCL 390.1251 to 390.1253.

18 Sec. 274. It is the intent of the legislature that public and
 19 private organizations that conduct human embryonic stem cell
 20 derivation subject to section 27 of article I of the state
 21 constitution of 1963 will provide information to the director of
 22 the department of health and human services by December 1, ~~2018~~
 23 **2019** that includes all of the following:

24 (a) Documentation that the organization conducting human
 25 embryonic stem cell derivation is conducting its activities in
 26 compliance with the requirements of section 27 of article I of the
 27 state constitution of 1963 and all relevant National Institutes of
 28 Health guidelines pertaining to embryonic stem cell derivation.

29 (b) A list of all human embryonic stem cell lines submitted by



1 the organization to the National Institutes of Health for inclusion
2 in the Human Embryonic Stem Cell Registry before and during fiscal
3 year ~~2017-2018, 2018-2019~~, and the status of each submission as
4 approved, pending approval, or review completed but not yet
5 accepted.

6 (c) Number of human embryonic stem cell lines derived and not
7 submitted for inclusion in the Human Embryonic Stem Cell Registry,
8 before and during fiscal year ~~2017-2018, 2018-2019~~.

9 Sec. 274c. By February 1, ~~2019, 2020~~, each university
10 receiving funds under section 236 shall report to the senate and
11 house appropriations subcommittees on higher education, the senate
12 and house fiscal agencies, and the state budget director on its
13 efforts to develop and implement sexual assault response training
14 for the university's title IX coordinator, campus law enforcement
15 personnel, campus public safety personnel, and any other campus
16 personnel charged with responding to on-campus incidents, including
17 information on sexual assault response training materials and the
18 status of implementing sexual assault response training for campus
19 personnel.

20 Sec. 276. (1) Included in the appropriation for fiscal year
21 ~~2018-2019, 2019-2020~~ for each public university in section 236 is
22 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
23 future faculty program that is intended to increase the pool of
24 academically or economically disadvantaged candidates pursuing
25 faculty teaching careers in postsecondary education. Preference may
26 not be given to applicants on the basis of race, color, ethnicity,
27 gender, or national origin. Institutions should encourage
28 applications from applicants who would otherwise not adequately be
29 represented in the graduate student and faculty populations. Each



1 public university shall apply the percentage change applicable to
 2 every public university in the calculation of appropriations in
 3 section 236 to the amount of funds allocated to the future faculty
 4 program.

5 (2) The program shall be administered by each public
 6 university in a manner prescribed by the workforce development
 7 agency. The workforce development agency shall use a good faith
 8 effort standard to evaluate whether a fellowship is in default.

9 Sec. 277. (1) Included in the appropriation for fiscal year
 10 ~~2018-2019-2019-2020~~ for each public university in section 236 is
 11 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
 12 college day program that is intended to introduce academically or
 13 economically disadvantaged schoolchildren to the potential of a
 14 college education. Preference may not be given to participants on
 15 the basis of race, color, ethnicity, gender, or national origin.
 16 Public universities should encourage participation from those who
 17 would otherwise not adequately be represented in the student
 18 population.

19 (2) Individual program plans of each public university shall
 20 include a budget of equal contributions from this program, the
 21 participating public university, the participating school district,
 22 and the participating independent degree-granting college. College
 23 day funds shall not be expended to cover indirect costs. Not more
 24 than 20% of the university match shall be attributable to indirect
 25 costs. Each public university shall apply the percentage change
 26 applicable to every public university in the calculation of
 27 appropriations in section 236 to the amount of funds allocated to
 28 the college day program.

29 (3) The program described in this section shall be



1 administered by each public university in a manner prescribed by
2 the workforce development agency.

3 Sec. 278. (1) Included in section 236 for fiscal year ~~2018-~~
4 ~~2019-2019-2020~~ is funding for the Martin Luther King, Jr. - Cesar
5 Chavez - Rosa Parks select student support services program for
6 developing academically or economically disadvantaged student
7 retention programs for 4-year public and independent educational
8 institutions in this state. Preference may not be given to
9 participants on the basis of race, color, ethnicity, gender, or
10 national origin. Institutions should encourage participation from
11 those who would otherwise not adequately be represented in the
12 student population.

13 (2) An award made under this program to any 1 institution
14 shall not be greater than \$150,000.00, and the amount awarded shall
15 be matched on a 70% state, 30% college or university basis.

16 (3) The program described in this section shall be
17 administered by the workforce development agency.

18 Sec. 279. (1) Included in section 236 for fiscal year ~~2018-~~
19 ~~2019-2019-2020~~ is funding for the Martin Luther King, Jr. - Cesar
20 Chavez - Rosa Parks college/university partnership program between
21 4-year public and independent colleges and universities and public
22 community colleges, which is intended to increase the number of
23 academically or economically disadvantaged students who transfer
24 from community colleges into baccalaureate programs. Preference may
25 not be given to participants on the basis of race, color,
26 ethnicity, gender, or national origin. Institutions should
27 encourage participation from those who would otherwise not
28 adequately be represented in the transfer student population.

29 (2) The grants shall be made under the program described in



1 this section to Michigan public and independent colleges and
2 universities. An award to any 1 institution shall not be greater
3 than \$150,000.00, and the amount awarded shall be matched on a 70%
4 state, 30% college or university basis.

5 (3) The program described in this section shall be
6 administered by the workforce development agency.

7 Sec. 280. (1) Included in the appropriation for fiscal year
8 ~~2018-2019~~**2019-2020** for each public university in section 236 is
9 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
10 visiting professors program which is intended to increase the
11 number of instructors in the classroom to provide role models for
12 academically or economically disadvantaged students. Preference may
13 not be given to participants on the basis of race, color,
14 ethnicity, gender, or national origin. Public universities should
15 encourage participation from those who would otherwise not
16 adequately be represented in the student population.

17 (2) The program described in this section shall be
18 administered by the workforce development agency.

19 Sec. 281. (1) Included in the appropriation for fiscal year
20 ~~2018-2019~~**2019-2020** in section 236 is funding under the Martin
21 Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the
22 Morris Hood, Jr. educator development program which is intended to
23 increase the number of academically or economically disadvantaged
24 students who enroll in and complete K-12 teacher education programs
25 at the baccalaureate level. Preference may not be given to
26 participants on the basis of race, color, ethnicity, gender, or
27 national origin. Institutions should encourage participation from
28 those who would otherwise not adequately be represented in the
29 teacher education student population.



1 (2) The program described in this section shall be
 2 administered by each state-approved teacher education institution
 3 in a manner prescribed by the workforce development agency.

4 (3) Approved teacher education institutions may and are
 5 encouraged to use student support services funding in coordination
 6 with the Morris Hood, Jr. funding to achieve the goals of the
 7 program described in this section.

8 Sec. 282. Each institution receiving funds for fiscal year
 9 ~~2018-2019~~ **2019-2020** under section 278, 279, or 281 shall provide to
 10 the workforce development agency by April 15, ~~2019-2020~~ the
 11 unobligated and unexpended funds as of March 31, ~~2019-2020~~ and a
 12 plan to expend the remaining funds by the end of the fiscal year.
 13 Notwithstanding the award limitations in sections 278 and 279, the
 14 amount of funding reported as not being expended will be
 15 reallocated to the institutions that intend to expend all funding
 16 received under section 278, 279, or 281.

17 Sec. 283. (1) Using the data provided to the center as
 18 required by section 244 of this act, the center shall use the P-20
 19 longitudinal data system to inform interested Michigan high schools
 20 and the public regarding the aggregate academic status of its
 21 students. The center shall work with the universities and the
 22 Michigan Association of State Universities and in cooperation with
 23 the Michigan Association of Secondary School Principals.

24 (2) Michigan high schools shall systematically inform the
 25 public universities about the use of information received under
 26 this section in a manner prescribed by the Michigan Association of
 27 Secondary School Principals in cooperation with the Michigan
 28 Association of State Universities.

29 Sec. 289. (1) ~~Not less than~~ **At least once** every 4 years, the



1 auditor general shall audit higher education institutional data
 2 inventory (HEIDI) data submitted by all public universities under
 3 section 241 and may perform audits of selected public universities
 4 if determined necessary. The audits shall be based upon the
 5 definitions, requirements, and uniform reporting categories
 6 established by the state budget director in consultation with the
 7 HEIDI advisory committee. The auditor general shall submit a report
 8 of findings to the house and senate appropriations committees and
 9 the state budget director no later than July 1 of each year an
 10 audit takes place.

11 (2) Student credit hours reports shall not include the
 12 following:

13 (a) Student credit hours generated through instructional
 14 activity by faculty or staff in classrooms located outside
 15 Michigan, with the exception of instructional activity related to
 16 study-abroad programs or field programs.

17 ~~(b) Student credit hours generated through distance learning~~
 18 ~~instruction for students not eligible for the public university's~~
 19 ~~in-state main campus resident tuition rate. However, in instances~~
 20 ~~where a student is enrolled in distance education and non-distance~~
 21 ~~education credit hours in a given term and the student's non-~~
 22 ~~distance education enrollment is at a campus or site located within~~
 23 ~~Michigan, student credit hours per the student's eligibility for~~
 24 ~~in-state or out-of-state tuition rates may be reported.~~

25 ~~(b) (e) Student credit hours generated through credit by~~
 26 ~~examination.~~

27 ~~(d) Student credit hours generated through inmate prison~~
 28 ~~programs regardless of teaching location.~~

29 ~~(c) (e) Student credit hours generated in new degree programs~~



1 created on or after January 1, 1975 and before January 1, 2013,
2 that were not specifically authorized for funding by the
3 legislature, except spin-off programs converted from existing core
4 programs, and student credit hours generated in any new degree
5 programs created after January 1, 2013, that are specifically
6 excluded from reporting by the legislature under this section.

7 ~~(3) "Distance learning instruction" as used in subsection (2)~~
8 ~~means instruction that occurs solely in other than a traditional~~
9 ~~classroom setting where the student and instructor are in the same~~
10 ~~physical location and for which a student receives course credits~~
11 ~~and is charged tuition and fees. Examples of distance learning~~
12 ~~instruction are instruction delivered solely through the internet,~~
13 ~~cable television, teleconference, or mail.~~

14 Enacting section 1. In accordance with section 30 of article
15 IX of the state constitution of 1963, total state spending from
16 state sources for higher education for fiscal year 2019-2020 under
17 article III of the state school aid act of 1979, 1979 PA 94, MCL
18 388.1836 to 388.1891, is estimated at \$1,557,518,700.00 and the
19 amount of that state spending from state sources to be paid to
20 local units of government for fiscal year 2019-2020 is estimated at
21 \$0.00.

22 Enacting section 2. This amendatory act takes effect October
23 1, 2019.

