

**SUBSTITUTE FOR
SENATE BILL NO. 140**

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending sections 236, 236a, 236c, 241, 245, 251, 252, 256, 263,
264, 265, 265a, 265b, 265c, 265d, 267, 268, 269, 270, 274, 274c,
276, 277, 278, 279, 280, 281, 282, and 289 (MCL 388.1836,
388.1836a, 388.1836c, 388.1841, 388.1845, 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, and 388.1889), sections 236, 236a,
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 265b, 265c, and 265d as added by 2018 PA 265 and



section 265 as amended by 2018 PA 586, and by adding section 275d; and to repeal acts and parts of acts.

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 **\$1,693,001,800.00.** 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 **\$1,693,001,800.00.**

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.~~ **\$128,026,400.00.**

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.~~ **\$500,537,300.00.**

18 (v) State general fund/general purpose money,
19 ~~\$1,046,017,900.00.~~ **\$1,064,438,100.00.**

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.~~ **\$88,893,100.00, \$87,415,000.00 for operations**
25 **and \$1,478,100.00 for performance funding.**

26 (b) The appropriation for Eastern Michigan University is



1 ~~\$76,979,300.00, \$75,169,900.00 for operations and \$1,809,400.00 for~~
 2 ~~performance funding.~~ **\$78,192,100.00, \$76,979,300.00 for operations**
 3 **and \$1,212,800.00 for performance funding.**

4 (c) The appropriation for Ferris State University is
 5 ~~\$54,950,700.00, \$53,595,500.00 for operations and \$1,355,200.00 for~~
 6 ~~performance funding.~~ **\$55,763,800.00, \$54,950,700.00 for operations**
 7 **and \$813,100.00 for performance funding.**

8 (d) The appropriation for Grand Valley State University is
 9 ~~\$72,056,600.00, \$70,100,100.00 for operations and \$1,956,500.00 for~~
 10 ~~performance funding.~~ **\$73,535,800.00, \$72,056,600.00 for operations**
 11 **and \$1,479,200.00 for performance funding.**

12 (e) The appropriation for Lake Superior State University is
 13 ~~\$13,987,000.00, \$13,775,000.00 for operations and \$212,000.00 for~~
 14 ~~performance funding.~~ **\$14,147,100.00, \$13,987,000.00 for operations**
 15 **and \$160,100.00 for performance funding.**

16 (f) The appropriation for Michigan State University is
 17 ~~\$350,703,300.00, \$281,239,100.00 for operations, \$5,035,100.00 for~~
 18 ~~performance funding, \$34,591,400.00 for MSU AgBioResearch, and~~
 19 ~~\$29,837,700.00 for MSU Extension.~~ **\$355,902,000.00, \$286,274,200.00**
 20 **for operations, \$4,232,200.00 for performance funding,**
 21 **\$35,110,300.00 for MSU AgBioResearch, and \$30,285,300.00 for MSU**
 22 **Extension.**

23 (g) The appropriation for Michigan Technological University is
 24 ~~\$49,949,600.00, \$49,052,200.00 for operations and \$897,400.00 for~~
 25 ~~performance funding.~~ **\$50,687,800.00, \$49,949,600.00 for operations**
 26 **and \$738,200.00 for performance funding.**

27 (h) The appropriation for Northern Michigan University is
 28 ~~\$47,998,400.00, \$47,137,400.00 for operations and \$861,000.00 for~~
 29 ~~performance funding.~~ **\$48,644,400.00, \$47,998,400.00 for operations**



1 **and \$646,000.00 for performance funding.**

2 (i) The appropriation for Oakland University is
 3 ~~\$52,819,200.00, \$51,235,900.00 for operations and \$1,583,300.00 for~~
 4 ~~performance funding.~~ **\$54,005,100.00, \$52,819,200.00 for operations**
 5 **and \$1,185,900.00 for performance funding.**

6 (j) The appropriation for Saginaw Valley State University is
 7 ~~\$30,528,000.00, \$29,766,100.00 for operations and \$761,900.00 for~~
 8 ~~performance funding.~~ **\$30,881,100.00, \$30,528,000.00 for operations**
 9 **and \$353,100.00 for performance funding.**

10 (k) The appropriation for University of Michigan - Ann Arbor
 11 is ~~\$320,782,400.00, \$314,589,100.00 for operations and~~
 12 ~~\$6,193,300.00 for performance funding.~~ **\$325,531,500.00,**
 13 **\$320,782,400.00 for operations and \$4,749,100.00 for performance**
 14 **funding.**

15 (l) The appropriation for University of Michigan - Dearborn is
 16 ~~\$26,071,800.00, \$25,421,900.00 for operations and \$649,900.00 for~~
 17 ~~performance funding.~~ **\$26,572,900.00, \$26,071,800.00 for operations**
 18 **and \$501,100.00 for performance funding.**

19 (m) The appropriation for University of Michigan - Flint is
 20 ~~\$23,585,400.00, \$23,061,800.00 for operations and \$523,600.00 for~~
 21 ~~performance funding.~~ **\$23,924,900.00, \$23,585,400.00 for operations**
 22 **and \$339,500.00 for performance funding.**

23 (n) The appropriation for Wayne State University is
 24 ~~\$202,363,200.00, \$199,169,800.00 for operations and \$3,193,400.00~~
 25 ~~for performance funding.~~ **\$204,813,500.00, \$202,363,200.00 for**
 26 **operations and \$2,450,300.00 for performance funding.**

27 (o) The appropriation for Western Michigan University is
 28 ~~\$111,151,000.00, \$109,376,800.00 for operations and \$1,774,200.00~~
 29 ~~for performance funding.~~ **\$112,666,000.00, \$111,151,000.00 for**



1 **operations and \$1,515,000.00 for performance funding.**

2 (3) The amount appropriated in subsection (2) for public
3 universities is appropriated from the following:

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

5 (b) State general fund/general purpose money,

6 ~~\$1,027,054,600.00.~~ **\$1,049,874,800.00.**

7 (4) The amount appropriated for Michigan public school
8 employees' retirement system reimbursement is ~~\$5,133,000.00,~~
9 **\$5,017,000.00,** appropriated from the state school aid fund.

10 (5) The amount appropriated for state and regional programs is
11 \$315,000.00, appropriated from general fund/general purpose money
12 and allocated as follows:

13 (a) Higher education database modernization and conversion,
14 \$200,000.00.

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

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

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

20 (b) Michigan college/university partnership program,
21 \$586,800.00.

22 (c) Morris Hood, Jr. educator development program,
23 \$148,600.00.

24 (7) Subject to subsection (8), the amount appropriated for
25 grants and financial aid is \$139,583,200.00, allocated as follows:

26 (a) State competitive scholarships, \$32,361,700.00.

27 (b) Tuition grants, \$38,021,500.00.

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

29 (d) Children of veterans and officer's survivor tuition grant



1 programs, \$1,400,000.00.

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

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

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

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

9 (b) Federal revenues under the social security act, temporary
10 assistance for needy families, ~~\$120,326,400.00.~~ **\$124,826,400.00.**

11 ~~(c) Contributions to children of veterans tuition grant
12 program, \$100,000.00.~~

13 **(c) ~~(d)~~ State general fund/general purpose money,**
14 ~~\$15,956,800.00.~~ **\$11,556,800.00.**

15 (9) For fiscal year ~~2018-2019 only,~~ **2019-2020** in addition to
16 the allocation under subsection (4), from the appropriations
17 described in subsection (1), there is allocated an amount not to
18 exceed ~~\$669,000.00~~ **\$1,234,000.00** for payments to participating
19 public universities, appropriated from the state school aid fund. A
20 university that receives money under this subsection shall use that
21 money solely for the purpose of offsetting the normal cost
22 contribution rate. As used in this subsection, "participating
23 public universities" means public universities that are a reporting
24 unit of the Michigan public school employees' retirement system
25 under the public school employees retirement act of 1979, 1980 PA
26 300, MCL 38.1301 to 38.1437, and that pay contributions to the
27 Michigan public school employees' retirement system for the state
28 fiscal year.

29 Sec. 236a. It is the intent of the legislature to provide



1 appropriations for the fiscal year ending on September 30, ~~2020~~
 2 **2021** for the items listed in section 236. The fiscal year ~~2019-2020~~
 3 **2020-2021** appropriations are anticipated to be the same as those
 4 for fiscal year ~~2018-2019, 2019-2020~~, except that the amounts will
 5 be adjusted for changes in caseload and related costs, federal fund
 6 match rates, economic factors, and available revenue. These
 7 adjustments will be determined after the January ~~2019-2020~~
 8 consensus revenue estimating conference. **For fiscal year 2020-2021,**
 9 **the amount appropriated for Michigan public school employees'**
 10 **retirement system reimbursement is projected to be \$7,264,000.00.**

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

22 (a) Central Michigan University,

23 ~~\$12,936,500.00.~~ **\$12,141,800.00.**

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

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

26 (d) Grand Valley State University,

27 ~~\$8,800,000.00.~~ **\$6,752,400.00.**

28 (e) Lake Superior State University,

29 ~~\$2,285,800.00.~~ **\$1,856,100.00.**



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

2 (g) Michigan Technological University,

3 ~~\$6,782,000.00~~ **\$6,912,500.00.**

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

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

6 (j) Saginaw Valley State University,

7 ~~\$10,984,000.00~~ **\$10,670,900.00.**

8 (k) University of Michigan - Ann Arbor,

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

10 (l) University of Michigan - Dearborn,

11 ~~\$10,918,000.00~~ **\$9,522,700.00.**

12 (m) University of Michigan - Flint,

13 ~~\$6,244,800.00~~ **\$4,128,900.00.**

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

15 (o) Western Michigan University,

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

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

26 (2) All public universities shall submit higher education
 27 institutional data inventory (HEIDI) data and associated financial
 28 and program information requested by and in a manner prescribed by
 29 the state budget director. For public universities with fiscal



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

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

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

18 (a) The annual operating budget and subsequent budget
19 revisions.

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

23 (i) A chart of personnel expenditures, broken into the
24 following subcategories:

25 (A) Earnings and wages.

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

29 (C) Retirement benefit costs.



1 (D) All other personnel costs.

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

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

7 (i) The current collective bargaining agreement for each
8 bargaining unit.

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

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

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

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

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

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

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

28 (3) On the website required under subsection (1), a public
29 university shall provide a dashboard or report card demonstrating



1 the university's performance in several "best practice" measures.
2 The dashboard or report card shall include at least all of the
3 following for the 3 most recent academic years for which the data
4 are available:

5 (a) Enrollment.

6 (b) Student retention rate.

7 (c) Six-year graduation rates.

8 (d) Number of Pell grant recipients and graduating Pell grant
9 recipients.

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

12 (f) Faculty to student ratios and total university employee to
13 student ratios.

14 (g) Teaching load by faculty classification.

15 (h) Graduation outcome rates, including employment and
16 continuing education.

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

25 (5) The state budget director shall determine whether a public
26 university has complied with this section. The state budget
27 director may withhold a public university's monthly installments
28 described in section 241 until the public university complies with
29 this section.



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

5 (a) Opportunities for earning college credit through the
6 following programs:

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

9 (ii) Direct college credit or concurrent enrollment.

10 (iii) Dual enrollment.

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

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

14 (i) The number of high school students participating in the
15 program.

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

18 (iii) Whether a university professor, qualified local school
19 district employee, or other individual teaches the course or
20 courses in the program.

21 (iv) The total cost to the public university to operate the
22 program.

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

25 (vi) The location where the course or courses in the program
26 are held.

27 (vii) Instructional resources offered to the program
28 instructors.



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

2 (ix) Transportation services provided to students in the
3 program.

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

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

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

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

29 (5) If the department of treasury increases the maximum award



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

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

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

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

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

25 (3) Pursuant to section 5 of 1966 PA 313, MCL 390.995, and
 26 subject to subsections (7) and (8), the department of treasury
 27 shall determine an actual maximum tuition grant award per student,
 28 which shall be no less than ~~\$2,400.00,~~**\$2,500.00**, that ensures that
 29 the aggregate payments for the tuition grant program do not exceed



1 the appropriation contained in section 236 for the state tuition
 2 grant program. If the department determines that insufficient funds
 3 are available to establish a maximum award amount equal to at least
 4 ~~\$2,400.00~~, **\$2,500.00**, the department shall immediately report to
 5 the house and senate appropriations subcommittees on higher
 6 education, the house and senate fiscal agencies, and the state
 7 budget director regarding the estimated amount of additional funds
 8 necessary to establish a ~~\$2,400.00~~ **\$2,500.00** maximum award amount.
 9 If the department determines that sufficient funds are available to
 10 establish a maximum award amount equal to at least ~~\$2,400.00~~,
 11 **\$2,500.00**, the department shall immediately report to the house and
 12 senate appropriations subcommittees on higher education, the house
 13 and senate fiscal agencies, and the state budget director regarding
 14 the maximum award amount established and the projected amount of
 15 any projected year-end appropriation balance based on that maximum
 16 award amount. By February 18 of each fiscal year, the department
 17 shall analyze the status of award commitments, shall make any
 18 necessary adjustments, and shall confirm that those award
 19 commitments will not exceed the appropriation contained in section
 20 236 for the tuition grant program. The determination and actions
 21 shall be reported to the state budget director and the house and
 22 senate fiscal agencies no later than the final day of February of
 23 each year. If award adjustments are necessary, the students shall
 24 be notified of the adjustment by March 4 of each year.

25 (4) Any unexpended and unencumbered funds remaining on
 26 September 30, ~~2019~~**2020** from the amounts appropriated in section
 27 236 for the tuition grant program for fiscal year ~~2018~~~~2019~~~~2019~~
 28 **2020** do not lapse on September 30, ~~2019~~,**2020**, but continue to be
 29 available for expenditure for tuition grants provided in the ~~2019~~



1 ~~2020-2020-2021~~ fiscal year under a work project account.

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

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

12 (7) Except as provided in subsection (4), the department of
13 treasury shall not award more than ~~\$4,200,000.00~~ **\$4,600,000.00** in
14 tuition grants to eligible students enrolled in the same
15 independent nonprofit college or university in this state. Any
16 decrease in the maximum grant shall be proportional for all
17 eligible students enrolled in that college or university, as
18 determined by the department. The limit described in this
19 subsection does not apply to any other student financial aid
20 program or in combination with any other student financial aid
21 program.

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

27 (a) The number of students in the most recently completed
28 academic year who in any academic year received a state tuition
29 grant at the reporting institution and successfully completed a



1 program or graduated.

2 (b) The number of students in the most recently completed
3 academic year who in any academic year received a state tuition
4 grant at the reporting institution and took a remedial education
5 class.

6 (c) The number of students in the most recently completed
7 academic year who in any academic year received a Pell grant at the
8 reporting institution and successfully completed a program or
9 graduated.

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

21 Sec. 256. (1) The funds appropriated in section 236 for the
22 tuition incentive program shall be distributed as provided in this
23 section and pursuant to the administrative procedures for the
24 tuition incentive program of the department of treasury.

25 (2) As used in this section:

26 (a) "Phase I" means the first part of the tuition incentive
27 program defined as the academic period of 80 semester or 120 term
28 credits, or less, leading to an associate degree or certificate.
29 Students must be enrolled in a certificate or associate degree



1 program and taking classes within the program of study for a
2 certificate or associate degree. Tuition will not be covered for
3 courses outside of a certificate or associate degree program.

4 (b) "Phase II" means the second part of the tuition incentive
5 program which provides assistance in the third and fourth year of
6 4-year degree programs.

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

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

10 (3) An individual shall meet the following basic criteria and
11 financial thresholds to be eligible for tuition incentive program
12 benefits:

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

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

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

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

27 (iv) Be at least a half-time student, earning less than 80
28 semester or 120 term credits at a participating educational
29 institution within 4 years of high school graduation or achievement



1 of a high school equivalency certificate. All program eligibility
2 expires 6 years from high school graduation or achievement of a
3 high school equivalency certificate.

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

6 (b) To be eligible for phase II, an individual shall meet
7 either of the following criteria in addition to the criteria in
8 subdivision (a):

9 (i) Complete at least 56 transferable semester or 84
10 transferable term credits.

11 (ii) Obtain an associate degree or certificate at a
12 participating institution.

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

26 (4) For phase I, the department shall provide payment on
27 behalf of a person eligible under subsection (3). The department
28 shall only accept standard per-credit hour tuition billings and
29 shall reject billings that are excessive or outside the guidelines



1 for the type of educational institution.

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

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

6 (b) For persons enrolled at a Michigan community college, the
7 department shall pay the current in-district tuition and mandatory
8 fees. For persons residing in an area that is not included in any
9 community college district, the out-of-district tuition rate may be
10 authorized.

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

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

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

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

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

29 (7) The department shall work closely with participating



1 institutions to develop an application and eligibility
 2 determination process that will provide the highest level of
 3 participation and ensure that all requirements of the program are
 4 met.

5 (8) Applications for the tuition incentive program may be
 6 approved at any time after the student begins the sixth grade. If a
 7 determination of financial eligibility is made, that determination
 8 is valid as long as the student meets all other program
 9 requirements and conditions.

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

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

18 (11) Any unexpended and unencumbered funds remaining on
 19 September 30, ~~2019-2020~~ from the amounts appropriated in section
 20 236 for the tuition incentive program for fiscal year ~~2018-2019~~
 21 **2019-2020** do not lapse on September 30, ~~2019, 2020~~, but continue to
 22 be available for expenditure for tuition incentive program funds
 23 provided in the ~~2019-2020-2020-2021~~ fiscal year under a work
 24 project account. The use of these unexpended fiscal year ~~2018-2019~~
 25 **2019-2020** funds terminates at the end of the ~~2019-2020-2020-2021~~
 26 fiscal year.

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



1 (a) The number of phase I students in the most recently
 2 completed academic year who in any academic year received a tuition
 3 incentive program award and who successfully completed a degree or
 4 certificate program. Cohort graduation rates for phase I students
 5 shall be calculated using the established success rate methodology
 6 developed by the center in collaboration with the postsecondary
 7 institutions.

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

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

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

28 Sec. 263. (1) Included in the appropriation in section 236 for
 29 fiscal year ~~2018-2019-2019-2020~~ for MSU AgBioResearch is



1 \$2,982,900.00 and included in the appropriation in section 236 for
 2 MSU Extension is \$2,645,200.00 for Project GREEN. Project GREEN
 3 is intended to address critical regulatory, food safety, economic,
 4 and environmental problems faced by this state's plant-based
 5 agriculture, forestry, and processing industries. "GREEN" is an
 6 acronym for Generating Research and Extension to Meet Environmental
 7 and Economic Needs.

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

12 Sec. 264. Included in the appropriation in section 236 for
 13 fiscal year ~~2018-2019~~**2019-2020** for Michigan State University is
 14 \$80,000.00 for the Michigan Future Farmers of America Association.
 15 This \$80,000.00 allocation shall not supplant any existing support
 16 that Michigan State University provides to the Michigan Future
 17 Farmers of America Association.

18 Sec. 265. (1) Payments under section 265a for performance
 19 funding for fiscal years ~~2018-2019~~, ~~2019-2020~~, and ~~2020-2021~~, **2021-**
 20 **2022** shall only be made to a public university that certifies to
 21 the state budget director by August 31, ~~2018~~**2019** that its board
 22 did not adopt an increase in tuition and fee rates for resident
 23 undergraduate students after September 1, ~~2017~~**2018** for the ~~2017-~~
 24 ~~2018~~**2018-2019** academic year and that its board will not adopt an
 25 increase in tuition and fee rates for resident undergraduate
 26 students for the ~~2018-2019~~**2019-2020** academic year that is greater
 27 than ~~3.8%~~**4.4%** or ~~\$490.00~~, ~~\$587.00~~, whichever is greater. As used
 28 in this subsection:

29 (a) "Fee" means any board-authorized fee that will be paid by



1 more than 1/2 of all resident undergraduate students at least once
2 during their enrollment at a public university, as described in the
3 higher education institutional data inventory (HEIDI) user manual.
4 A university increasing a fee that applies to a specific subset of
5 students or courses shall provide sufficient information to prove
6 that the increase applied to that subset will not cause the
7 increase in the average amount of board-authorized total tuition
8 and fees paid by resident undergraduate students in the ~~2018-2019~~
9 **2019-2020** academic year to exceed the limit established in this
10 subsection.

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

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

29 (3) Universities that exceed the tuition and fee rate cap



1 described in subsection (1) shall not receive a planning or
 2 construction authorization for a state-funded capital outlay
 3 project in ~~fiscal year 2019-2020, fiscal year 2020-2021, or fiscal~~
 4 ~~year 2021-2022, or 2022-2023.~~

5 ~~(4) Notwithstanding any other provision of this act, the~~
 6 ~~legislature may at any time adjust appropriations for a university~~
 7 ~~that adopts an increase in tuition and fee rates for resident~~
 8 ~~undergraduate students that exceeds the rate cap established in~~
 9 ~~subsection (1).~~

10 Sec. 265a. (1) Appropriations to public universities in
 11 section 236 for fiscal years ~~2018-2019, 2019-2020, and 2020-2021,~~
 12 **and 2021-2022** for performance funding shall be paid only to a
 13 public university that complies with section 265 and certifies to
 14 the state budget director, the house and senate appropriations
 15 subcommittees on higher education, and the house and senate fiscal
 16 agencies by August 31, ~~2018-2019~~ that it complies with all of the
 17 following requirements:

18 (a) The university participates in reverse transfer agreements
 19 described in section 286 with at least 3 Michigan community
 20 colleges.

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

27 (c) The university actively participates in and submits timely
 28 updates to the Michigan Transfer Network created as part of the
 29 Michigan Association of Collegiate Registrars and Admissions



1 Officers transfer agreement.

2 (2) Any performance funding amounts under section 236 that are
3 not paid to a public university because it did not comply with 1 or
4 more requirements under subsection (1) are unappropriated and
5 reappropriated for performance funding to those public universities
6 that meet the requirements under subsection (1), distributed in
7 proportion to their performance funding appropriation amounts under
8 section 236.

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

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

18 (a) Proportional to each university's share of total
19 operations funding appropriated in fiscal year 2010-2011, 50%.

20 (b) Based on weighted undergraduate completions in critical
21 skills areas, 11.1%.

22 (c) Based on research and development expenditures, for
23 universities classified in Carnegie classifications as doctoral
24 universities: moderate research activity, doctoral universities:
25 higher research activity, or doctoral universities: highest
26 research activity only, 5.6%.

27 (d) Based on 6-year graduation rate, total degree completions,
28 and institutional support as a percentage of core expenditures, and
29 the percentage of students receiving Pell grants, scored against



1 national Carnegie classification peers and weighted by total
2 undergraduate fiscal year equated students, 33.3%.

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

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

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

9 (c) A university classified as improving, a score of 2. It is
10 the intent of the legislature that, beginning in the ~~2019-2020~~
11 **2020-2021** state fiscal year, a university classified as improving
12 is assigned a score of 1.

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

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

20 (7) It is the intent of the legislature to allocate more
21 funding based on **an updated set of** performance metrics in future
22 years.

23 Sec. 265b. (1) Appropriations to public universities in
24 section 236 for the fiscal year ending September 30, ~~2019-2020~~ for
25 operations funding shall be reduced by 10% pursuant to the
26 procedures described in subdivision (a) for a public university
27 that fails to submit certification to the state budget director,
28 the house and senate appropriations subcommittees on higher
29 education, and the house and senate fiscal agencies by August 31,



1 ~~2018~~**2019** that the university complies with sections 274c and 274d
2 and that it complies with all of the requirements described in
3 subdivisions (b) to (i), as follows:

4 (a) If a university fails to submit certification, the state
5 budget director shall withhold 10% of that university's annual
6 operations funding until the university submits certification. If a
7 university fails to submit certification by the end of the fiscal
8 year, the 10% of its annual operations funding that is withheld
9 shall lapse to the general fund.

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

13 (c) For title IX investigations of alleged sexual misconduct,
14 the university prohibits the issuance of divergent reports to
15 complainants, respondents, and administration and instead requires
16 that identical reports be issued to them.

17 (d) Consistent with the university's obligations under 20 USC
18 1092(f), the university notifies each individual who reports having
19 experienced sexual assault by a student, faculty member, or staff
20 member of the university that the individual has the option to
21 report the matter to law enforcement, to the university, to both,
22 or to neither, as the individual may choose.

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

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

28 (ii) For all students not considered freshmen or incoming
29 transfer students, an online or electronic sexual misconduct



1 prevention presentation or course.

2 (f) The university prohibits seeking compensation from the
3 recipient of any medical procedure, treatment, or care provided by
4 a medical professional who has been convicted of a felony arising
5 out of the medical procedure, treatment, or care.

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

18 (h) The university requires that the governing board and the
19 president or chancellor of the university receive not less than
20 quarterly reports from their title IX coordinator or title IX
21 office. The report shall contain aggregated data of the number of
22 sexual misconduct reports that the office received for the academic
23 year, the types of reports received, including reports received
24 against employees, and a summary of the general outcomes of the
25 reports and investigations. A member of the governing board may
26 request to review a title IX investigation report involving a
27 complaint against an employee, and the university shall provide the
28 report in a manner it considers appropriate. The university shall
29 protect the complainant's anonymity, and the report shall not



1 contain specific identifying information.

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

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

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

- 23 (a) Intimate partner violence.
- 24 (b) Nonconsensual sexual conduct.
- 25 (c) Sexual assault.
- 26 (d) Sexual exploitation.
- 27 (e) Sexual harassment.
- 28 (f) Stalking.

29 Sec. 265c. By February 1, ~~2019~~,2020, the Michigan Community



1 College Association, the Michigan Association of State
 2 Universities, and the Michigan Independent Colleges and
 3 Universities, on behalf of their member colleges and universities,
 4 shall submit to the senate and house appropriations subcommittees
 5 on higher education, the senate and house appropriations
 6 subcommittees on community colleges, the senate and house fiscal
 7 agencies, and the state budget director a comprehensive report
 8 detailing the number of academic program partnerships between
 9 public community colleges, public universities, and private
 10 colleges and universities, including, but not limited to, the
 11 following information:

12 (a) The names of the baccalaureate degree programs of study
 13 offered by public and private universities on community college
 14 campuses.

15 (b) The names of the articulation agreements for baccalaureate
 16 degree programs of study between public community colleges, public
 17 universities, and private colleges and universities.

18 (c) The number of students enrolled and number of degrees
 19 awarded through articulation agreements, and the number of courses
 20 offered, number of students enrolled, and number of degrees awarded
 21 through on-campus programs named in subdivision (a) from July 1,
 22 ~~2017-2018~~ through June 30, ~~2018-2019~~.

23 Sec. 265d. ~~The legislature encourages each~~ **Each** public
 24 university that receives an appropriation in section 236 **is**
 25 **encouraged** to enter into a memorandum of understanding with at
 26 least 1 local law enforcement agency with jurisdiction on or around
 27 campus for the communication and coordination of responses to
 28 incidents of sexual assault.

29 Sec. 267. All public universities shall submit the amount of



1 tuition and fees actually charged to a full-time resident
 2 undergraduate student for academic year ~~2018-2019-2019-2020~~ as part
 3 of their higher education institutional data inventory (HEIDI) data
 4 by August 31 of each year. A public university shall report any
 5 revisions for any semester of the reported academic year ~~2018-2019~~
 6 **2019-2020** tuition and fee charges to HEIDI within 15 days of being
 7 adopted.

8 Sec. 268. (1) For the fiscal year ending September 30, ~~2019,~~
 9 **2020**, it is the intent of the legislature that funds be allocated
 10 for unfunded North American Indian tuition waiver costs incurred by
 11 public universities under 1976 PA 174, MCL 390.1251 to 390.1253,
 12 from the general fund.

13 (2) Appropriations in section 236(7)(f) for North American
 14 Indian tuition waivers shall be paid to universities under section
 15 2a of 1976 PA 174, MCL 390.1252a. Allocations shall be adjusted for
 16 amounts included in university operations appropriations. If funds
 17 are insufficient to support the entire cost of waivers, amounts
 18 shall be prorated proportionate to each institution's shortfall as
 19 a percentage of its fiscal year ~~2018-2019-2019-2020~~ state
 20 appropriation for operations.

21 (3) By February 15 of each year, the department of civil
 22 rights shall annually submit to the state budget director, the
 23 house and senate appropriations subcommittees on higher education,
 24 and the house and senate fiscal agencies a report on North American
 25 Indian tuition waivers for the preceding academic year that
 26 includes, but is not limited to, all of the following information:

27 (a) The number of waiver applications received and the number
 28 of waiver applications approved.

29 (b) For each university submitting information under



1 subsection (4), all of the following:

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

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

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

14 (iv) The number of graduate and undergraduate students
15 attending under a North American Indian tuition waiver who
16 successfully complete a degree or certificate program, separated by
17 degree or certificate level, and the graduation rate for graduate
18 and undergraduate students attending under a North American Indian
19 tuition waiver who complete a degree or certificate within 150% of
20 the normal time to complete, separated by the level of the degree
21 or certificate.

22 (4) A public university that receives funds under section 236
23 shall provide to the department of civil rights any information
24 necessary for preparing the report detailed in subsection (3),
25 using guidelines and procedures developed by the department of
26 civil rights.

27 (5) The department of civil rights may consolidate the report
28 required under this section with the report required under section
29 223, but a consolidated report must separately identify data for



1 universities and data for community colleges.

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

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

12 Sec. 274. It is the intent of the legislature that public and
13 private organizations that conduct human embryonic stem cell
14 derivation subject to section 27 of article I of the state
15 constitution of 1963 will provide information to the director of
16 the department of health and human services by December 1, ~~2018~~
17 **2019** that includes all of the following:

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

23 (b) A list of all human embryonic stem cell lines submitted by
24 the organization to the National Institutes of Health for inclusion
25 in the Human Embryonic Stem Cell Registry before and during fiscal
26 year ~~2017-2018~~, **2018-2019**, and the status of each submission as
27 approved, pending approval, or review completed but not yet
28 accepted.

29 (c) Number of human embryonic stem cell lines derived and not



1 submitted for inclusion in the Human Embryonic Stem Cell Registry,
2 before and during fiscal year ~~2017-2018~~.**2018-2019**.

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

14 **Sec. 275d. The legislature urges each university that receives**
15 **an appropriation in section 236 to not take disciplinary action**
16 **against an employee for communicating with a member of the**
17 **legislature or a legislator's staff.**

18 Sec. 276. (1) Included in the appropriation for fiscal year
19 ~~2018-2019~~**2019-2020** for each public university in section 236 is
20 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
21 future faculty program that is intended to increase the pool of
22 academically or economically disadvantaged candidates pursuing
23 faculty teaching careers in postsecondary education. Preference may
24 not be given to applicants on the basis of race, color, ethnicity,
25 gender, or national origin. Institutions should encourage
26 applications from applicants who would otherwise not adequately be
27 represented in the graduate student and faculty populations. Each
28 public university shall apply the percentage change applicable to
29 every public university in the calculation of appropriations in



1 section 236 to the amount of funds allocated to the future faculty
2 program.

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

7 Sec. 277. (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 college day program that is intended to introduce academically or
11 economically disadvantaged schoolchildren to the potential of a
12 college education. Preference may not be given to participants on
13 the basis of race, color, ethnicity, gender, or national origin.
14 Public universities should encourage participation from those who
15 would otherwise not adequately be represented in the student
16 population.

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

27 (3) The program described in this section shall be
28 administered by each public university in a manner prescribed by
29 the workforce development agency.



1 Sec. 278. (1) Included in section 236 for fiscal year ~~2018-~~
 2 ~~2019-2019-2020~~ is funding for the Martin Luther King, Jr. - Cesar
 3 Chavez - Rosa Parks select student support services program for
 4 developing academically or economically disadvantaged student
 5 retention programs for 4-year public and independent educational
 6 institutions in this state. Preference may not be given to
 7 participants on the basis of race, color, ethnicity, gender, or
 8 national origin. Institutions should encourage participation from
 9 those who would otherwise not adequately be represented in the
 10 student population.

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

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

16 Sec. 279. (1) Included in section 236 for fiscal year ~~2018-~~
 17 ~~2019-2019-2020~~ is funding for the Martin Luther King, Jr. - Cesar
 18 Chavez - Rosa Parks college/university partnership program between
 19 4-year public and independent colleges and universities and public
 20 community colleges, which is intended to increase the number of
 21 academically or economically disadvantaged students who transfer
 22 from community colleges into baccalaureate programs. Preference may
 23 not be given to participants on the basis of race, color,
 24 ethnicity, gender, or national origin. Institutions should
 25 encourage participation from those who would otherwise not
 26 adequately be represented in the transfer student population.

27 (2) The grants shall be made under the program described in
 28 this section to Michigan public and independent colleges and
 29 universities. An award to any 1 institution shall not be greater



1 than \$150,000.00, and the amount awarded shall be matched on a 70%
2 state, 30% college or university basis.

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

5 Sec. 280. (1) Included in the appropriation for fiscal year
6 ~~2018-2019-2019-2020~~ for each public university in section 236 is
7 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
8 visiting professors program which is intended to increase the
9 number of instructors in the classroom to provide role models for
10 academically or economically disadvantaged students. Preference may
11 not be given to participants on the basis of race, color,
12 ethnicity, gender, or national origin. Public universities should
13 encourage participation from those who would otherwise not
14 adequately be represented in the student population.

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

17 Sec. 281. (1) Included in the appropriation for fiscal year
18 ~~2018-2019-2019-2020~~ in section 236 is funding under the Martin
19 Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the
20 Morris Hood, Jr. educator development program which is intended to
21 increase the number of academically or economically disadvantaged
22 students who enroll in and complete K-12 teacher education programs
23 at the baccalaureate level. Preference may not be given to
24 participants on the basis of race, color, ethnicity, gender, or
25 national origin. Institutions should encourage participation from
26 those who would otherwise not adequately be represented in the
27 teacher education student population.

28 (2) The program described in this section shall be
29 administered by each state-approved teacher education institution



1 in a manner prescribed by the workforce development agency.

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

6 Sec. 282. Each institution receiving funds for fiscal year
7 ~~2018-2019-2019-2020~~ under section 278, 279, or 281 shall provide to
8 the workforce development agency by April 15, ~~2019-2020~~ the
9 unobligated and unexpended funds as of March 31, ~~2019-2020~~ and a
10 plan to expend the remaining funds by the end of the fiscal year.
11 Notwithstanding the award limitations in sections 278 and 279, the
12 amount of funding reported as not being expended will be
13 reallocated to the institutions that intend to expend all funding
14 received under section 278, 279, or 281.

15 Sec. 289. (1) ~~Not less than~~ **At least once** every 4 years, the
16 auditor general shall audit higher education institutional data
17 inventory (HEIDI) data submitted by all public universities under
18 section 241 and may perform audits of selected public universities
19 if determined necessary. The audits shall be based upon the
20 definitions, requirements, and uniform reporting categories
21 established by the state budget director in consultation with the
22 HEIDI advisory committee. The auditor general shall submit a report
23 of findings to the house and senate appropriations committees and
24 the state budget director no later than July 1 of each year an
25 audit takes place.

26 (2) Student credit hours reports shall not include the
27 following:

28 (a) Student credit hours generated through instructional
29 activity by faculty or staff in classrooms located outside



1 Michigan, with the exception of instructional activity related to
2 study-abroad programs or field programs.

3 (b) Student credit hours generated through distance learning
4 instruction for students not eligible for the public university's
5 in-state main campus resident tuition rate. However, in instances
6 where a student is enrolled in distance education and non-distance
7 education credit hours in a given term and the student's non-
8 distance education enrollment is at a campus or site located within
9 Michigan, student credit hours per the student's eligibility for
10 in-state or out-of-state tuition rates may be reported.

11 (c) Student credit hours generated through credit by
12 examination.

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

15 (d) ~~(e)~~ Student credit hours generated in new degree programs
16 created on or after January 1, 1975 and before January 1, 2013,
17 that were not specifically authorized for funding by the
18 legislature, except spin-off programs converted from existing core
19 programs, and student credit hours generated in any new degree
20 programs created after January 1, 2013, that are specifically
21 excluded from reporting by the legislature under this section.

22 (3) "Distance learning instruction" as used in subsection (2)
23 means instruction that occurs solely in other than a traditional
24 classroom setting where the student and instructor are in the same
25 physical location and for which a student receives course credits
26 and is charged tuition and fees. Examples of distance learning
27 instruction are instruction delivered solely through the internet,
28 cable television, teleconference, or mail.

29 Enacting section 1. In accordance with section 30 of article



1 IX of the state constitution of 1963, total state spending from
2 state sources for higher education for fiscal year 2019-2020 under
3 article III of the state school aid act of 1979, 1979 PA 94, MCL
4 388.1836 to 388.1891, is estimated at \$1,564,975,400.00 and the
5 amount of that state spending from state sources to be paid to
6 local units of government for fiscal year 2019-2020 is estimated at
7 \$0.

8 Enacting section 2. Sections 236b and 265e of the state school
9 aid act of 1979, 1979 PA 94, MCL 388.1836b and 388.1865e, are
10 repealed effective October 1, 2019.

11 Enacting section 3. This amendatory act takes effect October
12 1, 2019.

