



SENATE BILL No. 524

EXECUTIVE BUDGET BILL

March 25, 1993, Introduced by Senators GAST and VAUGHN and referred to the Committee on Appropriations.

A bill to make appropriations for community colleges for the fiscal years ending September 30, 1994 and September 30, 1995; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 101. There is appropriated for community colleges and
2 certain other state purposes relating to education, subject to the
3 conditions set forth in this act, for the fiscal year ending September
4 30, 1994, the following amounts:

1 SUMMARY UNIT FOR COMMUNITY COLLEGES	
2 GROSS APPROPRIATION	\$ 232,675,600
3 Total interdepartmental grants and	
4 intradepartmental transfers	0
5 ADJUSTED GROSS APPROPRIATION	\$ 232,675,600
6 Total federal revenues	0
7 Total local revenue	0
8 Total private revenues	0
9 Special revenue funds:	
10 Total other state restricted revenues	0
11 State general fund/general purpose	\$ 232,675,600
12 OPERATIONS	
13 Alpena Community College	\$ 3,560,000
14 Bay de Noc Community College	2,997,600
15 C.S. Mott Community College	11,326,500
16 Delta College	10,450,800
17 Glen Oaks Community College	1,482,100
18 Gogebic Community College	3,240,000
19 Grand Rapids Community College	14,467,700
20 Henry Ford Community College	16,081,600
21 Highland Park Community College	5,608,400
22 Jackson Community College	9,800,300
23 Kalamazoo Valley Community College	7,021,700
24 Kellogg Community College	6,317,700
25 Kirtland Community College	2,358,200
26 Lake Michigan College	3,451,400
27 Lansing Community College	23,137,900
28 Macomb Community College	25,018,800

1	Mid Michigan Community College	2,741,600
2	Monroe County Community College	2,562,000
3	Montcalm Community College	2,350,100
4	Muskegon Community College	6,604,600
5	North Central Michigan College	2,096,500
6	Northwestern Michigan College	6,153,900
7	Oakland Community College	16,758,800
8	St. Clair County Community College	5,205,100
9	Schoolcraft College	8,458,500
10	Southwestern Michigan College	3,870,700
11	Washtenaw Community College	7,890,900
12	Wayne County Community College	13,693,700
13	West Shore Community College	<u>1,566,100</u>
14	GROSS APPROPRIATION	\$ 226,273,200
15	Appropriated from:	
16	State general fund/general purpose	\$ 226,273,200
17	GRANTS	
18	Job training and retraining investment fund . .	\$ 3,120,000
19	At risk student success program	<u>3,282,400</u>
20	GROSS APPROPRIATION	\$ 6,402,400
21	Appropriated from:	
22	State general fund/general purpose	\$ 6,402,400
23		

1 Sec. 102. There is appropriated for community colleges and
2 certain other state purposes relating to education, subject to the
3 conditions set forth in this act, for the fiscal year ending September
4 30, 1995, the following amounts:

5 SUMMARY UNIT FOR COMMUNITY COLLEGES

6	GROSS APPROPRIATION	\$ 232,675,600
7	Total interdepartmental grants and	
8	intradepartmental transfers	0
9	ADJUSTED GROSS APPROPRIATION	\$ 232,675,600
10	Total federal revenues	0
11	Total local revenue	0
12	Total private revenues	0
13	Special revenue funds:	
14	Total other state restricted revenues	0
15	State general fund/general purpose ,	\$ 232,675,600
16	OPERATIONS	
17	Alpena Community College	\$ 3,560,000
18	Bay de Noc Community College	2,997,600
19	C.S. Mott Community College	11,326,500
20	Delta College	10,450,800
21	Glen Oaks Community College	1,482,100
22	Gogebic Community College	3,240,000
23	Grand Rapids Community College	14,467,700
24	Henry Ford Community College	16,081,600
25	Highland Park Community College	5,608,400
26	Jackson Community College	9,800,300
27	Kalamazoo Valley Community College	7,021,700
28	Kellogg Community College	6,317,700

1	Kirtland Community College	2,358,200
2	Lake Michigan College	3,451,400
3	Lansing Community College	23,137,900
4	Macomb Community College	25,018,800
5	Mid Michigan Community College	2,741,600
6	Monroe County Community College	2,562,000
7	Montcalm Community College	2,350,100
8	Muskegon Community College	6,604,600
9	North Central Michigan College	2,096,500
10	Northwestern Michigan College	6,153,900
11	Oakland Community College	16,758,800
12	St. Clair County Community College	5,205,100
13	Schoolcraft College	8,458,500
14	Southwestern Michigan College	3,870,700
15	Washtenaw Community College	7,890,900
16	Wayne County Community College	13,693,700
17	West Shore Community College	<u>1,566,100</u>
18	GROSS APPROPRIATION	\$ 226,273,200
19	Appropriated from:	
20	State general fund/general purpose	\$ 226,273,200
21	GRANTS	
22	Job training and retraining investment fund	\$ 3,120,000
23	At risk student success program	<u>3,282,400</u>
24	GROSS APPROPRIATION	\$ 6,402,400
25	Appropriated from:	
26	State general fund/general purpose	\$ 6,402,400

1 GENERAL SECTIONS FOR FY93/94

2 Sec. 201. Pursuant to section 30 of article IX of the state
3 constitution of 1963, total state spending in this act is
4 \$232,675,600.00, and state appropriations to be paid to local units of
5 government in section 101 total \$232,675,600.00.

6 Sec. 202. The appropriations made and the expenditures authorized
7 under this act and the institutions, departments, agencies,
8 commissions, boards, offices, and programs for which an appropriation
9 is made under this act are subject to the management and budget act,
10 Act No. 431 of the Public Acts of 1984, being section 18.1101 to
11 18.1594 of the Michigan Compiled Laws.

12 Sec. 203. (1) The sums appropriated in this act are appropriated
13 for community colleges with fiscal years ending June 30, 1994 and
14 shall be paid out of the state treasury and distributed by the state
15 treasurer to the respective community colleges, in 9 equal monthly
16 installments, to be distributed pursuant to Act 190 of the Public Acts
17 of 1991, being sections 487.2101 to 487.2104 of the Michigan Compiled
18 Laws, from October to June. However, if a community college fails to
19 submit all verified Michigan Community College Activity Classification
20 Structure data for school year 1992-93 to the department of education
21 by November 1, 1993, the equal monthly installments shall be withheld
22 from that community college until those data are submitted. The
23 department of education shall publish the activity classification
24 structure data book on or before March 1, 1994 for use by the
25 legislature during budget development for the fiscal year ending
26 September 30, 1995.

27 (2) Notwithstanding the provisions of section 203(1), the monthly
28 installments for Wayne County Community College shall be adjusted for

1 the fiscal year ending September 30, 1994 only. The state aid
2 operating installments shall be increased to \$2,250,000.00 for October
3 through January and the remainder shall be equally distributed from
4 February to June to accommodate the discontinuance of the Wayne County
5 Community College Tax subsidy.

6 (3) Except as otherwise provided by law, each of the amounts
7 appropriated shall be used solely for the respective purposes stated
8 in this act. The funds appropriated by this act may be used to match
9 the cost of any available programs under the vocational education act
10 of 1963, Public Law 88-210, 98 Stat. 2435, including local
11 administration.

12 Sec. 204. (1) The auditor general or an independent public
13 accounting firm appointed by the auditor general shall audit data for
14 the fiscal year ending on June 30, 1993 as submitted on the department
15 of education request forms of 7 randomly selected community colleges.
16 A community college shall maintain and provide those records necessary
17 for the audit process to determine the accuracy of the reported data.
18 The audits shall be based upon the definitions and requirements
19 contained in the Michigan Public Community Colleges Manual for Uniform
20 Financial Reporting, 1981, as revised, and the Michigan Community
21 Colleges Activities Classification Structure, 1981, as revised.
22 Before the submission of a final audit report, a community college may
23 appeal the findings of the preliminary report, and the auditor general
24 may consult legislative and executive authorities concerning an
25 interpretation of the manual. The auditor general shall submit a
26 report of the findings to the house and senate appropriations
27 committees, the department of education, and the department of
28 management and budget before June 1, 1994.

1 (2) The auditor general or a certified public accountant appointed
2 by the auditor general shall conduct not less than 3 performance
3 audits of community colleges but may conduct more if the auditor
4 general considers it necessary.

5 (3) Not more than 60 days after an audit report is released by the
6 office of the auditor general, the principal executive officer of the
7 community college that was audited shall submit to the house and
8 senate appropriations committees, the house and senate fiscal
9 agencies, the department of education, the auditor general, and the
10 department of management and budget a plan to comply with audit
11 recommendations. The plan shall contain projected dates and resources
12 required, if any, to achieve compliance with the audit
13 recommendations, or a documented explanation of the college's
14 noncompliance with the audit recommendations concerning the matters on
15 which the audited community college and office of the auditor general
16 disagree.

17 (4) Any community college whose audited activities classification
18 structure data is significantly different than the data used to
19 determine state aid under this act shall return any overappropriated
20 funds upon notification by the chairs of the senate and house
21 appropriations subcommittees on community colleges. The returned
22 funds shall be redistributed to all 29 community colleges, prorated on
23 the base appropriations contained in section 101.

24 Sec. 205. The department of education shall periodically revise
25 and update the taxonomy pursuant to the Michigan Community Colleges
26 Activities Classification Structure, 1981, as revised.

27 Sec. 206. (1) A community college shall retain certified class
28 summaries, class lists, registration documents, and student

1 transcripts that are consistent with the taxonomy of courses. For
2 each enrollment period during the fiscal year, these certified
3 documents shall identify clearly by course the number of in-district
4 and out-of-district student credit and contact hours. The class
5 summaries and class lists shall be consistent with each other and
6 shall include the course prefix and numbers, course title, course
7 credit and contact hours, credit and contact hours generated by each
8 student, and activity classifications consistent with the taxonomy.
9 An auditable process shall be used by the community college to
10 determine the unduplicated head count for in-district students, out-
11 of-district students, and prisoners for each enrollment period during
12 the fiscal year.

13 (2) Contracts between the community college and agencies that
14 reimburse the community college for the costs of instruction shall be
15 retained for audit purposes.

16 Sec. 207. Each community college shall furnish the independent
17 auditor's management letter and an annual audited accounting of all
18 income and expenditures to the legislature, the senate and house
19 fiscal agencies, the auditor general, the department of education, and
20 the department of management and budget before December 1, 1993. If a
21 college fails to submit the audit materials, the monthly state aid
22 installments shall be withheld from that college until the information
23 is submitted. All reporting shall conform to the requirements set
24 forth in the Michigan Public Community Colleges Manual for Uniform
25 Financial Reporting, 1981, as revised.

26 Sec. 208. (1) Appropriations under this act shall not be expended
27 in contemplation of federal or other matching funds until federal or
28 other matching funds are available. The acceptance of federal or

1 other matching funds does not obligate this state to continue programs
2 after those funds are no longer available.

3 (2) A community college shall not establish special programs or
4 expand existing programs beyond the scope of the programs of the
5 community college already established and recognized by the
6 legislature, including programs that may develop as a result of gifts
7 or money received or available from the federal government, if that
8 acceptance will require an obligation or expenditure of state funds.

9 (3) A community college shall pay the employer's contributions to
10 the Michigan public school employees' retirement system created by the
11 public school employees retirement act of 1979, Act No. 300 of the
12 Public Acts of 1980; being sections 38.1301 to 38.1408 of the Michigan
13 Compiled Laws, as a condition of receiving funds appropriated under
14 this act. A community college shall not pay an employer's
15 contribution to more than 1 retirement fund providing benefits for an
16 employee.

17 (4) The governing body of a community college shall reduce
18 expenditures authorized by appropriations when it appears that actual
19 revenues for a fiscal period will fall below the revenue estimates on
20 which appropriations for that period were based.

21 (5) Except as otherwise provided in this subsection, funds
22 appropriated in section 101 shall not be used for travel outside the
23 United States. This subsection does not apply to expenses of
24 students, administrators, faculty, or college trustees necessarily
25 incurred for involvement in a foreign study program offered by a
26 community college, for travel to fulfill a reciprocal education
27 program with a postsecondary educational institution, or for program-
28 specific curriculum, educational, or exchange policy discussions with

1 a foreign postsecondary institution or government.

2 Sec. 209. Each community college shall report to the house and
3 senate fiscal agencies, the department of education, and the
4 department of management and budget a modification in credit hour
5 tuition and student fees not later than 30 days after the modification
6 is established by the college governing board.

7 Sec. 210. A community college shall develop a plan to increase
8 the number of minority students in meeting the continuing educational
9 needs of all Michigan citizens.

10 Sec. 211. Each community college shall report to the department
11 of education, department of management and budget, the house and
12 senate appropriations committees, and the house and senate fiscal
13 agencies the numbers and type of associate degrees and other
14 certificates awarded during the previous fiscal year. The report
15 shall be made not later than November 1, 1993.

16 Sec. 212. Beginning in FY95, from the amount appropriated in
17 section 101, the community colleges shall systematically inform
18 Michigan high schools regarding the academic status of students from
19 each high school in a manner prescribed by the Michigan community
20 college association, community colleges in cooperation with the
21 Michigan association for secondary school principals. The proposed
22 reporting methodology should be provided to the department of
23 management and budget and the community college appropriations
24 subcommittee members by November 1, 1994.

25 Sec. 213. (1) The Michigan department of education, the Michigan
26 commission on Indian affairs and each community college shall
27 cooperate to develop policies and procedures to ensure accurate and
28 consistent reporting and auditing of North American Indian student

1 enrollments. Community college financial aid programs shall comply
2 with all of the policies and procedures developed pursuant to this
3 section.

4 (2) As used in this section, "North American Indian" means that
5 term as defined in section 2 of Act No. 174 of the Public Acts of
6 1976, being section 390.1252 of the Michigan Compiled Laws or as
7 certified by a tribal organization.

8 STATE AID - OPERATIONS

9 Sec. 301. Unless otherwise stated, all data items used in
10 determining state aid in this act are as defined in the Michigan
11 Public Community Colleges Manual for Uniform Financial Reporting,
12 1981, as revised, which shall be the basis for reporting data, and the
13 Michigan Community Colleges Activities Classification Structure, 1981,
14 as revised which shall be used to document financial needs of the
15 community colleges.

16 Sec. 302. A community college shall not include in the state
17 enrollment report any student credit hours or student contact hours
18 for a student taking a college course to complete high school
19 graduation requirements or generated by a student incarcerated in
20 Michigan penal institutions. Exclusion of these students is intended
21 to avoid the payment of state aid under this act for the same
22 individuals for whom a community college has already been reimbursed
23 under the state school aid act of 1979, Act No. 94 of the Public Acts
24 of 1979, being sections 388.1601 to 388.1772 of the Michigan Compiled
25 Laws, for completion of high school requirements or for whom
26 reimbursement is provided by the state correctional system.

27 GRANTS

28 Sec. 401. The community college job training and retraining

1 investment fund is continued. The funds will be distributed in a
2 manner determined by the Governor's workforce commission.

3 Sec. 402. A community college that has not reported project
4 completion and total expenditure of oil overcharge revenues shall
5 submit an annual report by October 1, 1993, to the public service
6 commission, department of commerce. The report shall include a
7 description of each energy conservation project and the actual
8 expenditures and energy savings estimates.

9 Sec. 403. (1) The community college at-risk student success
10 program is continued. The funding shall be prorated among community
11 colleges based on the number of student contact hours for
12 developmental and preparatory instruction reported by each community
13 college to the department of education for use in the Michigan
14 Community Colleges Activities Classification Structure, 1981, as
15 revised. Of the funds appropriated, \$1,160,000.00 shall be allocated
16 for base grants of \$40,000.00 each, to address the special needs of
17 at-risk students at community colleges.

18 (2) Of the amount appropriated in section 101 for the at risk
19 student success program, \$2,122,400.00 shall be distributed on a
20 proration utilizing the sum of the most recent 3 years ACS reported
21 developmental/preparatory contact hours divided by the sum of the 3
22 year total contact hours at each college. Each colleges' percentage
23 shall be divided by the sum of all such percentages systemwide to
24 obtain each community college's prorated grant amount.

25 (3) For the purposes of this section, "at-risk students" means
26 students who meet 1 or more of the following criteria:

27 (a) Are initially placed in 1 or more developmental courses as a
28 result of standardized testing or as a result of failure to make

1 satisfactory academic progress.

2 (b) Are diagnosed as learning disabled.

3 (c) Require English as a second language (ESL) assistance.

4 (4) Grant funding under this section shall be used only for
5 activities related to services provided to at-risk students. This
6 includes, but is not limited to, pretesting for academic ability,
7 counseling contacts, and special programs.

8 (5) Grant funding under this section shall not be used for
9 indirect costs including, but not limited to, rent, utilities, or
10 college administration.

11 (6) Each community college receiving grant funds under this
12 section can utilize the funds for 12 months after receipt of the
13 funds. Those funds that are not expended or encumbered after 12
14 months shall be remitted to the state and lapse to the state general
15 fund.

16 (7) Each community college shall report to the house and senate
17 appropriations subcommittees on community colleges, the house and
18 senate fiscal agencies, and the department of management and budget a
19 summary of all accomplishments under, expenditures for, and compliance
20 with the intent of this program, including the number of at-risk
21 students served. The report is subject to audit by the auditor
22 general as provided for in section 203(1). The report shall be
23 submitted not later than 90 days after the end of the state's fiscal
24 year. A college that does not submit a report of the at risk student
25 success activities, shall not receive the next program allocation
26 until the report is submitted.

27 (8) For the fiscal year ending September 30, 1994, the at-risk
28 student success program funds shall be allocated as follows:

1 Alpena Community College	\$	90,000
2 Bay de Noc Community College		107,300
3 C. S. Mott Community College		96,400
4 Delta College		90,900
5 Glen Oaks Community College		155,100
6 Gogebic Community College		62,500
7 Grand Rapids Community College		64,600
8 Henry Ford Community College		91,500
9 Highland Park Community College		147,300
10 Jackson Community College		114,600
11 Kalamazoo Valley Community College		112,800
12 Kellogg Community College		120,600
13 Kirtland Community College		137,400
14 Lake Michigan College		174,900
15 Lansing Community College		115,700
16 Macomb Community College		80,600
17 Mid Michigan Community College		103,900
18 Monroe Community College		72,900
19 Montcalm Community College		80,200
20 Muskegon Community College		140,300
21 North Central Michigan College		78,300
22 Northwestern Michigan College		118,500
23 Oakland Community College		123,700
24 St. Clair Community College		75,200
25 Schoolcraft College		159,700
26 Southwestern Michigan College		152,200
27 Washtenaw Community College		149,000
28 Wayne County Community College		181,000

1 West Shore Community College	85,300
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1 GENERAL SECTIONS FOR FY94/95

2 Sec. 1201. Pursuant to section 30 of article IX of the state
3 constitution of 1963, total state spending in this act is
4 \$232,675,600.00, and state appropriations to be paid to local units of
5 government in section 102 total \$232,675,600.00.

6 Sec. 1202. The appropriations made and the expenditures
7 authorized under this act and the institutions, departments, agencies,
8 commissions, boards, offices, and programs for which an appropriation
9 is made under this act are subject to the management and budget act,
10 Act No. 431 of the Public Acts of 1984, being section 18.1101 to
11 18.1594 of the Michigan Compiled Laws.

12 Sec. 1203. (1) The sums appropriated in this act are appropriated
13 for community colleges with fiscal years ending June 30, 1995 and
14 shall be paid out of the state treasury and distributed by the state
15 treasurer to the respective community colleges, in 9 equal monthly
16 installments, to be distributed pursuant to Act 190 of the Public Acts
17 of 1991, being sections 487.2101 to 487.2104 of the Michigan Compiled
18 Laws, from October to June. However, if a community college fails to
19 submit all verified Michigan Community College Activity Classification
20 Structure data for school year 1993-94 to the department of education
21 by November 1, 1994, the monthly installments shall be withheld from
22 that community college until those data are submitted. The department
23 of education shall publish the activity classification structure data
24 book on or before March 1, 1995 for use by the legislature during
25 budget development for the fiscal year ending September 30, 1996.

26 (2) Except as otherwise provided by law, each of the amounts
27 appropriated shall be used solely for the respective purposes stated
28 in this act. The funds appropriated by this act may be used to match

1 the cost of any available programs under the vocational education act
2 of 1963, Public Law 88-210, 98 Stat. 2435, including local
3 administration.

4 Sec. 1204. (1) The auditor general or an independent public
5 accounting firm appointed by the auditor general shall audit data for
6 the fiscal year ending on June 30, 1994 as submitted on the department
7 of education request forms of 7 randomly selected community colleges.
8 A community college shall maintain and provide those records necessary
9 for the audit process to determine the accuracy of the reported data.
10 The audits shall be based upon the definitions and requirements
11 contained in the Michigan Public Community Colleges Manual for Uniform
12 Financial Reporting, 1981, as revised, and the Michigan Community
13 Colleges Activities Classification Structure, 1981, as revised.
14 Before the submission of a final audit report, a community college may
15 appeal the findings of the preliminary report, and the auditor general
16 may consult legislative and executive authorities concerning an
17 interpretation of the manual. The auditor general shall submit a
18 report of the findings to the house and senate appropriations
19 committees, the department of education, and the department of
20 management and budget before June 1, 1995.

21 (2) The auditor general or a certified public accountant appointed
22 by the auditor general shall conduct not less than 3 performance
23 audits of community colleges but may conduct more if the auditor
24 general considers it necessary.

25 (3) Not more than 60 days after an audit report is released by the
26 office of the auditor general, the principal executive officer of the
27 community college that was audited shall submit to the house and
28 senate appropriations committees, the house and senate fiscal

1 agencies, the department of education, the auditor general, and the
2 department of management and budget a plan to comply with audit
3 recommendations. The plan shall contain projected dates and resources
4 required, if any, to achieve compliance with the audit
5 recommendations, or a documented explanation of the college's
6 noncompliance with the audit recommendations concerning the matters on
7 which the audited community college and office of the auditor general
8 disagree.

9 (4) Any community college whose audited activities classification
10 structure data is significantly different than the data used to
11 determine state aid under this act shall return any overappropriated
12 funds upon notification by the chairs of the senate and house
13 appropriations subcommittees on community colleges. The returned
14 funds shall be redistributed to all 29 community colleges, prorated on
15 the base appropriations contained in section 102.

16 Sec. 1205. The department of education shall periodically revise
17 and update the taxonomy pursuant to the Michigan Community Colleges
18 Activities Classification Structure, 1981, as revised.

19 Sec. 1206. (1) A community college shall retain certified class
20 summaries, class lists, registration documents, and student
21 transcripts that are consistent with the taxonomy of courses. For
22 each enrollment period during the fiscal year, these certified
23 documents shall identify clearly by course the number of in-district
24 and out-of-district student credit and contact hours. The class
25 summaries and class lists shall be consistent with each other and
26 shall include the course prefix and numbers, course title, course
27 credit and contact hours, credit and contact hours generated by each
28 student, and activity classifications consistent with the taxonomy.

1 An auditable process shall be used by the community college to
2 determine the unduplicated head count for in-district students, out-
3 of-district students, and prisoners for each enrollment period during
4 the fiscal year.

5 (2) Contracts between the community college and agencies that
6 reimburse the community college for the costs of instruction shall be
7 retained for audit purposes.

8 Sec. 1207. Each community college shall furnish the independent
9 auditor's management letter and an annual audited accounting of all
10 income and expenditures to the legislature, the senate and house
11 fiscal agencies, the auditor general, the department of education, and
12 the department of management and budget before December 1, 1994. If a
13 college fails to submit the audit materials, the monthly state aid
14 installments shall be withheld from that college until the information
15 is submitted. All reporting shall conform to the requirements set
16 forth in the Michigan Public Community Colleges Manual for Uniform
17 Financial Reporting, 1981, as revised.

18 Sec. 1208. (1) Appropriations under this act shall not be
19 expended in contemplation of federal or other matching funds until
20 federal or other matching funds are available. The acceptance of
21 federal or other matching funds does not obligate this state to
22 continue programs after those funds are no longer available.

23 (2) A community college shall not establish special programs or
24 expand existing programs beyond the scope of the programs of the
25 community college already established and recognized by the
26 legislature, including programs that may develop as a result of gifts
27 or money received or available from the federal government, if that
28 acceptance will require an obligation or expenditure of state funds.

1 (3) A community college shall pay the employer's contributions to
2 the Michigan public school employees' retirement system created by the
3 public school employees retirement act of 1979, Act No. 300 of the
4 Public Acts of 1980, being sections 38.1301 to 38.1408 of the Michigan
5 Compiled Laws, as a condition of receiving funds appropriated under
6 this act. A community college shall not pay an employer's
7 contribution to more than 1 retirement fund providing benefits for an
8 employee.

9 (4) The governing body of a community college shall reduce
10 expenditures authorized by appropriations when it appears that actual
11 revenues for a fiscal period will fall below the revenue estimates on
12 which appropriations for that period were based.

13 (5) Except as otherwise provided in this subsection, funds
14 appropriated in section 102 shall not be used for travel outside the
15 United States. This subsection does not apply to expenses of
16 students, administrators, faculty, or college trustees necessarily
17 incurred for involvement in a foreign study program offered by a
18 community college, for travel to fulfill a reciprocal education
19 program with a postsecondary educational institution, or for program-
20 specific curriculum, educational, or exchange policy discussions with
21 a foreign postsecondary institution or government.

22 Sec. 1209. Each community college shall report to the house and
23 senate fiscal agencies, the department of education, and the
24 department of management and budget a modification in credit hour
25 tuition and student fees not later than 30 days after the modification
26 is established by the college governing board.

27 Sec. 1210. A community college shall develop a plan to increase
28 the number of minority students in meeting the continuing educational

1 needs of all Michigan citizens.

2 Sec. 1211. Each community college shall report to the department
3 of education, department of management and budget, the house and
4 senate appropriations committees, and the house and senate fiscal
5 agencies the numbers and type of associate degrees and other
6 certificates awarded during the previous fiscal year. The report
7 shall be made not later than November 1, 1994.

8 Sec. 1212. From the amount appropriated in section 102, the
9 community colleges shall systematically inform Michigan high schools
10 regarding the academic status of students from each high school in a
11 manner prescribed by the Michigan community college association,
12 community colleges in cooperation with the Michigan association for
13 secondary school principals.

14 Sec. 1213. (1) The Michigan department of education, the Michigan
15 commission on Indian affairs and each community college shall
16 cooperate to ensure accurate and consistent reporting and auditing of
17 North American Indian student enrollments. Community college
18 financial aid programs shall comply with all of the policies and
19 procedures developed pursuant to this section.

20 (2) As used in this section, "North American Indian" means that
21 term as defined in section 2 of Act No. 174 of the Public Acts of
22 1976, being section 390.1252 of the Michigan Compiled Laws or as
23 certified by a tribal organization.

24 STATE AID - OPERATIONS

25 Sec. 1301. Unless otherwise stated, all data items used in
26 determining state aid in this act are as defined in the Michigan
27 Public Community Colleges Manual for Uniform Financial Reporting,
28 1981, as revised, which shall be the basis for reporting data, and the

1 Michigan Community Colleges Activities Classification Structure, 1981,
2 as revised which shall be used to document financial needs of the
3 community colleges.

4 Sec. 1302. A community college shall not include in the state
5 enrollment report any student credit hours or student contact hours
6 for a student taking a college course to complete high school
7 graduation requirements or generated by a student incarcerated in
8 Michigan penal institutions. Exclusion of these students is intended
9 to avoid the payment of state aid under this act for the same
10 individuals for whom a community college has already been reimbursed
11 under the state school aid act of 1979, Act No. 94 of the Public Acts
12 of 1979, being sections 388.1601 to 388.1772 of the Michigan Compiled
13 Laws, for completion of high school requirements or for whom
14 reimbursement is provided by the state correctional system.

15 GRANTS

16 Sec. 1401. The community college job training and retraining
17 investment fund is continued. The funds will be distributed in a
18 manner determined by the Governor's workforce commission.

19 Sec. 1402. A community college that has not reported project
20 completion and total expenditure of oil overcharge revenues shall
21 submit an annual report by October 1, 1994, to the public service
22 commission, department of commerce. The report shall include a
23 description of each energy conservation project and the actual
24 expenditures and energy savings estimates.

25 Sec. 1403. (1) The community college at-risk student success
26 program is continued. The funding shall be prorated among community
27 colleges based on the number of student contact hours for
28 developmental and preparatory instruction reported by each community

1 college to the department of education for use in the Michigan
2 Community Colleges Activities Classification Structure, 1981, as
3 revised. Of the funds appropriated, \$1,160,000.00 shall be allocated
4 for base grants of \$40,000.00 each, to address the special needs of
5 at-risk students at community colleges.

6 (2) Of the amount appropriated in section 102 for the at risk
7 student success program, \$2,122,400.00 shall be distributed on a
8 proration utilizing the sum of the most recent 3 years ACS reported
9 developmental/preparatory contact hours divided by the sum of the 3
10 year total contact hours at each college. Each colleges' percentage
11 shall be divided by the sum of all such percentages systemwide to
12 obtain each community college's prorated grant amount.

13 (3) For the purposes of this section, "at-risk students" means
14 students who meet 1 or more of the following criteria:

15 (a) Are initially placed in 1 or more developmental courses as a
16 result of standardized testing or as a result of failure to make
17 satisfactory academic progress.

18 (b) Are diagnosed as learning disabled.

19 (c) Require English as a second language (ESL) assistance.

20 (4) Grant funding under this section shall be used only for
21 activities related to services provided to at-risk students. This
22 includes, but is not limited to, pretesting for academic ability,
23 counseling contacts, and special programs.

24 (5) Grant funding under this section shall not be used for
25 indirect costs including, but not limited to, rent, utilities, or
26 college administration.

27 (6) Each community college receiving grant funds under this
28 section can utilize the funds for 12 months after receipt of the

1 funds. Those funds that are not expended or encumbered after 12
 2 months shall be remitted to the state and lapse to the state general
 3 fund.

4 (7) Each community college shall report to the house and senate
 5 appropriations subcommittees on community colleges, the house and
 6 senate fiscal agencies, and the department of management and budget a
 7 summary of all accomplishments under, expenditures for, and compliance
 8 with the intent of this program, including the number of at-risk
 9 students served. The report is subject to audit by the auditor
 10 general as provided for in section 203(1). The report shall be
 11 submitted not later than 90 days after the end of the state's fiscal
 12 year. A college that does not submit a report of the at risk student
 13 success activities, shall not receive the next program allocation
 14 until the report is submitted.

15 (8) For the fiscal year ending September 30, 1995, the at-risk
 16 student success program funds shall be allocated as follows:

17 Alpena Community College	\$	90,000
18 Bay de Noc Community College		107,300
19 C. S. Mott Community College		96,400
20 Delta College		90,900
21 Glen Oaks Community College		155,100
22 Gogebic Community College		62,500
23 Grand Rapids Community College		64,600
24 Henry Ford Community College		91,500
25 Highland Park Community College		147,300
26 Jackson Community College		114,600
27 Kalamazoo Valley Community College		112,800
28 Kellogg Community College		120,600

1 Kirtland Community College	137,400
2 Lake Michigan College	174,900
3 Lansing Community College	115,700
4 Macomb Community College	80,600
5 Mid Michigan Community College	103,900
6 Monroe Community College	72,900
7 Montcalm Community College	80,200
8 Muskegon Community College	140,300
9 North Central Michigan College	78,300
10 Northwestern Michigan College	118,500
11 Oakland Community College	123,700
12 St. Clair Community College	75,200
13 Schoolcraft College	159,700
14 Southwestern Michigan College	152,200
15 Washtenaw Community College	149,000
16 Wayne County Community College	181,000
17 West Shore Community College	85,300

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