

**SUBSTITUTE FOR  
HOUSE BILL NO. 4236**

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



388.1880, 388.1881, 388.1882, 388.1883, and 388.1889), sections 236, 236a, 236b, 236c, 241, 245, 251, 252, 256, 263, 264, 265a, 267, 268, 269, 270, 274, 274c, 276, 277, 278, 279, 280, 281, 282, and 289 as amended and sections 245a, 265b, 265c, and 265d as added by 2018 PA 265, section 237 as amended by 2012 PA 201, sections 263a and 283 as amended by 2017 PA 108, and section 265 as amended by 2018 PA 586, and by adding section 275d.

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

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

6       (a) The gross appropriation is ~~\$1,669,732,600.00.~~  
7 **\$1,685,545,000.00.** After deducting total interdepartmental grants  
8 and intradepartmental transfers in the amount of \$0.00, the  
9 adjusted gross appropriation is ~~\$1,669,732,600.00.~~  
10 **\$1,685,545,000.00.**

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

13       (i) Total federal revenues, ~~\$123,526,400.00.~~ **\$128,026,400.00.**

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

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

16       (iv) Total other state restricted revenues,  
17 ~~\$500,188,300.00.~~ **\$349,419,300.00.**

18       (v) State general fund/general purpose money,  
19 ~~\$1,046,017,900.00.~~ **\$1,208,099,300.00.**

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



1 (a) The appropriation for Central Michigan University is  
2 ~~\$87,415,000.00, \$85,654,400.00 for operations and \$1,760,600.00 for~~  
3 ~~performance funding.~~**\$89,227,800.00, \$87,096,900.00 for operations,**  
4 **\$532,800.00 for performance funding, and \$1,598,100.00 for costs**  
5 **incurred under the North American Indian tuition waiver.**

6 (b) The appropriation for Eastern Michigan University is  
7 ~~\$76,979,300.00, \$75,169,900.00 for operations and \$1,809,400.00 for~~  
8 ~~performance funding.~~**\$77,556,000.00, \$76,816,500.00 for operations,**  
9 **\$437,200.00 for performance funding, and \$302,300.00 for costs**  
10 **incurred under the North American Indian tuition waiver.**

11 (c) The appropriation for Ferris State University is  
12 ~~\$54,950,700.00, \$53,595,500.00 for operations and \$1,355,200.00 for~~  
13 ~~performance funding.~~**\$56,032,800.00, \$54,732,400.00 for operations,**  
14 **\$293,100.00 for performance funding, and \$1,007,300.00 for costs**  
15 **incurred under the North American Indian tuition waiver.**

16 (d) The appropriation for Grand Valley State University is  
17 ~~\$72,056,600.00, \$70,100,100.00 for operations and \$1,956,500.00 for~~  
18 ~~performance funding.~~**\$73,388,500.00, \$71,780,400.00 for operations,**  
19 **\$533,100.00 for performance funding, and \$1,075,000.00 for costs**  
20 **incurred under the North American Indian tuition waiver.**

21 (e) The appropriation for Lake Superior State University is  
22 ~~\$13,987,000.00, \$13,775,000.00 for operations and \$212,000.00 for~~  
23 ~~performance funding.~~**\$14,361,000.00, \$13,349,300.00 for operations,**  
24 **\$57,700.00 for performance funding, and \$954,000.00 for costs**  
25 **incurred under the North American Indian tuition waiver.**

26 (f) The appropriation for Michigan State University is  
27 ~~\$350,703,300.00, \$281,239,100.00 for operations, \$5,035,100.00 for~~  
28 ~~performance funding, \$34,591,400.00 for MSU AgBioResearch, and~~  
29 ~~\$29,837,700.00 for MSU Extension.~~**\$353,872,800.00, \$285,805,100.00**  
30 **for operations, \$1,526,600.00 for performance funding,**  
31 **\$1,467,700.00 for costs incurred under the North American Indian**  
32 **tuition waiver, \$34,937,300.00 for MSU AgBioResearch, and**  
33 **\$30,136,100.00 for MSU Extension.**

1 (g) The appropriation for Michigan Technological University is  
2 ~~\$49,949,600.00, \$49,052,200.00 for operations and \$897,400.00 for~~  
3 ~~performance funding.~~**\$50,568,100.00, \$49,835,300.00 for operations,**  
4 **\$266,300.00 for performance funding, and \$466,500.00 for costs**  
5 **incurred under the North American Indian tuition waiver.**

6 (h) The appropriation for Northern Michigan University is  
7 ~~\$47,998,400.00, \$47,137,400.00 for operations and \$861,000.00 for~~  
8 ~~performance funding.~~**\$48,909,100.00, \$47,576,200.00 for operations,**  
9 **\$232,900.00 for performance funding, and \$1,100,000.00 for costs**  
10 **incurred under the North American Indian tuition waiver.**

11 (i) The appropriation for Oakland University is  
12 ~~\$52,819,200.00, \$51,235,900.00 for operations and \$1,583,300.00 for~~  
13 ~~performance funding.~~**\$53,432,500, \$52,719,900.00 for operations,**  
14 **\$427,500.00 for performance funding, and \$285,100.00 for costs**  
15 **incurred under the North American Indian tuition waiver.**

16 (j) The appropriation for Saginaw Valley State University is  
17 ~~\$30,528,000.00, \$29,766,100.00 for operations and \$761,900.00 for~~  
18 ~~performance funding.~~**\$30,807,700.00, \$30,456,500.00 for operations,**  
19 **\$127,300.00 for performance funding, and \$223,900.00 for costs**  
20 **incurred under the North American Indian tuition waiver.**

21 (k) The appropriation for University of Michigan - Ann Arbor  
22 is ~~\$320,782,400.00, \$314,589,100.00 for operations and~~  
23 ~~\$6,193,300.00 for performance funding.~~**\$322,773,600.00,**  
24 **\$320,255,800.00 for operations, \$1,714,300.00 for performance**  
25 **funding, and \$803,500.00 for costs incurred under the North**  
26 **American Indian tuition waiver.**

27 (l) The appropriation for University of Michigan - Dearborn is  
28 ~~\$26,071,800.00, \$25,421,900.00 for operations and \$649,900.00 for~~  
29 ~~performance funding.~~**\$26,327,200.00, \$25,986,400.00 for operations,**



1    **\$180,600.00 for performance funding, and \$160,200.00 for costs**  
2    **incurred under the North American Indian tuition waiver.**

3       (m) The appropriation for University of Michigan - Flint is  
4    ~~\$23,585,400.00, \$23,061,800.00 for operations and \$523,600.00 for~~  
5    ~~performance funding.~~**\$23,893,200.00, \$23,493,800.00 for operations,**  
6    **\$122,400.00 for performance funding, and \$277,000.00 for costs**  
7    **incurred under the North American Indian tuition waiver.**

8       (n) The appropriation for Wayne State University is  
9    ~~\$202,363,200.00, \$199,169,800.00 for operations and \$3,193,400.00~~  
10   ~~for performance funding.~~**\$203,413,900.00, \$202,112,700.00 for**  
11   **operations, \$884,000.00 for performance funding, and \$417,200.00**  
12   **for costs incurred under the North American Indian tuition waiver.**

13       (o) The appropriation for Western Michigan University is  
14    ~~\$111,151,000.00, \$109,376,800.00 for operations and \$1,774,200.00~~  
15   ~~for performance funding.~~**\$112,290,100.00, \$110,976,000.00 for**  
16   **operations, \$546,200.00 for performance funding, and \$767,900.00**  
17   **for costs incurred under the North American Indian tuition waiver.**

18       (3) The amount appropriated in subsection (2) for public  
19   universities is **\$1,536,854,300.00**, appropriated from the following:

20       (a) State school aid fund, ~~\$494,286,300.00.~~**\$343,168,300.00.**

21       (b) State general fund/general purpose money,  
22   ~~\$1,027,054,600.00.~~**\$1,193,686,000.00.**

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

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

29       (a) Higher education database modernization and conversion,  
30   \$200,000.00.

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

32       (6) The amount appropriated for the Martin Luther King, Jr. -  
33   Cesar Chavez - Rosa Parks program is \$2,691,500.00, appropriated

1 from general fund/general purpose money and allocated as follows:

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

3 (b) Michigan college/university partnership program,  
4 \$586,800.00.

5 (c) Morris Hood, Jr. educator development program,  
6 \$148,600.00.

7 (7) Subject to subsection (8), the amount appropriated for  
8 grants and financial aid is ~~\$139,583,200.00,~~ **\$139,283,200.00,**  
9 allocated as follows:

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

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

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

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

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

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

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

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

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

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

26 **(c)** ~~(d)~~ State general fund/general purpose money,  
27 ~~\$15,956,800.00.~~ **\$11,256,800.00.**

28 (9) For fiscal year ~~2018-2019~~ **2019-2020** only, in addition to  
29 the allocation under subsection (4), from the appropriations



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

13 **(10) The amount appropriated for pregnant and parenting**  
14 **student services is \$150,000.00, appropriated from state general**  
15 **fund/general purpose money, and subject to the conditions of the**  
16 **pregnant and parenting services act, 2004 PA 500, MCL 390.1591 to**  
17 **390.1596.**

18 Sec. 236a. It is the intent of the legislature to provide  
19 appropriations for the fiscal year ending on September 30, ~~2020~~  
20 **2021** for the items listed in section 236. The fiscal year ~~2019-2020~~  
21 **2020-2021** appropriations are anticipated to be the same as those  
22 for fiscal year ~~2018-2019, 2019-2020~~, except that the amounts will  
23 be adjusted for changes in caseload and related costs, federal fund  
24 match rates, economic factors, and available revenue. These  
25 adjustments will be determined after the January ~~2019-2020~~  
26 consensus revenue estimating conference. **For fiscal year 2020-2021,**  
27 **the amount appropriated for Michigan public school employees'**  
28 **retirement system reimbursement is projected to be \$7,264,000.00.**

29 Sec. 236b. In addition to the funds appropriated in section  
30 236, there is appropriated for grants and financial aid in fiscal  
31 year ~~2018-2019-2019-2020~~ an amount not to exceed \$6,000,000.00 for  
32 federal contingency funds. These funds are not available for  
33 expenditure until they have been transferred under section 393(2)

of the management and budget act, 1984 PA 431, MCL 18.1393, for another purpose under this article.

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

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

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

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

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

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

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

(g) Michigan Technological University,  
~~\$6,782,000.00.~~ **\$6,912,500.00.**

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

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

(j) Saginaw Valley State University,  
~~\$10,984,000.00.~~ **\$10,670,900.00.**

(k) University of Michigan - Ann Arbor,





1 ~~\$11,861,000.00.~~**\$9,795,900.00.**

2 (l) University of Michigan - Dearborn,  
3 ~~\$10,918,000.00.~~**\$9,522,700.00.**

4 (m) University of Michigan - Flint,  
5 ~~\$6,244,800.00.~~**\$4,128,900.00.**

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

7 (o) Western Michigan University,  
8 ~~\$16,062,900.00.~~**\$15,225,200.00.**

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

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

21 (2) All public universities shall submit higher education  
22 institutional data inventory (HEIDI) data and associated financial  
23 and program information requested by and in a manner prescribed by  
24 the state budget director. For public universities with fiscal  
25 years ending June 30, ~~2018,~~**2019,** these data shall be submitted to  
26 the state budget director by October 15, ~~2018.~~**2019.** Public  
27 universities with a fiscal year ending September 30, ~~2018~~**2019**  
28 shall submit preliminary HEIDI data by November 15, ~~2018~~**2019** and  
29 final data by December 15, ~~2018.~~**2019.** If a public university fails  
30 to submit HEIDI data and associated financial aid program  
31 information in accordance with this reporting schedule, the state  
32 treasurer may withhold the monthly installments under subsection  
33 (1) to the public university until those data are submitted.

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

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

9       (a) The annual operating budget and subsequent budget  
10 revisions.

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

14       (i) A chart of personnel expenditures, broken into the  
15 following subcategories:

16       (A) Earnings and wages.

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

20       (C) Retirement benefit costs.

21       (D) All other personnel costs.

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

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

27       (i) The current collective bargaining agreement for each  
28 bargaining unit.

29       (ii) Each health care benefits plan, including, but not limited



1 to, medical, dental, vision, disability, long-term care, or any  
2 other type of benefits that would constitute health care services,  
3 offered to any bargaining unit or employee of the public  
4 university.

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

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

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

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

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

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

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

25 (a) Enrollment.

26 (b) Student retention rate.

27 (c) Six-year graduation rates.

28 (d) Number of Pell grant recipients and graduating Pell grant  
29 recipients.

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

32 (f) Faculty to student ratios and total university employee to  
33 student ratios.

1 (g) Teaching load by faculty classification.

2 (h) Graduation outcome rates, including employment and  
3 continuing education.

4 (4) For statewide consistency and public visibility, public  
5 universities must use the icon badge provided by the department of  
6 technology, management, and budget consistent with the icon badge  
7 developed by the department of education for K-12 school districts.  
8 It must appear on the front of each public university's homepage.  
9 The size of the icon may be reduced to 150 x 150 pixels. The font  
10 size and style for this reporting must be consistent with other  
11 documents on each university's website.

12 (5) The state budget director shall determine whether a public  
13 university has complied with this section. The state budget  
14 director may withhold a public university's monthly installments  
15 described in section 241 until the public university complies with  
16 this section.

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

21 (a) Opportunities for earning college credit through the  
22 following programs:

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

25 (ii) Direct college credit or concurrent enrollment.

26 (iii) Dual enrollment.

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

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



1 (i) The number of high school students participating in the  
2 program.

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

5 (iii) Whether a university professor, qualified local school  
6 district employee, or other individual teaches the course or  
7 courses in the program.

8 (iv) The total cost to the public university to operate the  
9 program.

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

12 (vi) The location where the course or courses in the program  
13 are held.

14 (vii) Instructional resources offered to the program  
15 instructors.

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

17 (ix) Transportation services provided to students in the  
18 program.

19 **(7) A public university shall collect and report the number**  
20 **and percentage of all enrolled students who complete the Free**  
21 **Application for Federal Student Aid, broken out by undergraduate**  
22 **and graduate/professional classifications, to the center and post**  
23 **the information on its website under the budget transparency icon**  
24 **badge.**

25 Sec. 245a. (1) A public university shall develop, maintain,  
26 and update a "campus safety information and resources" link,  
27 prominently displayed on the homepage of its website, to a section  
28 of its website containing all of the information required under  
29 subsection (2).

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

1 (a) Emergency contact numbers for police, fire, health, and  
2 other services.

3 (b) Hours, locations, phone numbers, and electronic mail  
4 contacts for campus public safety offices and title IX offices.

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

9 (d) A public university's policies applicable to minors on  
10 university property.

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

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

18 (g) Campus security policies and crime statistics pursuant to  
19 the student right-to-know and campus security act, Public Law 101-  
20 542, 104 Stat 2381. Information shall include all material prepared  
21 pursuant to the public information reporting requirements under the  
22 crime awareness and campus security act of 1990, title II of the  
23 student right-to-know and campus security act, Public Law 101-542,  
24 104 Stat 2381.

25 (3) A public university shall certify to the state budget  
26 director by ~~August 31, 2018~~ **October 1, 2019 and the last business**  
27 **day of each August thereafter** that it is in compliance with this  
28 section. The state budget director may withhold a public  
29 university's monthly installments described in section 241 until



1 the public university complies with this section.

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

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

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

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

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

33 (6) Veterans Administration benefits shall not be considered

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

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

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

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

18 (3) Pursuant to section 5 of 1966 PA 313, MCL 390.995, and  
19 subject to subsections (7) and (8), the department of treasury  
20 shall determine an actual maximum tuition grant award per student,  
21 which shall be no less than ~~\$2,400.00, \$3,000.00~~, that ensures that  
22 the aggregate payments for the tuition grant program do not exceed  
23 the appropriation contained in section 236 for the state tuition  
24 grant program. If the department determines that insufficient funds  
25 are available to establish a maximum award amount equal to at least  
26 ~~\$2,400.00, \$3,000.00~~, the department shall immediately report to  
27 the house and senate appropriations subcommittees on higher  
28 education, the house and senate fiscal agencies, and the state  
29 budget director regarding the estimated amount of additional funds





1 necessary to establish a ~~\$2,400.00~~ **\$3,000.00** maximum award amount.  
2 If the department determines that sufficient funds are available to  
3 establish a maximum award amount equal to at least ~~\$2,400.00,~~  
4 **\$3,000.00,** the department shall immediately report to the house and  
5 senate appropriations subcommittees on higher education, the house  
6 and senate fiscal agencies, and the state budget director regarding  
7 the maximum award amount established and the projected amount of  
8 any projected year-end appropriation balance based on that maximum  
9 award amount. By February 18 of each fiscal year, the department  
10 shall analyze the status of award commitments, shall make any  
11 necessary adjustments, and shall confirm that those award  
12 commitments will not exceed the appropriation contained in section  
13 236 for the tuition grant program. The determination and actions  
14 shall be reported to the state budget director and the house and  
15 senate fiscal agencies no later than the final day of February of  
16 each year. If award adjustments are necessary, the students shall  
17 be notified of the adjustment by March 4 of each year. **The**  
18 **department is prohibited from using funds described in this section**  
19 **and appropriated in section 236(7)(b) to offset costs in any other**  
20 **student financial aid program.**

21 (4) Any unexpended and unencumbered funds remaining on  
22 September 30, ~~2019~~ **2020** from the amounts appropriated in section  
23 236 for the tuition grant program for fiscal year ~~2018-2019~~ **2019-**  
24 **2020** do not lapse on September 30, ~~2019,~~ **2020,** but continue to be  
25 available for expenditure for tuition grants ~~provided in the 2019-~~  
26 ~~2020 fiscal year~~ under a work project account.

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

30 (6) If the department of treasury increases the maximum award  
31 per eligible student from that provided in the previous fiscal  
32 year, it shall not have the effect of reducing the number of  
33 eligible students receiving awards in relation to the total number

1 of eligible applicants. Any increase in the maximum grant shall be  
2 proportional for all eligible students receiving awards for that  
3 fiscal year.

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

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

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

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

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



1 graduated.

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

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

17 (2) As used in this section:

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

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

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

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

31 (3) An individual shall meet the following basic criteria and  
32 financial thresholds to be eligible for tuition incentive program  
33 benefits:

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

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

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

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

15 (iv) Be at least a half-time student, earning less than 80  
16 semester or 120 term credits at a participating educational  
17 institution within 4 years of high school graduation or achievement  
18 of a high school equivalency certificate. All program eligibility  
19 expires 6 years from high school graduation or achievement of a  
20 high school equivalency certificate.

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

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

26 (i) Complete at least 56 transferable semester or 84  
27 transferable term credits.

28 (ii) Obtain an associate degree or certificate at a  
29 participating institution.



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

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

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

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

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

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

31 (d) For persons enrolled at a Michigan independent, nonprofit  
32 degree-granting college or university, or a Michigan federal  
33 tribally controlled community college, or Focus: HOPE, the

1 department shall pay mandatory fees for the current year and a per-  
2 credit payment that does not exceed the average community college  
3 in-district per-credit tuition rate as reported on August 1, for  
4 the immediately preceding academic year.

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

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

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

13 (7) The department shall work closely with participating  
14 institutions to develop an application and eligibility  
15 determination process that will provide the highest level of  
16 participation and ensure that all requirements of the program are  
17 met.

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

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

27 (10) The department shall ensure that the tuition incentive  
28 program is well publicized and that eligible Medicaid clients are  
29 provided information on the program. The department shall provide



1 the necessary funding and staff to fully operate the program.

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

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

13 (a) The number of phase I students in the most recently  
14 completed academic year who in any academic year received a tuition  
15 incentive program award and who successfully completed a degree or  
16 certificate program. Cohort graduation rates for phase I students  
17 shall be calculated using the established success rate methodology  
18 developed by the center in collaboration with the postsecondary  
19 institutions.

20 (b) The number of students in the most recently completed  
21 academic year who in any academic year received a Pell grant at the  
22 reporting institution and who successfully completed a degree or  
23 certificate program. Cohort graduation rates for students who  
24 received Pell grants shall be calculated using the established  
25 success rate methodology developed by the center in collaboration  
26 with the postsecondary institutions.

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

33 (14) Beginning in fiscal year ~~2019-2020,~~ **2020-2021**, if a

1 qualified postsecondary institution does not report the data  
2 necessary to complete the reporting in subsection (12) to the P-20  
3 longitudinal data system by October 15 for the prior academic year,  
4 the department of treasury shall not award phase I tuition  
5 incentive program funding to otherwise eligible students enrolled  
6 in that institution until the data are submitted.

7       Sec. 263. (1) Included in the appropriation in section 236 for  
8 fiscal year ~~2018-2019~~**2019-2020** for MSU AgBioResearch is  
9 \$2,982,900.00 and included in the appropriation in section 236 for  
10 MSU Extension is \$2,645,200.00 for Project GREEN. Project GREEN  
11 is intended to address critical regulatory, food safety, economic,  
12 and environmental problems faced by this state's plant-based  
13 agriculture, forestry, and processing industries. "GREEN" is an  
14 acronym for Generating Research and Extension to Meet Environmental  
15 and Economic Needs.

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

20       Sec. 263a. (1) Not later than September 30 of each year,  
21 Michigan State University shall submit a report on MSU  
22 AgBioResearch and MSU Extension to the house and senate  
23 appropriations subcommittees on agriculture and on higher  
24 education, the house and senate standing committees on agriculture,  
25 the house and senate fiscal agencies, and the state budget director  
26 for the preceding academic fiscal year.

27       (2) The report required under subsection (1) shall include all  
28 of the following:

29       (a) Total funds expended by MSU AgBioResearch and by MSU





1 Extension identified by state, local, private, federal, and  
2 university fund sources.

3 ~~(b) The metric goals that were used to evaluate the impacts of~~  
4 ~~programs operated by MSU Extension and MSU AgBioResearch. The~~  
5 ~~following metric goals will be used to evaluate the impacts of~~  
6 ~~those programs:~~

7 ~~(i) Increasing the number of agriculture and food-related firms~~  
8 ~~collaborating with and using services of research and extension~~  
9 ~~faculty and staff by 3% per year.~~

10 ~~(ii) Increasing the number of individuals utilizing MSU~~  
11 ~~Extension's educational services by 5% per year.~~

12 ~~(iii) Increasing external funds generated in support of research~~  
13 ~~and extension, beyond state appropriations, by 10% over the amounts~~  
14 ~~generated in the past 3 state fiscal years.~~

15 ~~(iv) Increasing the sector's total economic impact to at least~~  
16 ~~\$125,000,000,000.00.~~

17 ~~(v) Increasing Michigan's agricultural exports to at least~~  
18 ~~\$4,250,000,000.00.~~

19 ~~(vi) Improving access by Michigan consumers to healthy foods by~~  
20 ~~20%.~~

21 **(b) (c)** A review of major programs within both MSU  
22 AgBioResearch and MSU Extension with specific reference to  
23 accomplishments, impacts, and ~~the metrics described in subdivision~~  
24 ~~(b), including a specific accounting of Project GREEN expenditures~~  
25 ~~and the impact of those expenditures.~~ **a specific accounting of**  
26 **Project GREEN expenditures and the impact of those expenditures.**  
27 **The program review for MSU AgBioResearch and MSU Extension should**  
28 **include the following:**

29 **(i) The number of agriculture and food-related firms**  
30 **collaborating with and using services of research and extension**  
31 **faculty and staff.**

32 **(ii) The number of individuals utilizing MSU Extension's**

1 educational services.

2 (iii) External funds generated in support of research and  
3 extension.

4 (iv) Efforts to improve access to healthy foods for Michigan  
5 consumers.

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

12 Sec. 265. (1) Payments under section 265a for performance  
13 funding for fiscal years ~~2018-2019~~, ~~2019-2020~~, ~~and 2020-2021~~, **and**  
14 **2021-2022** shall only be made to a public university that certifies  
15 to the state budget director by ~~August 31, 2018~~ **October 1, 2019**  
16 that its board did not adopt an increase in tuition and fee rates  
17 for resident undergraduate students after September 1, ~~2017-2018~~  
18 for the ~~2017-2018~~ **2018-2019** academic year and that its board will  
19 not adopt an increase in tuition and fee rates for resident  
20 undergraduate students for the ~~2018-2019~~ **2019-2020** academic year  
21 that is greater than ~~3.8%~~ **4.4%** or ~~\$490.00~~, **\$587.00**, whichever is  
22 greater. As used in this subsection:

23 (a) "Fee" means any board-authorized fee that will be paid by  
24 more than 1/2 of all resident undergraduate students at least once  
25 during their enrollment at a public university, as described in the  
26 higher education institutional data inventory (HEIDI) user manual.  
27 A university increasing a fee that applies to a specific subset of  
28 students or courses shall provide sufficient information to prove  
29 that the increase applied to that subset will not cause the



1 increase in the average amount of board-authorized total tuition  
2 and fees paid by resident undergraduate students in the ~~2018-2019~~  
3 **2019-2020** academic year to exceed the limit established in this  
4 subsection.

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

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

23 (3) Universities that exceed the tuition and fee rate cap  
24 described in subsection (1) shall not receive a planning or  
25 construction authorization for a state-funded capital outlay  
26 project in fiscal ~~year 2019-2020, fiscal year~~ **years** 2020-2021, ~~or~~  
27 ~~fiscal year 2021-2022, or~~ **2022-2023**.

28 (4) Notwithstanding any other provision of this act, the  
29 legislature may at any time adjust appropriations for a university  
30 that adopts an increase in tuition and fee rates for resident  
31 undergraduate students that exceeds the rate cap established in  
32 subsection (1).

33 Sec. 265a. (1) Appropriations to public universities in

1 section 236 for fiscal years ~~2018-2019, 2019-2020, and 2020-2021,~~  
2 **and 2021-2022** for performance funding shall be paid only to a  
3 public university that complies with section 265 and certifies to  
4 the state budget director, the house and senate appropriations  
5 subcommittees on higher education, and the house and senate fiscal  
6 agencies by ~~August 31, 2018~~ **October 1, 2019** that it complies with  
7 all of the following requirements:

8 (a) The university participates in reverse transfer agreements  
9 described in section 286 with at least 3 Michigan community  
10 colleges.

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

17 (c) The university actively participates in and submits timely  
18 updates to the Michigan Transfer Network created as part of the  
19 Michigan Association of Collegiate Registrars and Admissions  
20 Officers transfer agreement.

21 (2) Any performance funding amounts under section 236 that are  
22 not paid to a public university because it did not comply with 1 or  
23 more requirements under subsection (1) are unappropriated and  
24 reappropriated for performance funding to those public universities  
25 that meet the requirements under subsection (1), distributed in  
26 proportion to their performance funding appropriation amounts under  
27 section 236.

28 (3) The state budget director shall report to the house and  
29 senate appropriations subcommittees on higher education and the



1 house and senate fiscal agencies by ~~September 30, 2018,~~ **October 15,**  
2 **2019**, regarding any performance funding amounts that are not paid  
3 to a public university because it did not comply with 1 or more  
4 requirements under subsection (1) and any reappropriation of funds  
5 under subsection (2).

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

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

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

12 (c) Based on research and development expenditures, for  
13 universities classified in Carnegie classifications as doctoral  
14 universities: moderate research activity, doctoral universities:  
15 higher research activity, or doctoral universities: highest  
16 research activity only, 5.6%.

17 (d) Based on 6-year graduation rate, total degree completions,  
18 and institutional support as a percentage of core expenditures, and  
19 the percentage of students receiving Pell grants, scored against  
20 national Carnegie classification peers and weighted by total  
21 undergraduate fiscal year equated students, 33.3%.

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

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

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

28 (c) A university classified as improving, a score of 2. It is  
29 the intent of the legislature that, beginning in the ~~2019-2020~~  
30 **2020-2021** state fiscal year, a university classified as improving  
31 is assigned a score of 1.

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

1 (6) As used in this section, "Carnegie classification" means  
2 the basic classification of the university according to the most  
3 recent version of the Carnegie classification of institutions of  
4 higher education, published by the Carnegie Foundation for the  
5 Advancement of Teaching.

6 (7) It is the intent of the legislature to allocate more  
7 funding based on **an updated set of** performance metrics in future  
8 years. **Updated metrics will be based on the outcome of joint**  
9 **hearings between the house and senate appropriations subcommittees**  
10 **on higher education and community colleges intended to be held in**  
11 **the fall of 2019.**

12 Sec. 265b. (1) Appropriations to public universities in  
13 section 236 for the fiscal year ending September 30, ~~2019-2020~~ for  
14 operations funding shall be reduced by 10% pursuant to the  
15 procedures described in subdivision (a) for a public university  
16 that fails to submit certification to the state budget director,  
17 the house and senate appropriations subcommittees on higher  
18 education, and the house and senate fiscal agencies by ~~August 31,~~  
19 ~~2018~~ **October 1, 2019** that the university complies with sections  
20 274c and 274d and that it complies with all of the requirements  
21 described in subdivisions (b) to (i), as follows:

22 (a) If a university fails to submit certification, the state  
23 budget director shall withhold 10% of that university's annual  
24 operations funding until the university submits certification. If a  
25 university fails to submit certification by the end of the fiscal  
26 year, the 10% of its annual operations funding that is withheld  
27 shall lapse to the general fund.

28 (b) For title IX investigations of alleged sexual misconduct,  
29 the university prohibits the use of medical experts that have an



1 actual or apparent conflict of interest.

2 (c) For title IX investigations of alleged sexual misconduct,  
3 the university prohibits the issuance of divergent reports to  
4 complainants, respondents, and administration and instead requires  
5 that identical reports be issued to them.

6 (d) Consistent with the university's obligations under 20 USC  
7 1092(f), the university notifies each individual who reports having  
8 experienced sexual assault by a student, faculty member, or staff  
9 member of the university that the individual has the option to  
10 report the matter to law enforcement, to the university, to both,  
11 or to neither, as the individual may choose.

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

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

17 (ii) For all students not considered freshmen or incoming  
18 transfer students, an online or electronic sexual misconduct  
19 prevention presentation or course.

20 (f) The university prohibits seeking compensation from the  
21 recipient of any medical procedure, treatment, or care provided by  
22 a medical professional who has been convicted of a felony arising  
23 out of the medical procedure, treatment, or care.

24 (g) The university ~~has or plans to have~~ **had** a third party  
25 review its title IX compliance office and related policies and  
26 procedures by the end of the 2018-2019 academic year. A copy of the  
27 third-party review shall be transmitted to the state budget  
28 director, the house and senate appropriations subcommittees on  
29 higher education, and the house and senate fiscal agencies. After  
30 the third-party review has been conducted for the 2018-2019  
31 academic year, the university shall have a third-party review once  
32 every three years and a copy of the third-party review shall be  
33 transmitted to the state budget director, the house and senate

1 appropriations subcommittees on higher education, and the house and  
2 senate fiscal agencies.

3 (h) The university requires that the governing board and the  
4 president or chancellor of the university receive not less than  
5 quarterly reports from their title IX coordinator or title IX  
6 office. The report shall contain aggregated data of the number of  
7 sexual misconduct reports that the office received for the academic  
8 year, the types of reports received, including reports received  
9 against employees, and a summary of the general outcomes of the  
10 reports and investigations. A member of the governing board may  
11 request to review a title IX investigation report involving a  
12 complaint against an employee, and the university shall provide the  
13 report in a manner it considers appropriate. The university shall  
14 protect the complainant's anonymity, and the report shall not  
15 contain specific identifying information.

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

27 (2) Each public university that receives an appropriation in  
28 section 236 shall also certify that its president or chancellor and  
29 a member of its governing board has reviewed all title IX reports





1 involving the alleged sexual misconduct of an employee of the  
2 university, and shall send the certification to the house and  
3 senate appropriations subcommittees on higher education, the house  
4 and senate fiscal agencies, and the state budget director by ~~August~~  
5 ~~31, 2018.~~ **October 1, 2019.**

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

8 (a) Intimate partner violence.

9 (b) Nonconsensual sexual conduct.

10 (c) Sexual assault.

11 (d) Sexual exploitation.

12 (e) Sexual harassment.

13 (f) Stalking.

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

26 (a) The names of the baccalaureate degree programs of study  
27 offered by public and private universities on community college  
28 campuses.

29 (b) The names of the articulation agreements for baccalaureate  
30 degree programs of study between public community colleges, public  
31 universities, and private colleges and universities.

32 (c) The number of students enrolled and number of degrees  
33 awarded through articulation agreements, and the number of courses

1 offered, number of students enrolled, and number of degrees awarded  
2 through on-campus programs named in subdivision (a) from July 1,  
3 ~~2017-2018~~ through June 30, ~~2018-2019~~.

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

10 Sec. 267. All public universities shall submit the amount of  
11 tuition and fees actually charged to a full-time resident  
12 undergraduate student for academic year ~~2018-2019~~ **2019-2020** as part  
13 of their higher education institutional data inventory (HEIDI) data  
14 by **October 1, 2019, and by** August 31 of each year **thereafter**. A  
15 public university shall report any revisions for any semester of  
16 the reported academic year ~~2018-2019~~ **2019-2020** tuition and fee  
17 charges to HEIDI within 15 days of being adopted.

18 Sec. 268. (1) For the fiscal year ending September 30, ~~2019,~~  
19 **2020**, it is the intent of the legislature that funds be allocated  
20 for unfunded North American Indian tuition waiver costs incurred by  
21 public universities under 1976 PA 174, MCL 390.1251 to 390.1253,  
22 from the general fund.

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



1 ~~operations.~~

2       (2) ~~(3)~~—By February 15 of each year, the department of civil  
3 rights shall annually submit to the state budget director, the  
4 house and senate appropriations subcommittees on higher education,  
5 and the house and senate fiscal agencies a report on North American  
6 Indian tuition waivers for the preceding academic year that  
7 includes, but is not limited to, all of the following information:

8       (a) The number of waiver applications received and the number  
9 of waiver applications approved.

10       (b) For each university submitting information under  
11 subsection ~~(4)~~, ~~(3)~~, all of the following:

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

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

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

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

32       (3) ~~(4)~~—A public university that receives funds under section  
33 236 shall provide to the department of civil rights any information

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

3 Sec. 280. (1) Included in the appropriation for fiscal year  
4 ~~2018-2019-2019-2020~~ for each public university in section 236 is  
5 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks  
6 visiting professors program which is intended to increase the  
7 number of instructors in the classroom to provide role models for  
8 academically or economically disadvantaged students. Preference may  
9 not be given to participants on the basis of race, color,  
10 ethnicity, gender, or national origin. Public universities should  
11 encourage participation from those who would otherwise not  
12 adequately be represented in the student population.

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

15 Sec. 281. (1) Included in the appropriation for fiscal year  
16 ~~2018-2019-2019-2020~~ in section 236 is funding under the Martin  
17 Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the  
18 Morris Hood, Jr. educator development program which is intended to  
19 increase the number of academically or economically disadvantaged  
20 students who enroll in and complete K-12 teacher education programs  
21 at the baccalaureate level. Preference may not be given to  
22 participants on the basis of race, color, ethnicity, gender, or  
23 national origin. Institutions should encourage participation from  
24 those who would otherwise not adequately be represented in the  
25 teacher education student population.

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

29 (3) Approved teacher education institutions may and are





1 encouraged to use student support services funding in coordination  
2 with the Morris Hood, Jr. funding to achieve the goals of the  
3 program described in this section.

4 Sec. 282. Each institution receiving funds for fiscal year  
5 ~~2018-2019~~**2019-2020** under section 278, 279, or 281 shall provide to  
6 the workforce development agency by April 15, ~~2019~~**2020** the  
7 unobligated and unexpended funds as of March 31, ~~2019~~**2020** and a  
8 plan to expend the remaining funds by the end of the fiscal year.  
9 Notwithstanding the award limitations in sections 278 and 279, the  
10 amount of funding reported as not being expended will be  
11 reallocated to the institutions that intend to expend all funding  
12 received under section 278, 279, or 281.

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

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

25 Sec. 289. (1) ~~Not less than~~**At least once** every 4 years, the  
26 auditor general shall audit higher education institutional data  
27 inventory (HEIDI) data submitted by all public universities under  
28 section 241 and may perform audits of selected public universities  
29 if determined necessary. The audits shall be based upon the  
30 definitions, requirements, and uniform reporting categories  
31 established by the state budget director in consultation with the  
32 HEIDI advisory committee. The auditor general shall submit a report  
33 of findings to the house and senate appropriations committees and

1 the state budget director no later than July 1 of each year an  
2 audit takes place.

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

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

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

17 ~~(b) (e) Student credit hours generated through credit by~~  
18 ~~examination.~~

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

21 ~~(c) (e) Student credit hours generated in new degree programs~~  
22 ~~created on or after January 1, 1975 and before January 1, 2013,~~  
23 ~~that were not specifically authorized for funding by the~~  
24 ~~legislature, except spin-off programs converted from existing core~~  
25 ~~programs, and student credit hours generated in any new degree~~  
26 ~~programs created after January 1, 2013, that are specifically~~  
27 ~~excluded from reporting by the legislature under this section.~~

28 ~~(3) "Distance learning instruction" as used in subsection (2)~~  
29 ~~means instruction that occurs solely in other than a traditional~~



~~classroom setting where the student and instructor are in the same physical location and for which a student receives course credits and is charged tuition and fees. Examples of distance learning instruction are instruction delivered solely through the internet, cable television, teleconference, or mail.~~

Enacting section 1. In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources for higher education for fiscal year 2019-2020 under article III of the state school aid act of 1979, 1979 PA 94, MCL 388.1836 to 388.1891, is estimated at \$1,557,518,600.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2019-2020 is estimated at \$0.00.

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