

**REPRINT**

**HOUSE SUBSTITUTE FOR**

**SENATE BILL NO. 1105**

(As passed the House, March 14, 2002)

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2003; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

1 PART 1

2 LINE-ITEM APPROPRIATIONS

3 Sec. 101. Subject to the conditions set forth in this act, the  
4 amounts listed in this part are appropriated for higher education for the  
5 fiscal year ending September 30, 2003, from the funds indicated in this  
6 part. The following is a summary of the appropriations in this part:

7 **HIGHER EDUCATION**

8 APPROPRIATION SUMMARY:

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For Fiscal Year Ending  
September 30, 2003

1	Full-time equated classified positions.....	1.0	
2	GROSS APPROPRIATION.....	\$	1,943,717,366
3	Interdepartmental grant revenues:		
4	Total interdepartmental grants and intradepartmental		
5	transfers.....		0
6	ADJUSTED GROSS APPROPRIATION.....	\$	1,943,717,366
7	Federal revenues:		
8	Total federal revenues.....		5,500,000
9	Special revenue funds:		
10	Total local revenues.....		0
11	Total private revenues.....		0
12	Total other state restricted revenues.....		125,573,850
13	State general fund/general purpose.....	\$	1,812,643,516
14	<b>Sec. 102. CENTRAL MICHIGAN UNIVERSITY</b>		
15	Operations.....	\$	<u>90,003,800</u>
16	GROSS APPROPRIATION.....	\$	90,003,800
17	Appropriated from:		
18	State general fund/general purpose.....	\$	90,003,800
19	<b>Sec. 103. EASTERN MICHIGAN UNIVERSITY</b>		
20	Operations.....	\$	<u>87,637,200</u>
21	GROSS APPROPRIATION.....	\$	87,637,200
22	Appropriated from:		
23	State general fund/general purpose.....	\$	87,637,200
24	<b>Sec. 104. FERRIS STATE UNIVERSITY</b>		
25	Operations.....	\$	<u>55,520,300</u>
26	GROSS APPROPRIATION.....	\$	55,520,300

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1	Appropriated from:		
2	State general fund/general purpose.....	\$	55,520,300
3	<b>Sec. 105. GRAND VALLEY STATE UNIVERSITY</b>		
4	Operations.....	\$	<u>60,095,400</u>
5	GROSS APPROPRIATION.....	\$	60,095,400
6	Appropriated from:		
7	State general fund/general purpose.....	\$	60,095,400
8	<b>Sec. 106. LAKE SUPERIOR STATE UNIVERSITY</b>		
9	Operations.....	\$	<u>14,268,700</u>
10	GROSS APPROPRIATION.....	\$	14,268,700
11	Appropriated from:		
12	State general fund/general purpose.....	\$	14,268,700
13	<b>Sec. 107. MICHIGAN STATE UNIVERSITY</b>		
14	Operations.....	\$	<u>325,982,300</u>
15	GROSS APPROPRIATION.....	\$	325,982,300
16	Appropriated from:		
17	State general fund/general purpose.....	\$	325,982,300
18	<b>Sec. 108. MICHIGAN TECHNOLOGICAL UNIVERSITY</b>		
19	Operations.....	\$	<u>55,241,600</u>
20	GROSS APPROPRIATION.....	\$	55,241,600
21	Appropriated from:		
22	State general fund/general purpose.....	\$	55,241,600
23	<b>Sec. 109. NORTHERN MICHIGAN UNIVERSITY</b>		
24	Operations.....	\$	<u>52,012,900</u>
25	GROSS APPROPRIATION.....	\$	52,012,900
26	Appropriated from:		

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1	State general fund/general purpose.....	\$	52,012,900
2	<b>Sec. 110. OAKLAND UNIVERSITY</b>		
3	Operations.....	\$	<u>52,384,700</u>
4	GROSS APPROPRIATION.....	\$	52,384,700
5	Appropriated from:		
6	State general fund/general purpose.....	\$	52,384,700
7	<b>Sec. 111. SAGINAW VALLEY STATE UNIVERSITY</b>		
8	Operations.....	\$	<u>27,393,300</u>
9	GROSS APPROPRIATION.....	\$	27,393,300
10	Appropriated from:		
11	State general fund/general purpose.....	\$	27,393,300
12	<b>Sec. 112. UNIVERSITY OF MICHIGAN-ANN ARBOR</b>		
13	Operations.....	\$	<u>363,562,700</u>
14	GROSS APPROPRIATION.....	\$	363,562,700
15	Appropriated from:		
16	State general fund/general purpose.....	\$	363,562,700
17	<b>Sec. 113. UNIVERSITY OF MICHIGAN-DEARBORN</b>		
18	Operations.....	\$	<u>27,993,300</u>
19	GROSS APPROPRIATION.....	\$	27,993,300
20	Appropriated from:		
21	State general fund/general purpose.....	\$	27,993,300
22	<b>Sec. 114. UNIVERSITY OF MICHIGAN-FLINT</b>		
23	Operations.....	\$	<u>24,068,100</u>
24	GROSS APPROPRIATION.....	\$	24,068,100
25	Appropriated from:		
26	State general fund/general purpose.....	\$	24,068,100

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1	<b>Sec. 115. WAYNE STATE UNIVERSITY</b>		
2	Operations.....	\$	<u>253,644,700</u>
3	GROSS APPROPRIATION.....	\$	253,644,700
4	Appropriated from:		
5	State general fund/general purpose.....	\$	253,644,700
6	<b>Sec. 116. WESTERN MICHIGAN UNIVERSITY</b>		
7	Operations.....	\$	<u>125,677,200</u>
8	GROSS APPROPRIATION.....	\$	125,677,200
9	Appropriated from:		
10	State general fund/general purpose.....	\$	125,677,200
11	<b>Sec. 117. STATE AND REGIONAL PROGRAMS</b>		
12	Full-time equated positions.....1.0		
13	Agricultural experiment station.....	\$	36,848,700
14	Cooperative extension service.....		31,782,600
15	Rare isotope accelerator.....		2,000,000
16	Michigan molecular institute.....		236,900
17	Japan center for Michigan universities.....		305,300
18	Higher education database modernization and		
19	conversion--1.0 FTE position.....		250,000
20	Midwestern higher education compact.....		<u>82,500</u>
21	GROSS APPROPRIATION.....	\$	71,506,000
22	Appropriated from:		
23	Special revenue funds:		
24	Michigan tobacco settlement trust fund.....		2,000,000
25	State general fund/general purpose.....	\$	69,506,000
26	<b>Sec. 118. MARTIN LUTHER KING, JR.-CESAR CHAVEZ-ROSA PARKS</b>		
27	<b>PROGRAM</b>		

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1	Select student supportive services.....	\$	2,173,450
2	Michigan college/university partnership program.....		652,050
3	Morris Hood, Jr. educator development program.....		<u>165,100</u>
4	GROSS APPROPRIATION.....	\$	2,990,600
5	Appropriated from:		
6	State general fund/general purpose.....	\$	2,990,600
7	<b>Sec. 119. GRANTS AND FINANCIAL AID</b>		
8	State competitive scholarships.....	\$	36,654,616
9	Tuition grants.....		66,100,200
10	Michigan work-study program.....		8,015,800
11	Part-time independent student program.....		2,903,000
12	Grant for Michigan resident dental graduates.....		5,052,300
13	Grant for general degree graduates.....		6,319,400
14	Grant for allied health graduates.....		935,100
15	Michigan education opportunity grants.....		2,280,300
16	Robert C. Byrd honors scholarship program.....		1,900,000
17	Nursing scholarship program.....		4,000,000
18	Michigan merit award program.....		114,323,850
19	Tuition incentive program.....		<u>5,250,000</u>
20	GROSS APPROPRIATION.....	\$	253,734,566
21	Appropriated from:		
22	Federal revenues:		
23	Higher education act of 1965, title IV, 20 U.S.C.....		3,600,000
24	Higher education act of 1965, title IV, part A.....		1,900,000
25	Special revenue funds:		
26	Michigan merit award trust fund.....		123,573,850

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1 State general fund/general purpose..... \$ 124,660,716

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PART 2

5

PROVISIONS CONCERNING APPROPRIATIONS

6

**GENERAL SECTIONS**

7

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2002-2003 is \$1,938,217,366.00 and state spending from state resources to be paid to local units of government for fiscal year 2002-2003 is \$4,029,061.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

14 Part-time independent student program..... \$ 1,345,831

15 Michigan education opportunity grant..... 999,912

16 Michigan work-study..... 1,683,318

17 TOTAL..... \$ 4,029,061

18

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

20

Sec. 208. Unless otherwise specified, the institutions of higher education shall use the Internet to fulfill the reporting requirements of this act. This may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

25

Sec. 209. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods and services, or both, are

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1 available. Not later than May 1, 2003, each university shall have  
2 available upon request information on efforts to comply with this  
3 section.

4 Sec. 210. (1) The funds appropriated in part 1 to state institu-  
5 tions of higher education shall be paid out of the state treasury and  
6 distributed by the state treasurer to the respective institutions in 11  
7 equal monthly installments on the sixteenth of each month, or the next  
8 succeeding business day, beginning with October 16, 2002. Except for  
9 Wayne State University, each institution shall accrue its July and August  
10 2003 payments to its institutional fiscal year ending June 30, 2003.

11 (2) All universities shall submit higher education institutional  
12 data inventory (HEIDI) data and associated financial and program informa-  
13 tion requested by and in a manner prescribed by the state budget  
14 director. For universities with fiscal years ending June 30, 2002, these  
15 data shall be submitted to the state budget director by October 15,  
16 2002. Universities with a fiscal year ending September 30, 2002 shall  
17 submit preliminary HEIDI data by November 15, 2002 and final data by  
18 December 15, 2002. If a university fails to submit HEIDI data and asso-  
19 ciated financial aid program information in accordance with this report-  
20 ing schedule, the state treasurer shall withhold the monthly installments  
21 under subsection (1) to the university until those data are submitted.

22 (3) A detailed description of procedures utilized to arrive at the  
23 amounts appropriated in part 1 shall be submitted to each institution by  
24 the senate and house fiscal agencies.

25 Sec. 211. Funds received by the state from the federal government  
26 or private sources for the use of a college or university are  
27 appropriated for the purposes for which they are provided. The

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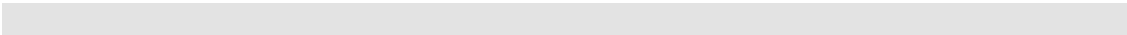


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1 acceptance and use of federal or private funds does not place an  
2 obligation upon the legislature to continue the purposes for which the  
3 funds are made available.

4 Sec. 213. A state institution of higher education that receives  
5 funds under this act shall furnish all program and financial information  
6 that is required by and in a manner prescribed by the state budget direc-  
7 tor or the house or senate appropriations committee.

8 Sec. 214. If section 274 of the income tax act of 1967, 1967  
9 PA 281, MCL 206.274, is not repealed and if a state institution of higher  
10 education that receives funds under this act notifies the department of  
11 treasury regarding its tuition and fee rates in order to qualify as an  
12 eligible institution for the Michigan tuition tax credit under section  
13 274 of the income tax act of 1967, 1967 PA 281, MCL 206.274, the institu-  
14 tion shall also submit the notification and applicable documentation of  
15 tuition and fee changes to the house and senate fiscal agencies.

16 Sec. 216. By February 15, 2003, the department of treasury shall  
17 provide the state budget director, the subcommittees on higher education  
18 of the house and senate appropriations committees, and the senate and  
19 house fiscal agencies with an annual report on restricted fund balances,  
20 projected revenues, and expenditures for the fiscal year ending  
21 September 30, 2002 and projected restricted fund balances, revenues, and  
22 expenditures for the fiscal year ending September 30, 2003.

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27 Sec. 218. It is the intent of the legislature that capital outlay  
projects for which any state funds are used be competitively bid. As used in  
this section, "capital outlay projects" means capital outlay as defined in  
section 113 of the management and budget act, 1984 PA 431, MCL 18.1113.

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**1    GRANTS AND FINANCIAL AID**

2            Sec. 301. (1) Payments of the amounts included in part 1 for the  
3    state competitive scholarship program shall be distributed pursuant to  
4    1964 PA 208, MCL 390.971 to 390.981.

5            (2) The Michigan higher education assistance authority shall imple-  
6    ment a proportional competitive scholarship maximum award level for  
7    recipients enrolled less than full-time in a given semester or term.

8            (3) If a student who receives an award under this section has his or  
9    her tuition and fees paid under the Michigan educational trust program,  
10   pursuant to the Michigan education trust act, 1986 PA 316, MCL 390.1421  
11   to 390.1444, and still has financial need, the funds awarded under this  
12   section may be used for educational expenses other than tuition and  
13   fees.

14           (4) If the Michigan higher education assistance authority increases  
15   the maximum award per eligible student from that provided in the previous  
16   fiscal year, it shall not have the effect of reducing the number of eli-  
17   gible students receiving awards in relation to the total number of eligi-  
18   ble applicants. Any increase in the maximum grant shall be proportional  
19   for all eligible students receiving awards.

20           Sec. 302. (1) The amounts appropriated in part 1 for the state  
21   tuition grant program shall be distributed pursuant to 1966 PA 313,  
22   MCL 390.991 to 390.997a.

23           (2) Tuition grant awards shall be made to all eligible Michigan res-  
24   idents who apply before September 1, 2002 and who are qualified. Tuition  
25   grant awards shall not be made to students newly enrolled in a juris  
26   doctor law degree program after the 1995-96 academic year.

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1       (3) The Michigan higher education assistance authority shall  
2 determine an actual maximum tuition grant award per student that ensures  
3 that the aggregate payments for the tuition grant program do not exceed  
4 the appropriation contained in part 1 for the state tuition grant  
5 program. By December 15, 2002, and again by February 1, 2003, the  
6 authority shall analyze the status of award commitments, shall make any  
7 necessary adjustments, and shall confirm that those award commitments  
8 will not exceed the appropriation contained in part 1 for the tuition  
9 grant program. The determination and actions shall be reported to the  
10 state budget director and the house and senate fiscal agencies no later  
11 than February 15, 2003. If award adjustments are necessary, the students  
12 shall be notified of the adjustment by the third Monday in February.

13       (4) Any unexpended and unencumbered funds remaining on September 30,  
14 2003 from the amounts appropriated in part 1 for the tuition grant pro-  
15 gram shall not lapse on September 30, 2003, but shall continue to be  
16 available for expenditure for tuition grants provided in the 2003-2004  
17 fiscal year. The use of these unexpended fiscal year 2002-2003 funds  
18 shall terminate at the end of the 2003-2004 fiscal year.

19       (5) The Michigan higher education assistance authority shall con-  
20 tinue a proportional tuition grant maximum award level for recipients  
21 enrolled less than full-time in a given semester or term.

22       (6) If the Michigan higher education assistance authority increases  
23 the maximum award per eligible student from that provided in the previous  
24 fiscal year, it shall not have the effect of reducing the number of eli-  
25 gible students receiving awards in relation to the total number of eligi-  
26 ble applicants. Any increase in the maximum grant shall be proportional  
27 for all eligible students receiving awards for fiscal year 2002-2003.

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1       (7) All Ferris State University students enrolled at Kendall College  
2 of Art and Design prior to January 1, 2001 who were qualified for the  
3 state tuition grant shall continue to receive the dollar amount of the  
4 state tuition grant for which they were eligible until they graduate or  
5 are no longer enrolled in the Kendall College of Art and Design at Ferris  
6 State University.

7       Sec. 303. (1) Included in the appropriation in part 1 is funding  
8 for the Michigan work-study program established under 1986 PA 288,  
9 MCL 390.1371 to 390.1382, and 1986 PA 303, MCL 390.1321 to 390.1332. An  
10 effort should be made by each institution participating in the Michigan  
11 work-study program to assure that not less than 10% of those undergradu-  
12 ate, graduate, and professional students eligible to participate in the  
13 program are placed with for-profit employers no later than December 31 of  
14 each year for which funding is provided under this act.

15       (2) The Michigan higher education assistance authority shall allo-  
16 cate funds to institutions eligible for work-study money based upon each  
17 institution's specific Pell grant index and each institution's utiliza-  
18 tion rate of work-study funds for the 3 most recent years for which sta-  
19 tistics are available.

20       (3) The Michigan higher education assistance authority shall set  
21 aside not more than 5% of the total work-study appropriation to process  
22 requests from participating institutions for allocation adjustments.  
23 Allocation adjustments shall be based on criteria set by the authority  
24 prior to making the allocations under subsection (2).

25       Sec. 304. (1) Payments of the amounts included in part 1 for the  
26 general degree reimbursement program established under 1974 PA 75,  
27 MCL 390.1021 to 390.1027, shall be made for all degrees identified in

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1 section 1(1) of 1974 PA 75, MCL 390.1021, except doctor of dental  
2 surgery, doctor of dental medicine, juris doctor law, and allied health  
3 degrees.

4 (2) The reimbursement rate per eligible degree shall be the equally  
5 prorated amount permitted by the appropriation, except that the amount of  
6 the reimbursement for each associate degree shall be 1/2 of the rate of  
7 reimbursement for the other degrees eligible under subsection (1) for the  
8 general degree reimbursement program.

9 (3) From the general degree reimbursement program, \$135,300.00 shall  
10 be provided to Spring Arbor University for the southern Michigan state  
11 prison program.

12 (4) From the general degree reimbursement program, \$200,500.00 shall  
13 be provided to the University of Detroit - Mercy for graduate research  
14 aid.

15 (5) From the general degree reimbursement program, \$30,100.00 shall  
16 be provided to Marygrove College for learning clinics.

17 (6) From the general degree reimbursement program, \$50,000.00 shall  
18 be provided to Finlandia University for career education programs.

19 Sec. 305. The reimbursement rate per eligible degree under the  
20 allied health degree reimbursement program established under 1974 PA 75,  
21 MCL 390.1021 to 390.1027, shall be the equally prorated amount permitted  
22 by the appropriation included in part 1.

23 Sec. 306. Funds disbursed through the degree reimbursement programs  
24 shall not be used by any recipient institution for theology or divinity  
25 programs.

26 Sec. 307. The auditor general may audit selected enrollments,  
27 degrees, and awards at selected independent colleges and universities

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1 receiving awards administered by the department of treasury. The audits  
2 shall be based upon definitions and requirements established by the  
3 Michigan higher education assistance authority, the state budget direc-  
4 tor, and the senate and house fiscal agencies. The auditor general shall  
5 accept the Free Application for Federal Student Aid (FAFSA) form as the  
6 standard of residency documentation. The auditor general shall submit a  
7 report of findings to the senate and house appropriations committees and  
8 state budget director by May 1, 2003.

9 Sec. 308. The sums appropriated in part 1 for the student financial  
10 aid and degree reimbursement programs shall be paid out of the state  
11 treasury and shall be distributed to the respective institutions under a  
12 quarterly payment system as follows:

13 (a) For the state competitive scholarship, tuition incentive, and  
14 tuition grant programs, 40% shall be paid at the beginning of the state's  
15 first fiscal quarter, 40% at the beginning of the state's second fiscal  
16 quarter, 10% at the beginning of the state's third fiscal quarter, and  
17 10% at the beginning of the state's fourth fiscal quarter.

18 (b) For the work-study program, payments shall be made in 11 monthly  
19 installments from October 1 to August 31 of any year.

20 (c) For the part-time independent student program and Michigan edu-  
21 cation opportunity grant program, 50% shall be paid at the beginning of  
22 the state's first fiscal quarter, 25% at the beginning of the state's  
23 second fiscal quarter, and 25% at the beginning of the state's third  
24 fiscal quarter.

25 (d) For the general degree reimbursement program, allied health  
26 degree reimbursement program, Michigan resident dental grant program, and  
27 Robert C. Byrd honors scholarship program, 50% shall be paid at the

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1 beginning of the state's first fiscal quarter and 50% at the beginning of  
2 the state's second fiscal quarter after the number of earned degrees con-  
3 ferred and total amounts to be paid are certified.

4 Sec. 309. The Michigan higher education assistance authority shall  
5 determine the needs analysis criteria for students to qualify for the  
6 competitive scholarship program and tuition grant program. To be consis-  
7 tent with federal requirements, student wages may be taken into consider-  
8 ation when determining the amount of the award.

9 Sec. 310. (1) The funds appropriated in part 1 for the tuition  
10 incentive program/high school completion program shall be distributed as  
11 provided in this section and pursuant to the administrative procedures  
12 for the tuition incentive program/high school completion program of the  
13 department of treasury.

14 (2) As used in this section:

15 (a) "Phase I" means the first part of the tuition incentive assist-  
16 ance program defined as the academic period of 80 semester or 120 term  
17 credits, or less, leading to an associate degree or certificate.

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

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

22 (3) A person shall meet the following basic criteria and financial  
23 thresholds to be eligible for tuition incentive benefits:

24 (a) To be eligible for phase I, a person shall meet all of the fol-  
25 lowing criteria:

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1       (i) Apply for certification to the department before graduating from  
2 high school or completing the general education development (GED)  
3 certificate.

4       (ii) Be less than 20 years of age at the time of high school gradua-  
5 tion or GED completion.

6       (iii) Be a United States citizen and a resident of Michigan accord-  
7 ing to institutional criteria.

8       (iv) Be at least a half-time student, earning less than 80 semester  
9 or 120 term credits at a participating educational institution within 4  
10 years of high school graduation or GED certificate completion.

11       (b) To be eligible for phase II, a person shall meet either of the  
12 following criteria in addition to the criteria in subdivision (a):

13       (i) Complete at least 56 transferable semester or 84 transferable  
14 term credits.

15       (ii) Obtain an associate degree or certificate at a participating  
16 institution.

17       (c) To be eligible for phase I or phase II, a person must be finan-  
18 cially eligible as determined by the department. A person is financially  
19 eligible for the tuition incentive program if that person was Medicaid  
20 eligible for 24 months within the 36 months before application.  
21 Certification of eligibility may begin in the sixth grade and continue  
22 until the time of enrollment in a participating institution.

23       (4) For phase I, the department shall provide payment on behalf of a  
24 person eligible under subsection (3). The department shall reject bill-  
25 ings that are excessive or outside the guidelines for the type of educa-  
26 tional institution.

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

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

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

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

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

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

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

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

25 (7) Program payments shall not be used by any recipient for theology  
26 or divinity courses.

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1       (8) The department shall work closely with participating  
2 institutions to develop an application and eligibility determination  
3 process that will provide the highest level of participation and ensure  
4 that all requirements of the program are met.

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

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

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

17       (12) Any unexpended and unencumbered funds remaining on September  
18 30, 2003 from the amounts appropriated in part 1 for the tuition incen-  
19 tive program shall not lapse on September 30, 2003, but shall continue to  
20 be available for expenditure for the tuition incentive program in the  
21 fiscal year ending September 30, 2004.

22       Sec. 311. To enable the legislature and the state budget director  
23 to evaluate the appropriation needs of higher education, each independent  
24 college and university shall make available to the legislature or state  
25 budget director, upon request, data regarding grants for the preceding,  
26 current, and ensuing fiscal years.

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1       Sec. 312. From the funds appropriated in part 1 and as provided by  
2 law, the Michigan higher education assistance authority shall establish  
3 and administer the nursing scholarship program.  
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**1    STATE UNIVERSITIES**

2            Sec. 401. (1) Included in part 1 is \$6,356,023.00 to Wayne State  
3    University for the Joseph F. Young, Sr. psychiatric research and training  
4    program. Wayne State University shall use these funds for psychiatric  
5    laboratory and clinical research, training, and treatment services.  
6    Within the available appropriation, services shall not be denied to any  
7    patient who meets established research guidelines for treatment on the  
8    basis of personal financial circumstances, age, geographic residence, or  
9    projected/actual length of treatment as medically warranted.

10            [REDACTED]

11            [REDACTED]

12            [REDACTED]

13            (2) Wayne State University shall report the following information to  
14    the department of community health by November 1, 2003:

15            (a) The number and type of psychiatric research projects funded by  
16    the appropriation described in subsection (1).

17            (b) The number and type of students trained and the location of  
18    training funded by the appropriation.

19            (c) Demographic data regarding the number and profile of patients to  
20    receive psychiatric services funded by the appropriation and a profile of  
21    the services provided.

22            (d) A summary budget outlining major expenditure categories and any  
23    first- and third-party reimbursements.

24            (3) Copies of these reports shall also be provided to the house and  
25    senate fiscal agencies and the state budget director.

26            Sec. 402. The University of Michigan biological station at Douglas  
27    Lake in Cheboygan County is regarded as a unique resource and is

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1 designated as a special research reserve. It is the intent of the  
2 legislature to protect and preserve the unique long-term research value  
3 and capabilities of the biological station area and Douglas Lake. The  
4 legislature further intends that no state programs or policies be devel-  
5 oped that would have a deleterious impact on the research value of  
6 Douglas Lake.

7 Sec. 405. (1) There is created the higher education institutional  
8 data inventory advisory committee. The committee shall be appointed by  
9 the state budget director and shall consist of the following members:

10 (a) One representative from the house fiscal agency.

11 (b) One representative from the senate fiscal agency.

12 (c) One representative from the state budget director's office.

13 (d) Three representatives of the presidents council of state  
14 universities. The presidents council shall appoint 1 representative each  
15 from a masters, a doctoral, and a research university.

16 (2) The committee shall provide for the general scope and direction  
17 for implementing the conversion and modernization of the state's higher  
18 education databases, for which funding is provided in part 1.

19 (3) The committee shall prepare a plan for the conversion and mod-  
20 ernization effort. The plan shall include, but is not limited to, all of  
21 the following:

22 (a) The development of a data dictionary/glossary.

23 (b) The integration of appropriate federal, national, regional, and  
24 state databases.

25 (c) The assurance of the accuracy of the data.

26 Sec. 408. The legislature recognizes that the first and foremost  
27 obligation of the public universities is undergraduate instruction. The

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1 public universities are therefore encouraged to increase their commitment  
2 of tenured and tenure track faculty to undergraduate instruction.

3 Sec. 409. The amounts included in part 1 for public universities  
4 recognize 4 separate university groupings. Funding floors for the 4  
5 groupings are established as follows:

6 (a) Funding floor of \$4,600.00 per fiscal-year-equated student for  
7 Eastern Michigan University, Ferris State University, Grand Valley State  
8 University, Lake Superior State University, Northern Michigan University,  
9 Saginaw Valley State University, and the University of Michigan-Flint.

10 (b) Funding floor of \$4,800.00 per fiscal-year-equated student for  
11 Central Michigan University, Oakland University, and the University of  
12 Michigan-Dearborn.

13 (c) Funding floor of \$5,800.00 per fiscal-year-equated student for  
14 Michigan Technological University and Western Michigan University.

15 (d) Funding floor of \$9,100.00 per fiscal-year-equated student for  
16 Michigan State University, the University of Michigan-Ann Arbor, and  
17 Wayne State University.

18 Sec. 418. No state funds shall be used by any state university to  
19 undertake a collaborative effort with any other university that would  
20 have the effect of increasing its enrollment of first-time professional  
21 law degree seeking students.

22 Sec. 421. (1) Central Michigan University shall report by  
23 September 30, 2003 to the state budget director, house and senate appro-  
24 priations committees, and the house and senate fiscal agencies informa-  
25 tion on the activities and effectiveness of the charter schools develop-  
26 ment and performance institute for which an appropriation is provided in  
27 part 1. Included in the report shall be an accounting of all revenues

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1 and expenditures of the institute, the names of the public school  
2 academies served, and the type of assistance provided to each public  
3 school academy.

4 (2) All funds received under part 1 for the charter schools develop-  
5 ment and performance institute are intended to be expended on activities  
6 of that institute.

7 Sec. 426. It is legislative intent that private bookstores that  
8 sell textbooks to university students and student governments that pro-  
9 vide a book swap for university students have accurate and timely access  
10 to lists of universities' required textbooks in order to provide prompt  
11 and efficient service for students. It is further legislative intent  
12 that each state university allow students who are on financial aid or are  
13 receiving tuition grants to decide where to purchase their textbooks.

14 Sec. 433. (1) Included in part 1 is \$3,281,500.00 for the agricul-  
15 tural experiment station and \$2,910,000.00 for the cooperative extension  
16 service for project GREEN. Project GREEN is intended to address criti-  
17 cal regulatory, food safety, economic, and environmental problems faced  
18 by this state's plant-based agriculture, forestry, and processing  
19 industries. "GREEN" is an acronym for generating research and extension  
20 to meet environmental and economic needs.

21 (2) The department of agriculture and Michigan State University, in  
22 consultation with agricultural commodity groups and other interested par-  
23 ties, shall develop project GREEN and its program priorities.

24 (3) Not later than September 30, 2003, a report shall be submitted  
25 by Michigan State University to the state budget director, the house and  
26 senate appropriations subcommittees on agriculture and on higher  
27 education, and the house and senate fiscal agencies for the preceding

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1 fiscal year regarding project GREEN projects. The report shall include,  
2 but is not limited to, the dollar amount of each project and a review of  
3 each project's performance and accomplishments.

4 Sec. 434. All state universities shall work with the Michigan eco-  
5 nomic development corporation (MEDC) to foster the state's economic  
6 development. The presidents council shall meet quarterly with the MEDC  
7 or its representative to discuss potential cooperative efforts and  
8 examine any strategies or issues of concern related to advancement of  
9 Michigan's economic development. The state universities, through its  
10 presidents council, shall submit a report that summarizes the discussion  
11 and identifies any conclusions or recommendations of the participants at  
12 each quarterly meeting. The quarterly report shall be submitted to the  
13 state budget director, the house and senate appropriations subcommittees  
14 on higher education, and the house and senate fiscal agencies no later  
15 than 30 days after each quarterly meeting.

16 Sec. 435. Each institution of higher education shall conduct a  
17 study on the installation of automatic sprinkler and other fire safety  
18 systems in dormitories, and shall report to the legislature on or before  
19 January 1, 2003 the existence or nonexistence of such systems and the  
20 estimated cost of installing automatic sprinkler systems where they do  
21 not exist.

22 Sec. 436. (1) It is the intent of the legislature to recognize and  
23 maintain the quality of Michigan's colleges and universities by allowing  
24 the higher education appropriations for the 2002-2003 fiscal year to  
25 remain at the same level as the appropriations for fiscal year 2001-2002,  
26 with no reductions. It is also the intent of the legislature to  
27 recognize the need for tuition restraint on the part of Michigan's public

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1 universities, in order to maintain access and affordability at Michigan's  
2 colleges and universities for students and parents. It is further the  
3 intent of the legislature to reduce appropriations for any college or  
4 university that does not exercise tuition restraint for the 2002-2003  
5 academic year, as outlined in subsection (2).

6 (2) The appropriation for any university in part 1 of this act shall  
7 not be reduced if that university adopts a tuition and fee rate increase  
8 for resident undergraduate students that is 8.5% or less over the prior  
9 year, or a total increase of \$425.00 or less over the prior year, which-  
10 ever is greater, and if a university reports to the state budget director  
11 and the appropriations committees of the house and senate any cost  
12 increases in excess of the increase over the prior year in the Detroit  
13 consumer price index, for utilities, retirement, health care, or  
14 technology.

15 (3) It is the intent of the legislature that the presidents and  
16 chancellors of Michigan's 15 public universities voluntarily agree to the  
17 conditions outlined in subsection (2), and that a letter signed by the  
18 presidents and chancellors confirming this agreement would be transmitted  
19 to the legislature by February 28, 2002.

20 (4) If a university does not exercise the tuition restraint as out-  
21 lined in subsections (2) and (3) above, the legislature authorizes the  
22 state budget director to withhold funds appropriated for that university  
23 by an amount equal to the amount in excess of the desired restraint and  
24 to notify the appropriations committees of the house and senate. It is  
25 the intent of the legislature to redistribute these funds, based on each  
26 university's percentage share of the fiscal year 2001-2002 base

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1 appropriations, to those universities that honor the tuition restraint  
2 commitment.

3       Sec. 437. Included in part 1 is \$2,000,000.00 for design and archi-  
4 tectural studies related to the rare isotope accelerator facilities to be  
5 located at Michigan State University. This appropriation is for the  
6 development of a program statement and preliminary design documents for  
7 the rare isotope accelerator office building and for evaluation and pro-  
8 totyping of the rare isotope accelerator design elements. It is the intent of  
the legislature that Michigan State University will collaborate with the  
Michigan economic development corporation to develop the program statement  
and preliminary design documents.

9       Sec. 438. It is the intent of the legislature that if the May 2002  
10 consensus revenue estimating conference determines that additional state  
11 general fund/general purpose revenue is available for expenditure in  
12 fiscal year 2002-2003, funds shall be appropriated to the state universi-  
13 ties that have a per fiscal-year-equated student appropriation less than  
14 the per fiscal-year-equated student funding floor amount specified in  
15 section 409.

16       Sec. 439. It is the intent of the legislature that a workgroup be  
17 formed to evaluate, discuss, and make recommendations for future action  
18 regarding state university admission and enrollment policies that specif-  
19 ically address the acceptance and application of college credits earned  
20 by students through the postsecondary enrollment options act, 1996 PA  
21 160, MCL 388.511 to 388.524. The workgroup shall be bipartisan and shall  
22 include the chairpersons of the house and senate appropriations subcom-  
23 mittees on higher education, community colleges, and school aid.

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**1 MARTIN LUTHER KING, JR. - CESAR CHAVEZ - ROSA PARKS**

**2 PROGRAMS**

3       Sec. 501. (1) Included in the appropriation for each public univer-  
4 sity in part 1 is funding for the Martin Luther King, Jr. - Cesar Chavez  
5 - Rosa Parks future faculty program, that is intended to increase the  
6 pool of minority candidates pursuing faculty teaching careers in postsec-  
7 ondary education. Each university shall apply the percentage increase  
8 applicable to every university in the calculation of appropriations in  
9 part 1 to the amount of funds allocated to the future faculty program.

10       (2) The program shall be administered by each university in a manner  
11 prescribed by the Michigan department of career development. The  
12 Michigan department of career development shall use a good faith effort  
13 standard to evaluate whether a fellowship is in default.

14       Sec. 502. (1) Included in the appropriation for each public univer-  
15 sity in part 1 is funding for the Martin Luther King, Jr. - Cesar Chavez  
16 - Rosa Parks college day program that is intended to introduce school-  
17 children underrepresented in postsecondary education to the potential of  
18 a college education.

19       (2) Individual program plans of each university shall include a  
20 budget of equal contributions from this program, the participating public  
21 university, the participating school district, and the participating  
22 independent degree granting college. College day funds shall not be  
23 expended to cover indirect costs. Not more than 20% of the university  
24 match shall be attributable to indirect costs. Each university shall  
25 apply the percentage increase applicable to every university in the cal-  
26 culation of appropriations in part 1 to the amount of funds allocated to  
27 the college day program.

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1       (3) The program shall be administered by each university in a manner  
2 prescribed by the Michigan department of career development.

3       Sec. 503. (1) Included in part 1 is funding for the Martin Luther  
4 King, Jr. - Cesar Chavez - Rosa Parks select student support services  
5 program for developing academically and economically disadvantaged stu-  
6 dent retention programs for 4-year public and independent educational  
7 institutions in this state.

8       (2) An award made under this program to any 1 institution shall not  
9 be greater than \$150,000.00, and the amount awarded shall be matched on a  
10 70% state, 30% college or university basis.

11       (3) The program shall be administered by the Michigan department of  
12 career development.

13       Sec. 504. (1) Included in part 1 is funding for the Martin Luther  
14 King, Jr. - Cesar Chavez - Rosa Parks college/university partnership pro-  
15 gram between 4-year public and independent colleges and universities and  
16 public community colleges, which is intended to increase the number of  
17 academically and economically disadvantaged students who transfer from  
18 community colleges into baccalaureate programs.

19       (2) The grants shall be made under this program to Michigan public  
20 and independent colleges and universities. An award to any 1 institution  
21 shall not be greater than \$150,000.00, and the amount awarded shall be  
22 matched on a 70% state, 30% college or university basis.

23       (3) The program shall be administered by the Michigan department of  
24 career development.

25       Sec. 505. (1) Included in the appropriation for each public univer-  
26 sity in part 1 is funding for the Martin Luther King, Jr. - Cesar Chavez  
27 - Rosa Parks visiting professors program which is intended to increase

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1 the number of underrepresented minority instructors in the classroom and  
2 provide role models for underrepresented minority students.

3 (2) The program shall be administered by the Michigan department of  
4 career development.

5 Sec. 506. (1) Included in the appropriation in part 1 is funding  
6 under the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks initiative  
7 for the Morris Hood, Jr. educator development program which is intended  
8 to increase the number of minority students, especially males, who enroll  
9 in and complete K-12 teacher education programs at the baccalaureate  
10 level.

11 (2) The program shall be administered by each state-approved teacher  
12 education institution in a manner prescribed by the Michigan department  
13 of career development.

14 (3) Approved teacher education institutions may and are encouraged  
15 to use student support services funding in coordination with the Morris  
16 Hood, Jr. funding to achieve the goals of the program.

17 Sec. 507. Each state institution of higher education receiving  
18 funds under section 503, 504, or 506 shall notify the Michigan department  
19 of career development by April 15, 2003 as to whether it will expend by  
20 the end of its fiscal year the funds received under section 503, 504, or  
21 506. Notwithstanding the award limitations in sections 503 and 504, the  
22 amount of funding reported as not being expended will be reallocated to  
23 the institutions that intend to expend all funding received under section  
24 503, 504, or 506.

**1    STUDENT PERFORMANCE REPORTING**

2            Sec. 601. (1) From the amount appropriated in part 1 for state uni-  
3    versities, the state universities shall systematically inform Michigan  
4    high schools regarding the academic status of students from each high  
5    school in a manner prescribed by the presidents council, state universi-  
6    ties of Michigan in cooperation with the Michigan association of second-  
7    ary school principals.

8            (2) The Michigan high schools shall systematically inform the state  
9    universities about the use of information received under this section in  
10   a manner prescribed by the Michigan association of secondary school prin-  
11   cipals in cooperation with the presidents council, state universities of  
12   Michigan.

13          Sec. 602. From the amount appropriated in part 1 for state univer-  
14   sities, the state universities shall inform Michigan community colleges  
15   regarding the academic status of community college transfer students in a  
16   manner prescribed by the presidents council, state universities of  
17   Michigan in cooperation with the Michigan community college association.

**18   GENERAL REPORTS AND AUDITS**

19          Sec. 701. (1) The auditor general shall review higher education  
20   institutional data inventory (HEIDI) enrollment data submitted by all  
21   public universities and may perform audits of selected public universi-  
22   ties if determined necessary. The review and audits shall be based upon  
23   the definitions, requirements, and uniform reporting categories estab-  
24   lished by the state budget director and the senate and house fiscal  
25   agencies. The auditor general shall submit a report of findings to the

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1 house and senate appropriations committees and the state budget director  
2 no later than July 1, 2003.

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

4 (a) Student credit hours generated through correspondence courses,  
5 credit by examination, or inmate prison programs regardless of teaching  
6 location.

7 (b) Student credit hours generated in new degree programs after  
8 January 1, 1975, that have not been specifically authorized for funding  
9 by the legislature, except spin-off programs converted from existing core  
10 programs that do all of the following:

11 (i) Represent new options, fields, or concentrations within existing  
12 programs.

13 (ii) Are consistent with the current institutional role and  
14 mission.

15 (iii) Are accommodated within the continuing funding base of the  
16 institution.

17 (iv) Do not require a new degree level beyond that which the insti-  
18 tution is currently authorized to grant within that discipline or field.

19 (v) Do not require funding from the state other than that provided  
20 by the student credit hours generated within the program, either before  
21 program initiation or within the first 3 years of program operation.

22 (3) The auditor general shall periodically audit higher education  
23 institutional data inventory (HEIDI) data as submitted by the state uni-  
24 versities for compliance with the definitions approved by the HEIDI  
25 advisory committee for the HEIDI database.

26 Sec. 701a. (1) Pursuant to section 701(2)(b), the following degree  
27 programs may be established:

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1           (a) Bachelors

2 Eastern Michigan University  
3 Ferris State University  
4 Ferris State University  
5 Ferris State University  
6 Ferris State University  
7 Ferris State University  
8  
9 Lake Superior State University  
10 Michigan State University  
11 Michigan Technological University  
12 University of Michigan

13  
14  
15  
16 University of Michigan  
17  
18

19           (b) Masters

20 Central Michigan University  
21  
22 Michigan State University  
23 Michigan State University  
24 Michigan State University  
25 Michigan State University  
26  
27 Michigan State University  
28 Michigan State University  
29  
30 Oakland University  
31  
32 Oakland University  
33 Oakland University  
34  
35 Oakland University  
36 University of Michigan  
37  
38 University of Michigan  
39 University of Michigan  
40

41 Western Michigan University  
42  
43 Western Michigan University  
44  
45

46           (c) Doctorate/Other

47 Central Michigan University  
48 Oakland University  
49  
50

Technology Management, B.S.  
Communication Major, B.A.  
Mathematics Major, B.A.  
Biology Major, B.A.  
E-Commerce Marketing, B.S.  
Industrial Technology and  
Management Concentration, B.A.S.  
Liberal Studies, B.A./B.S.  
Music Education, B. Mus.  
Bioinformatics, B.S.  
Joint Literature, Science and  
Arts/School of Natural Resources  
and Environment Degree in the  
Environment, B.A./B.S.  
Bachelor of Fine Arts (replaces  
existing curriculum), B.F.A.

Geographic Information Sciences,  
M.S.  
Applied Spanish Linguistics, M.A.  
Education, M.A.  
Zoo and Aquarium Management, M.S.  
Comparative Medicine and  
Integrative Biology, M.S.  
Logistics, M.S.  
Professional Applications in  
Anthropology, M.A.  
Information Technology Management,  
M.S.  
Embedded Systems, M.S.  
Information Systems Engineering,  
M.S.  
Liberal Studies, M.A.  
Interdisciplinary Program in  
Survey Methodology, M.S.  
Judaic Studies, M.A.  
Integrated Microsystems,  
M. Engineering  
Performing Arts Administration,  
M.F.A.  
Educational Technology, M.A.

Doctor of Health Administration,  
D.H.A.  
Doctorate in Physical Therapy  
(combined with DScPT proposal),  
D.P.T.

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1	Oakland University	Doctorate of Science in Physical
2		Therapy (combined with DPT
3		proposal), D.S.P.T.
4	Michigan State University	Comparative Medicine & Integrative
5		Biology, Ph.D.
6	University of Michigan	Interdisciplinary Program in
7		Survey Methodology, Ph.D.
8	University of Michigan	Interdepartmental Program in Greek
9		and Roman History, Ph.D.
10	University of Michigan-Flint	Doctor of Physical Therapy,
11		D.P.T.
12	Wayne State University	Doctor of Audiology, Au.D.
13	Western Michigan University	Doctor of Audiology Degree, Au.D.
14	Western Michigan University	Electrical and Computer
15		Engineering, Ph.D.

16       (2) The listing of degree programs in subsection (1) does not con-  
17 stitute legislative intent to provide additional dollars for those  
18 programs.

19       Sec. 702. The principal executive officer of each institution of  
20 higher education receiving an appropriation under this act shall expend a  
21 portion of the funds appropriated to that institution to make a report to  
22 the auditor general, the house and senate fiscal agencies, and the state  
23 budget director within 60 days after the auditor general issues his or  
24 her report on the operation of the institution. The institution's report  
25 shall specify all of the following:

26       (a) The recommendations of the auditor general implemented by the  
27 institution, including projected dates and resources required, if any, to  
28 achieve compliance.

29       (b) The recommendations of the auditor general not implemented by  
30 the institution or implemented by the institution as modified.

31       (c) The rationale for not implementing a recommendation of the audi-  
32 tor general or of implementing a recommendation as modified.

33       Sec. 705. (1) As part of the higher education data inventory  
34 (HEIDI) submission, each state university shall report the following

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1 information for the 2001-2002 academic year on or before October 31,  
2 2002:

3 (a) Separately, the number of full-time equated tenured faculty,  
4 tenure-track faculty, nontenure-track faculty, and instruction/research  
5 assistants who taught an undergraduate class section.

6 (b) The total number of undergraduate credit hours taught by each of  
7 the following:

8 (i) Tenured faculty.

9 (ii) Tenure-track faculty.

10 (iii) Nontenure-track faculty.

11 (iv) Instruction/research assistants.

12 (2) For the purposes of subsection (1), the following definitions  
13 apply:

14 (a) "Tenured faculty" means a faculty member who has earned tenure.

15 (b) "Tenure-track faculty" means a faculty member who has not yet  
16 earned tenure but is eligible to earn tenure.

17 (c) "Nontenure-track faculty" means a faculty member who is not eli-  
18 gible to earn tenure.

19 (d) "Instruction/research assistant" means an individual who is a  
20 master's or doctoral degree candidate.

21 (3) Each state university shall also report the following informa-  
22 tion for the 2001-2002 academic year, as part of the higher education  
23 data inventory (HEIDI) submission, on or before October 31, 2002:

24 (a) Separately, the fall term number (head count) of part-time fac-  
25 ulty and full-time faculty.

26 (b) Separately, the fall term number (head count) of tenured faculty  
27 and nontenured faculty.

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1           (4) For the purposes of subsection (3), the following definitions  
2    apply:

3           (a) "Part-time faculty" means an individual who does not have a  
4    full-time appointment as a faculty member.

5           (b) "Full-time faculty" means an individual who has a full-time  
6    appointment as a faculty member.

7           (c) "Tenured faculty" means an individual who has earned tenure and  
8    who does not hold an administrative post.

9           (d) "Nontenured faculty" means an individual who has not earned  
10   tenure.

11          Sec. 708. The auditor general shall conduct performance audits of  
12   not fewer than 3 state universities during the fiscal year ending  
13   September 30, 2003.

14          Sec. 709. (1) An institution receiving funds under this act and  
15   also subject to the student right-to-know and campus security act, Public  
16   Law 101-522, 104 Stat. 2381, shall furnish by October 15, 2002 to the  
17   Michigan department of education, a copy of all material prepared pursu-  
18   ant to the public information reporting requirements under the crime  
19   awareness and campus security act of 1990, title II of the student  
20   right-to-know and campus security act, Public Law 101-542, 104  
21   Stat. 2381.

22          (2) Each institution shall make this information available in elec-  
23   tronic Internet format on their websites.

24          Sec. 710. By February 15, 2003, each public university that  
25   receives funds under this act shall report to the house and senate appro-  
26   priations subcommittees on higher education and the house and senate  
27   fiscal agencies the aggregate dollar amount and the number and

**SB 1105, As Passed Senate, March 19, 2002**

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- 1 percentages of undergraduate students who receive need-based grants,
- 2 merit-based scholarships and grants, loans, and work-study financial aid
- 3 for the academic year 2001-2002.