

**SUBSTITUTE FOR
HOUSE BILL NO. 4401**

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending sections 201, 206, 207a, 207b, 207c, 209, 209a, 222,
226b, 226d, 226e, 229a, and 230 (MCL 388.1801, 388.1806, 388.1807a,
388.1807b, 388.1807c, 388.1809, 388.1809a, 388.1822, 388.1826b,
388.1826d, 388.1826e, 388.1829a, and 388.1830), sections 201, 206,
207a, 207b, 207c, 209, 209a, 222, 229a, and 230 as amended and
sections 226b, 226d, and 226e as added by 2020 PA 165, and by
adding section 226f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 201. (1) Subject to the conditions set forth in this
2 article, the amounts listed in this section are appropriated for
3 community colleges for the fiscal year ending September 30, ~~2021~~,

2022, from the funds indicated in this section. The following is a summary of the appropriations in this section:

(a) The gross appropriation is ~~\$425,667,600.00.~~
\$449,955,000.00. After deducting total interdepartmental grants and intradepartmental transfers in the amount of \$0.00, the adjusted gross appropriation is ~~\$425,667,600.00.~~**\$449,955,000.00.**

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

(i) Total federal revenues, \$0.00.

(ii) Total local revenues, \$0.00.

(iii) Total private revenues, \$0.00.

(iv) Total other state restricted revenues,
~~\$425,667,600.00.~~**\$445,266,900.00.**

(v) State general fund/general purpose money,
~~\$0.00.~~**\$4,688,100.00.**

(2) Subject to subsection (3), the amount appropriated for community college operations is ~~\$325,440,000.00,~~**\$347,121,400.00,** allocated as follows:

(a) The appropriation for Alpena Community College is ~~\$5,767,500.00, \$5,753,300.00 for operations, \$0.00 for performance funding, and \$14,200.00 for costs incurred under the North American Indian tuition waiver.~~**\$6,354,900.00, \$6,331,000.00 for operations and \$23,900.00 for costs incurred under the North American Indian tuition waiver.**

(b) The appropriation for Bay de Noc Community College is ~~\$5,719,500.00, \$5,602,800.00 for operations, \$0.00 for performance funding, and \$116,700.00 for costs incurred under the North American Indian tuition waiver.~~**\$6,285,800.00, \$6,174,200.00 for operations and \$111,600.00 for costs incurred under the North**

1 **American Indian tuition waiver.**

2 (c) The appropriation for Delta College is ~~\$15,208,200.00,~~
3 ~~\$15,160,500.00 for operations, \$0.00 for performance funding, and~~
4 ~~\$47,700.00 for costs incurred under the North American Indian~~
5 ~~tuition waiver.~~ **\$16,695,300.00, \$16,635,200.00 for operations and**
6 **\$60,100.00 for costs incurred under the North American Indian**
7 **tuition waiver.**

8 (d) The appropriation for Glen Oaks Community College is
9 ~~\$2,651,200.00, \$2,651,200.00 for operations, \$0.00 for performance~~
10 ~~funding, and \$0.00 for costs incurred under the North American~~
11 ~~Indian tuition waiver.~~ **\$2,916,300.00, \$2,916,300.00 for operations**
12 **and \$0.00 for costs incurred under the North American Indian**
13 **tuition waiver.**

14 (e) The appropriation for Gogebic Community College is
15 ~~\$4,923,300.00, \$4,873,700.00 for operations, \$0.00 for performance~~
16 ~~funding, and \$49,600.00 for costs incurred under the North American~~
17 ~~Indian tuition waiver.~~ **\$5,418,300.00, \$5,366,300.00 for operations**
18 **and \$52,000.00 for costs incurred under the North American Indian**
19 **tuition waiver.**

20 (f) The appropriation for Grand Rapids Community College is
21 ~~\$19,007,000.00, \$18,773,100.00 for operations, \$0.00 for~~
22 ~~performance funding, and \$233,900.00 for costs incurred under the~~
23 ~~North American Indian tuition waiver.~~ **\$20,868,900.00, \$20,670,300.00**
24 **for operations and \$198,600.00 for costs incurred under the North**
25 **American Indian tuition waiver.**

26 (g) The appropriation for Henry Ford College is
27 ~~\$22,557,600.00, \$22,533,100.00 for operations, \$0.00 for~~
28 ~~performance funding, and \$24,500.00 for costs incurred under the~~
29 ~~North American Indian tuition waiver.~~ **\$23,433,200.00, \$23,418,200.00**

1 **for operations and \$15,000.00 for costs incurred under the North**
2 **American Indian tuition waiver.**

3 (h) The appropriation for Jackson College is ~~\$12,814,200.00,~~
4 ~~\$12,756,200.00 for operations, \$0.00 for performance funding, and~~
5 ~~\$58,000.00 for costs incurred under the North American Indian~~
6 ~~tuition waiver.~~ **\$13,380,500.00, \$13,334,300.00 for operations and**
7 **\$46,200.00 for costs incurred under the North American Indian**
8 **tuition waiver.**

9 (i) The appropriation for Kalamazoo Valley Community College
10 is ~~\$13,163,700.00, \$13,099,900.00 for operations, \$0.00 for~~
11 ~~performance funding, and \$63,800.00 for costs incurred under the~~
12 ~~North American Indian tuition waiver.~~ **\$14,504,600.00, \$14,418,500.00**
13 **for operations and \$86,100.00 for costs incurred under the North**
14 **American Indian tuition waiver.**

15 (j) The appropriation for Kellogg Community College is
16 ~~\$10,328,700.00, \$10,267,100.00 for operations, \$0.00 for~~
17 ~~performance funding, and \$61,600.00 for costs incurred under the~~
18 ~~North American Indian tuition waiver.~~ **\$11,284,200.00, \$11,232,900.00**
19 **for operations and \$51,300.00 for costs incurred under the North**
20 **American Indian tuition waiver.**

21 (k) The appropriation for Kirtland Community College is
22 ~~\$3,394,800.00, \$3,358,400.00 for operations, \$0.00 for performance~~
23 ~~funding, and \$36,400.00 for costs incurred under the North American~~
24 ~~Indian tuition waiver.~~ **\$3,701,400.00, \$3,694,900.00 for operations**
25 **and \$6,500.00 for costs incurred under the North American Indian**
26 **tuition waiver.**

27 (l) The appropriation for Lake Michigan College is
28 ~~\$5,711,300.00, \$5,702,700.00 for operations, \$0.00 for performance~~
29 ~~funding, and \$8,600.00 for costs incurred under the North American~~

1 ~~Indian tuition waiver.~~**\$6,287,400.00, \$6,274,300.00 for operations**
2 **and \$13,100.00 for costs incurred under the North American Indian**
3 **tuition waiver.**

4 (m) The appropriation for Lansing Community College is
5 ~~\$33,010,000.00, \$32,852,000.00 for operations, \$0.00 for~~
6 ~~performance funding, and \$158,000.00 for costs incurred under the~~
7 ~~North American Indian tuition waiver.~~**\$33,010,000.00, \$28,220,500.00**
8 **for operations, \$4,666,800.00 for a hold harmless adjustment, and**
9 **\$122,700.00 for costs incurred under the North American Indian**
10 **tuition waiver.**

11 (n) The appropriation for Macomb Community College is
12 ~~\$34,319,500.00, \$34,276,100.00 for operations, \$0.00 for~~
13 ~~performance funding, and \$43,400.00 for costs incurred under the~~
14 ~~North American Indian tuition waiver.~~**\$34,425,300.00, \$34,402,000.00**
15 **for operations and \$23,300.00 for costs incurred under the North**
16 **American Indian tuition waiver.**

17 (o) The appropriation for Mid Michigan Community College is
18 ~~\$5,309,200.00, \$5,184,400.00 for operations, \$0.00 for performance~~
19 ~~funding, and \$124,800.00 for costs incurred under the North~~
20 ~~American Indian tuition waiver.~~**\$5,872,100.00, \$5,718,200.00 for**
21 **operations and \$153,900.00 for costs incurred under the North**
22 **American Indian tuition waiver.**

23 (p) The appropriation for Monroe County Community College is
24 ~~\$4,746,700.00, \$4,746,200.00 for operations, \$0.00 for performance~~
25 ~~funding, and \$500.00 for costs incurred under the North American~~
26 ~~Indian tuition waiver.~~**\$5,221,600.00, \$5,220,900.00 for operations**
27 **and \$700.00 for costs incurred under the North American Indian**
28 **tuition waiver.**

29 (q) The appropriation for Montcalm Community College is

~~\$3,577,700.00, \$3,570,600.00 for operations, \$0.00 for performance funding, and \$7,100.00 for costs incurred under the North American Indian tuition waiver.~~ **\$3,932,900.00, \$3,928,100.00 for operations and \$4,800.00 for costs incurred under the North American Indian tuition waiver.**

(r) The appropriation for C.S. Mott Community College is ~~\$16,464,000.00, \$16,440,000.00 for operations, \$0.00 for performance funding, and \$24,000.00 for costs incurred under the North American Indian tuition waiver.~~ **\$16,464,000.00, \$16,442,700.00 for operations, \$21,300.00 for a hold harmless adjustment, and \$41,000.00 for costs incurred under the North American Indian tuition waiver.**

(s) The appropriation for Muskegon Community College is ~~\$9,363,000.00, \$9,289,100.00 for operations, \$0.00 for performance funding, and \$73,900.00 for costs incurred under the North American Indian tuition waiver.~~ **\$10,281,300.00, \$10,223,800.00 for operations and \$57,500.00 for costs incurred under the North American Indian tuition waiver.**

(t) The appropriation for North Central Michigan College is ~~\$3,562,700.00, \$3,389,300.00 for operations, \$0.00 for performance funding, and \$173,400.00 for costs incurred under the North American Indian tuition waiver.~~ **\$3,927,600.00, \$3,746,400.00 for operations and \$181,200.00 for costs incurred under the North American Indian tuition waiver.**

(u) The appropriation for Northwestern Michigan College is ~~\$9,843,100.00, \$9,567,100.00 for operations, \$0.00 for performance funding, and \$276,000.00 for costs incurred under the North American Indian tuition waiver.~~ **\$10,822,600.00, \$10,571,400.00 for operations and \$251,200.00 for costs incurred under the North**

1 **American Indian tuition waiver.**

2 (v) The appropriation for Oakland Community College is
 3 ~~\$22,246,800.00, \$22,211,700.00 for operations, \$0.00 for~~
 4 ~~performance funding, and \$35,100.00 for costs incurred under the~~
 5 ~~North American Indian tuition waiver.~~**\$24,469,700.00, \$24,436,200.00**
 6 **for operations and \$33,500.00 for costs incurred under the North**
 7 **American Indian tuition waiver.**

8 (w) The appropriation for Schoolcraft College is
 9 ~~\$13,236,500.00, \$13,196,200.00 for operations, \$0.00 for~~
 10 ~~performance funding, and \$40,300.00 for costs incurred under the~~
 11 ~~North American Indian tuition waiver.~~**\$14,558,500.00, \$14,519,700.00**
 12 **for operations and \$38,800.00 for costs incurred under the North**
 13 **American Indian tuition waiver.**

14 (x) The appropriation for Southwestern Michigan College is
 15 ~~\$7,016,600.00, \$6,979,400.00 for operations, \$0.00 for performance~~
 16 ~~funding, and \$37,200.00 for costs incurred under the North American~~
 17 ~~Indian tuition waiver.~~**\$7,714,900.00, \$7,680,800.00 for operations**
 18 **and \$34,100.00 for costs incurred under the North American Indian**
 19 **tuition waiver.**

20 (y) The appropriation for St. Clair County Community College
 21 is ~~\$7,388,600.00, \$7,385,200.00 for operations, \$0.00 for~~
 22 ~~performance funding, and \$3,400.00 for costs incurred under the~~
 23 ~~North American Indian tuition waiver.~~**\$8,140,300.00, \$8,125,200.00**
 24 **for operations and \$15,100.00 for costs incurred under the North**
 25 **American Indian tuition waiver.**

26 (z) The appropriation for Washtenaw Community College is
 27 ~~\$13,888,200.00, \$13,855,900.00 for operations, \$0.00 for~~
 28 ~~performance funding, and \$32,300.00 for costs incurred under the~~
 29 ~~North American Indian tuition waiver.~~**\$15,280,300.00, \$15,245,000.00**

1 for operations and \$35,300.00 for costs incurred under the North
 2 American Indian tuition waiver.

3 (aa) The appropriation for Wayne County Community College is
 4 ~~\$17,608,300.00, \$17,593,400.00 for operations, \$0.00 for~~
 5 ~~performance funding, and \$14,900.00 for costs incurred under the~~
 6 ~~North American Indian tuition waiver.~~ **\$19,003,100.00, \$18,988,100.00**
 7 **for operations and \$15,000.00 for costs incurred under the North**
 8 **American Indian tuition waiver.**

9 (bb) The appropriation for West Shore Community College is
 10 ~~\$2,612,100.00, \$2,585,600.00 for operations, \$0.00 for performance~~
 11 ~~funding, and \$26,500.00 for costs incurred under the North American~~
 12 ~~Indian tuition waiver.~~ **\$2,866,400.00, \$2,846,200.00 for operations**
 13 **and \$20,200.00 for costs incurred under the North American Indian**
 14 **tuition waiver.**

15 (3) The amount appropriated in subsection (2) for community
 16 college operations is ~~\$325,440,000.00 and is appropriated from the~~
 17 ~~state school aid fund.~~ **\$347,121,400.00, appropriated from the**
 18 **following:**

19 (a) State school aid fund, \$342,433,300.00.

20 (b) State general fund/general purpose money, **\$4,688,100.00.**

21 (4) From the appropriations described in subsection (1), both
 22 of the following apply:

23 (a) Subject to section 207a, the amount appropriated for
 24 fiscal year ~~2020-2021-2021-2022~~ to offset certain fiscal year ~~2020-~~
 25 ~~2021-2021-2022~~ retirement contributions is \$1,733,600.00,
 26 appropriated from the state school aid fund.

27 (b) For fiscal year ~~2020-2021, 2021-2022~~, there is allocated
 28 an amount not to exceed ~~\$12,394,000.00~~ **\$11,700,000.00** for payments
 29 to participating community colleges, appropriated from the state

1 school aid fund. A community college that receives money under this
 2 subdivision shall use that money solely for the purpose of
 3 offsetting the normal cost contribution rate.

4 (5) From the appropriations described in subsection (1),
 5 subject to section 207b, the amount appropriated for payments to
 6 community colleges that are participating entities of the
 7 retirement system is ~~\$83,900,000.00~~ **\$87,200,000.00**, appropriated
 8 from the state school aid fund.

9 (6) From the appropriations described in subsection (1),
 10 subject to section 207c, the amount appropriated for renaissance
 11 zone tax reimbursements is \$2,200,000.00, appropriated from the
 12 state school aid fund. Each community college receiving funds in
 13 this subsection shall accrue these payments to its institutional
 14 fiscal year ending June 30, ~~2021~~ **2022**.

15 Sec. 206. (1) ~~The~~ **Except for the funds appropriated in section**
 16 **201(4) (b) , the** funds appropriated in section 201 are appropriated
 17 for community colleges with fiscal years ending June 30, ~~2021~~ **2022**
 18 and shall be paid out of the state treasury and distributed by the
 19 state treasurer to the respective community colleges in 11 monthly
 20 installments on the sixteenth of each month, or the next succeeding
 21 business day, beginning with October 16, ~~2020~~ **2021**. Each community
 22 college shall accrue its July and August ~~2021~~ **2022** payments to its
 23 institutional fiscal year ending June 30, ~~2021~~ **2022**.

24 (2) **The funds appropriated in section 201(4) (b) are**
 25 **appropriated for community colleges with fiscal years ending June**
 26 **30, 2022 and shall be distributed to the respective community**
 27 **colleges in quarterly installments on the sixteenth of each**
 28 **November, February, May, and August. Each community college shall**
 29 **accrue its August 2022 payments to its institutional fiscal year**

1 **ending June 30, 2022.**

2 (3) ~~(2)~~ If the state budget director determines that a
 3 community college failed to submit any of the **following** information
 4 ~~described in subdivisions (a) to (f)~~ in the form and manner
 5 specified by the center, the state treasurer shall, subject to
 6 ~~subdivision (g)~~, **subsection (4)**, withhold the monthly installments
 7 from that community college until those data are submitted:

8 (a) The Michigan community colleges verified data inventory
 9 data for the preceding academic year to the center by ~~the first~~
 10 ~~business day of December for fiscal year 2020-2021 and the first~~
 11 business day of November of each year ~~thereafter~~ as specified in
 12 section 217.

13 (b) The college credit opportunity data set as specified in
 14 section 209.

15 (c) The longitudinal data set for the preceding academic year
 16 to the center as specified in section 219.

17 (d) The annual independent audit as specified in section 222.

18 (e) Tuition and mandatory fees information for the current
 19 academic year as specified in section 225.

20 (f) The number and type of associate degrees and other
 21 certificates awarded during the previous academic year as specified
 22 in section 226.

23 (4) ~~(g)~~ The state budget director shall notify the chairs of
 24 the house and senate appropriations subcommittees on community
 25 colleges at least 10 days before withholding funds from any
 26 community college **under subsection (3)**.

27 Sec. 207a. ~~All of the~~ **The** following apply to the allocation of
 28 the fiscal year ~~2020-2021~~ **2021-2022** appropriations described in
 29 section 201(4):

1 (a) A community college that receives money under section
 2 ~~201(4)~~**201(4) (a)** shall use that money solely for the purpose of
 3 offsetting a portion of the retirement contributions owed by the
 4 college for that fiscal year.

5 (b) The amount allocated to each participating community
 6 college under section 201(4) shall be based on each college's
 7 percentage of the total covered payroll for all community colleges
 8 that are participating colleges in the immediately preceding fiscal
 9 year.

10 **(c) The amount allocated to each participating community**
 11 **college under section 201(4) (b) shall be based on each college's**
 12 **reported quarterly payroll for members for the current fiscal year.**

13 Sec. 207b. All of the following apply to the allocation of the
 14 fiscal year ~~2020-2021~~**2021-2022** appropriations described in section
 15 201(5) for payments to community colleges that are participating
 16 entities of the retirement system:

17 (a) The amount of a payment under section 201(5) shall be the
 18 difference between the unfunded actuarial accrued liability
 19 contribution rate as calculated under section 41 of the public
 20 school employees retirement act of 1979, 1980 PA 300, MCL 38.1341,
 21 as calculated without taking into account the maximum employer rate
 22 of 20.96% included in section 41 of the public school employees
 23 retirement act of 1979, 1980 PA 300, MCL 38.1341, and the maximum
 24 employer rate of 20.96% under section 41 of the public school
 25 employees retirement act of 1979, 1980 PA 300, MCL 38.1341.

26 (b) The amount allocated to each community college under
 27 section 201(5) shall be based on each community college's
 28 percentage of the total covered payroll for all community colleges
 29 that are participating colleges in the immediately preceding fiscal

1 year. A community college that receives funds under this
 2 subdivision shall use the funds solely for the purpose of
 3 retirement contributions under section 201(5).

4 (c) Each participating college that receives funds under
 5 section 201(5) shall forward an amount equal to the amount
 6 allocated under subdivision (b) to the retirement system in a form
 7 and manner determined by the retirement system.

8 Sec. 207c. All of the following apply to the allocation of the
 9 appropriations described in section 201(6) to community colleges
 10 described in section 12(3) of the Michigan renaissance zone act,
 11 1996 PA 376, MCL 125.2692:

12 (a) The amount allocated to each community college under
 13 section 201(6) for fiscal year ~~2020-2021~~**2021-2022** shall be based
 14 on that community college's proportion of total revenue lost by
 15 community colleges as a result of the exemption of property taxes
 16 levied in ~~2020-2021~~ under the Michigan renaissance zone act, 1996
 17 PA 376, MCL 125.2681 to 125.2696.

18 (b) The appropriations described in section 201(6) shall be
 19 made to each eligible community college within 60 days after the
 20 department of treasury certifies to the state budget director that
 21 it has received all necessary information to properly determine the
 22 amounts payable to each eligible community college under section 12
 23 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692.

24 Sec. 209. (1) Within 30 days after the board of a community
 25 college adopts its annual operating budget for the following fiscal
 26 year, or after the board adopts a subsequent revision to that
 27 budget, the community college shall make all of the following
 28 **information** available through a link on its website homepage, **and**
 29 **shall also submit this information, and the information described**

1 in subsections (4) and (5), to the Michigan Community College
2 Association, which will compile the information it receives into a
3 single report for all community colleges and will submit the report
4 to the house and senate appropriations subcommittees on community
5 colleges, the house and senate fiscal agencies, and the state
6 budget director:

7 (a) The annual operating budget and subsequent budget
8 revisions.

9 (b) A link to the most recent "Michigan Community College Data
10 Inventory Report".

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

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

16 (e) Links to all of the following for the community college:

17 (i) The current collective bargaining agreement for each
18 bargaining unit.

19 (ii) Each health care benefits plan, including, but not limited
20 to, medical, dental, vision, disability, long-term care, or any
21 other type of benefits that would constitute health care services,
22 offered to any bargaining unit or employee of the community
23 college.

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

26 ~~(iv) A copy of the board of trustees resolution regarding~~
27 ~~compliance with best practices for the local strategic value~~
28 ~~component described in section 230(2).~~

29 (f) A map that includes the boundaries of the community

1 college district.

2 (2) For statewide consistency and public visibility, community
3 colleges must use the icon badge provided by the department of
4 technology, management, and budget consistent with the icon badge
5 developed by the department of education for K-12 school districts.
6 It must appear on the front of each community college's homepage.
7 The size of the icon may be reduced to 150 x 150 pixels.

8 (3) The state budget director shall determine whether a
9 community college has complied with this section. The state budget
10 director may withhold a community college's monthly installments
11 described in section 206 until the community college complies with
12 this section. The state budget director shall notify the chairs of
13 the house and senate appropriations subcommittee on community
14 colleges at least 10 days before withholding funds from any
15 community college.

16 (4) Each community college shall report the following
17 information to the senate and house appropriations subcommittees on
18 community colleges, the senate and house fiscal agencies, and the
19 state budget office by December 15 for fiscal year 2020-2021 and
20 November 15 of each fiscal year thereafter and post that
21 information on its website as required under subsection (1):

22 (a) Budgeted current fiscal year general fund revenue from
23 tuition and fees.

24 (b) Budgeted current fiscal year general fund revenue from
25 state appropriations.

26 (c) Budgeted current fiscal year general fund revenue from
27 property taxes.

28 (d) Budgeted current fiscal year total general fund revenue.

29 (e) Budgeted current fiscal year total general fund

1 expenditures.

2 (5) By the first business day of November of each year, a
3 community college shall post the following information on its
4 website under the budget transparency icon badge:

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

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

9 (ii) Direct college credit or concurrent enrollment.

10 (iii) Dual enrollment.

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

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

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

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

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

21 (iv) The total cost to the community college to operate the
22 program.

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

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

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

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

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

4 Sec. 209a. (1) A public community college shall develop,
5 maintain, and update a "campus safety information and resources"
6 link, prominently displayed on the homepage of its website, to a
7 section of its website containing all of the information required
8 under subsection (2).

9 (2) The "campus safety information and resources" section of a
10 public community college's website shall include, but not be
11 limited to, all of the following information:

12 (a) Emergency contact numbers for police, fire, health, and
13 other services.

14 (b) Hours, locations, phone numbers, and ~~electronic mail~~ **email**
15 contacts for campus public safety offices and title IX offices.

16 (c) A list of safety and security services provided by the
17 community college, including transportation, escort services,
18 building surveillance, anonymous tip lines, and other available
19 security services.

20 (d) A public community college's policies applicable to minors
21 on community college property.

22 (e) A directory of resources available at the community
23 college or surrounding community for students or employees who are
24 survivors of sexual assault or sexual abuse.

25 (f) An electronic copy of "A Resource Handbook for Campus
26 Sexual Assault Survivors, Friends and Family", published in 2018.

27 (g) Campus security policies and crime statistics pursuant to
28 the student right-to-know and campus security act, Public Law 101-
29 542, 104 Stat 2381. Information shall include all material prepared

1 pursuant to the public information reporting requirements under the
 2 crime awareness and campus security act of 1990, title II of the
 3 student right-to-know and campus security act, Public Law 101-542,
 4 104 Stat 2381.

5 (3) A community college shall certify to the state budget
 6 director by October 1, ~~2020~~**2021** that it is in compliance with this
 7 section. The state budget director may withhold a public community
 8 college's monthly installments described in section 206 until the
 9 public community college complies with this section.

10 Sec. 222. Each community college shall have an annual audit of
 11 all income and expenditures performed by an independent auditor and
 12 shall furnish the independent auditor's management letter and an
 13 annual audited accounting of all general and current funds income
 14 and expenditures including audits of college foundations to the
 15 center before ~~December 15 for fiscal year 2020-2021 and~~ November 15
 16 of each year. ~~thereafter.~~ The center shall provide this information
 17 to members of the senate and house appropriations subcommittees on
 18 community colleges, the senate and house fiscal agencies, the
 19 auditor general, the department of labor and economic opportunity,
 20 and the state budget director. If a community college fails to
 21 furnish the audit materials, the monthly state aid installments
 22 shall be withheld from that college until the information is
 23 submitted. All reporting shall conform to the requirements set
 24 forth in the "2001 Manual for Uniform Financial Reporting, Michigan
 25 Public Community Colleges". A community college shall make the
 26 information the community college is required to provide under this
 27 section available to the public on its website.

28 Sec. 226b. ~~(1) By September 30, 2021, each community college~~
 29 ~~receiving an appropriation in section 201 shall submit a report to~~

~~the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director containing the following information:~~

~~(a) The number of students enrolled during the 2020-2021 academic year.~~

~~(b) The number of courses offered by course type.~~

~~(c) The number of students enrolled by course type.~~

~~(d) The drop rate and pass/fail rate by course type.~~

~~(e) The average number of credit hours for which each student was enrolled at the start and end of each semester.~~

~~(f) The number of students residing on campus each semester.~~

~~(g) The number of students residing on campus between semesters.~~

(1) By September 30, 2022, each community college receiving an appropriation in section 201 shall post the following information on the public website described in section 209, and shall submit a report of the following information to the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director:

(a) A description of all federal funds received, including the amounts, related to the COVID-19 pandemic, including, but not limited to, any federal funds received from the coronavirus relief fund under the coronavirus aid, relief, and economic security act, Public Law 116-136, and similar federal relief packages.

(b) A description of all state funds received, including the amounts, related to the COVID-19 pandemic.

(2) By November 1, 2020, 2021, each community college receiving an appropriation in section 201 shall submit a report to the senate and house appropriations subcommittees on community

1 colleges, the senate and house fiscal agencies, and the state
2 budget director containing the following information:

3 (a) A list of any student fees assessed related to online
4 learning, and the amount of those fees.

5 (b) A list of any student fees assessed related to COVID-19,
6 and the amount of those fees.

7 (c) A timeline of when decisions regarding the course types
8 offered during the ~~2020-2021~~**2021-2022** academic year were made, and
9 whether there were changes to those decisions before the academic
10 year began.

11 (d) An overview of COVID-19 mitigation strategies employed or
12 that may be employed, if necessary.

13 (e) An overview of COVID-19 testing criteria and mitigation
14 strategies employed for controlling an outbreak on campus.

15 (3) As used in this section, "course type" means the style of
16 course delivery as being in-person, online, or as a hybrid of in-
17 person and online learning.

18 Sec. 226d. By February 1, ~~2021~~**2022**, each community college
19 shall submit to the senate and house appropriations subcommittees
20 on community colleges, the senate and house fiscal agencies, and
21 the state budget director a report on activities related to
22 strategic planning and internal assessment or reassessment to best
23 provide for open and free expression and speech, while protecting
24 students from hate-speech, violence, and discrimination.

25 Sec. 226e. It is the ~~intent~~**goal** of the legislature **and the**
26 **governor** to ensure that 60% of Michigan's residents achieve a
27 postsecondary credential, high-quality industry certification,
28 associate degree, or bachelor's degree by 2030.

29 **Sec. 226f. A community college receiving an appropriation in**

section 201 shall not require a COVID-19 vaccination as a prerequisite for enrollment or attending in-person instruction.

Sec. 229a. Included in the fiscal year ~~2020-2021~~**2021-2022** appropriations for the department of technology, management, and budget are appropriations totaling ~~\$35,696,200.00~~**\$32,681,600.00** to provide funding for the state share of costs for previously constructed capital projects for community colleges. Those appropriations for state building authority rent represent additional state general fund support for community colleges, and the following is an estimate of the amount of that support to each community college:

- (a) Alpena Community College, ~~\$701,800.00~~**\$933,000.00.**
- (b) Bay de Noc Community College, ~~\$686,600.00~~**\$538,000.00.**
- (c) Delta College, ~~\$3,845,000.00~~**\$2,706,700.00.**
- (d) Glen Oaks Community College, ~~\$124,700.00~~**\$128,500.00.**
- (e) Gogebic Community College, ~~\$56,800.00~~**\$58,500.00.**
- (f) Grand Rapids Community College,
~~\$2,604,800.00~~**\$1,210,000.00.**
- (g) Henry Ford College, ~~\$1,042,600.00~~**\$1,073,900.00.**
- (h) Jackson College, ~~\$2,194,800.00~~**\$2,260,600.00.**
- (i) Kalamazoo Valley Community College,
~~\$1,969,600.00~~**\$2,028,700.00.**
- (j) Kellogg Community College, ~~\$688,600.00~~**\$709,300.00.**
- (k) Kirtland Community College, ~~\$228,200.00~~**\$235,000.00.**
- (l) Lake Michigan College, ~~\$1,032,500.00~~**\$1,009,100.00.**
- (m) Lansing Community College, ~~\$1,157,200.00~~**\$1,191,900.00.**
- (n) Macomb Community College, ~~\$1,672,400.00~~**\$1,722,600.00.**
- (o) Mid Michigan Community College,
~~\$1,637,900.00~~**\$1,687,100.00.**

1 (p) Monroe County Community College,
 2 ~~\$1,585,200.00.~~ **\$1,608,700.00.**
 3 (q) Montcalm Community College, ~~\$984,800.00.~~ **\$465,900.00.**
 4 (r) C.S. Mott Community College, ~~\$2,157,600.00.~~ **\$2,196,900.00.**
 5 (s) Muskegon Community College, ~~\$996,000.00.~~ **\$1,025,800.00.**
 6 (t) North Central Michigan College, ~~\$694,700.00.~~ **\$502,500.00.**
 7 (u) Northwestern Michigan College,
 8 ~~\$1,857,000.00.~~ **\$1,866,800.00.**
 9 (v) Oakland Community College, ~~\$471,600.00.~~ **\$0.00.**
 10 (w) Schoolcraft College, ~~\$1,770,800.00.~~ **\$1,824,000.00.**
 11 (x) Southwestern Michigan College, ~~\$834,200.00.~~ **\$859,200.00.**
 12 (y) St. Clair County Community College,
 13 ~~\$758,600.00.~~ **\$750,100.00.**
 14 (z) Washtenaw Community College, ~~\$1,699,800.00.~~ **\$1,792,600.00.**
 15 (aa) Wayne County Community College,
 16 ~~\$1,482,800.00.~~ **\$1,527,300.00.**
 17 (bb) West Shore Community College, ~~\$759,600.00.~~ **\$768,900.00.**
 18 Sec. 230. ~~(1) With the exception of fiscal year 2020-2021,~~
 19 ~~money included in the appropriations for community college~~
 20 ~~operations under section 201(2) for performance funding is~~
 21 ~~distributed based on the following formula:~~
 22 ~~(a) Allocated proportionate to fiscal year 2018-2019 base~~
 23 ~~appropriations, 30%.~~
 24 ~~(b) Based on a weighted student contact hour formula as~~
 25 ~~provided for in the 2016 recommendations of the performance~~
 26 ~~indicators task force, 30%.~~
 27 ~~(c) Based on the performance improvement as provided for in~~
 28 ~~the 2016 recommendations of the performance indicators task force~~
 29 ~~and based on data provided by the center, 10%.~~

1 ~~(d) Based on the performance completion number as provided for~~
2 ~~in the 2016 recommendations of the performance indicators task~~
3 ~~force, 10%.~~

4 ~~(e) Based on the performance completion rate as provided for~~
5 ~~in the 2016 recommendations of the performance indicators task~~
6 ~~force and based on data provided by the center, 10%.~~

7 ~~(f) Based on administrative costs, 5%.~~

8 ~~(g) Based on the local strategic value component, as developed~~
9 ~~in cooperation with the Michigan Community College Association and~~
10 ~~described in subsection (2), 5%.~~

11 ~~(2) Money included in the appropriations for community college~~
12 ~~operations under section 201(2) for local strategic value shall be~~
13 ~~allocated to each community college that certifies to the state~~
14 ~~budget director, through a board of trustees resolution on or~~
15 ~~before October 15, 2020, that the college has met 4 out of 5 best~~
16 ~~practices listed in each category described in subsection (3). The~~
17 ~~resolution shall provide specifics as to how the community college~~
18 ~~meets each best practice measure within each category. One-third of~~
19 ~~funding available under the strategic value component shall be~~
20 ~~allocated to each category described in subsection (3). Amounts~~
21 ~~distributed under local strategic value shall be on a proportionate~~
22 ~~basis to each college's fiscal year 2019-2020 operations funding.~~
23 ~~Payments to community colleges that qualify for local strategic~~
24 ~~value funding shall be distributed with the November installment~~
25 ~~payment described in section 206.~~

26 ~~(3) For purposes of subsection (2), the following categories~~
27 ~~of best practices reflect functional activities of community~~
28 ~~colleges that have strategic value to the local communities and~~
29 ~~regional economies.~~

~~(a) For Category A, economic development and business or industry partnerships, the following:~~

~~(i) The community college has active partnerships with local employers including hospitals and health care providers.~~

~~(ii) The community college provides customized on-site training for area companies, employees, or both.~~

~~(iii) The community college supports entrepreneurship through a small business assistance center or other training or consulting activities targeted toward small businesses.~~

~~(iv) The community college supports technological advancement through industry partnerships, incubation activities, or operation of a Michigan technical education center or other advanced technology center.~~

~~(v) The community college has active partnerships with local or regional workforce and economic development agencies.~~

~~(b) For Category B, educational partnerships, the following:~~

~~(i) The community college has active partnerships with regional high schools, intermediate school districts, and career-tech centers to provide instruction through dual enrollment, concurrent enrollment, direct credit, middle college, or academy programs.~~

~~(ii) The community college hosts, sponsors, or participates in enrichment programs for area K-12 students, such as college days, summer or after-school programming, or Science Olympiad.~~

~~(iii) The community college provides, supports, or participates in programming to promote successful transitions to college for traditional age students, including grant programs such as talent search, upward bound, or other activities to promote college readiness in area high schools and community centers.~~

~~(iv) The community college provides, supports, or participates~~

~~in programming to promote successful transitions to college for new or reentering adult students, such as adult basic education, a high school equivalency test preparation program and testing, or recruiting, advising, or orientation activities specific to adults. As used in this subparagraph, "high school equivalency test preparation program" means that term as defined in section 4.~~

~~(v) The community college has active partnerships with regional 4-year colleges and universities to promote successful transfer, such as articulation, 2+2, or reverse transfer agreements or operation of a university center.~~

~~(c) For Category C, community services, the following:~~

~~(i) The community college provides continuing education programming for leisure, wellness, personal enrichment, or professional development.~~

~~(ii) The community college operates or sponsors opportunities for community members to engage in activities that promote leisure, wellness, cultural or personal enrichment such as community sports teams, theater or musical ensembles, or artist guilds.~~

~~(iii) The community college operates public facilities to promote cultural, educational, or personal enrichment for community members, such as libraries, computer labs, performing arts centers, museums, art galleries, or television or radio stations.~~

~~(iv) The community college operates public facilities to promote leisure or wellness activities for community members, including gymnasiums, athletic fields, tennis courts, fitness centers, hiking or biking trails, or natural areas.~~

~~(v) The community college promotes, sponsors, or hosts community service activities for students, staff, or community members.~~

1 (1) Operation funding amounts for each community college in
2 section 201(2) (a) to (bb), not including amounts for North American
3 Indian tuition waiver reimbursements, are based on the formula in
4 subsection (2). The following measures apply to the formula in
5 subsection (2):

6 (a) The prior fiscal year's total operations appropriation not
7 including any appropriation for North American Indian tuition
8 waiver reimbursements, less \$98,000,000.00 for the separate
9 distribution described in subdivision (d), plus an operations
10 appropriation increase for the current fiscal year not including
11 any appropriation for North American Indian tuition waiver
12 reimbursements.

13 (b) A community college's FYES average, which is the average
14 of the fiscal year equated students (FYES) for the 3 prior fiscal
15 years for the community college.

16 (c) The FYES funding figure, which is obtained by dividing the
17 figure determined in subsection (a) by the sum of all community
18 colleges' FYES averages.

19 (d) A separate operations appropriation amount of
20 \$98,000,000.00.

21 (2) The operations amounts described in subsection (1) (a) and
22 (d) are distributed as follows:

23 (a) For fiscal year 2021-2022:

24 (i) Subject to subparagraph (iv), 33.3% of the amount described
25 in subsection (1) (a) is distributed to each community college in an
26 amount determined by multiplying its FYES average described in
27 subsection (1) (b) by the FYES funding figure described in
28 subsection (1) (c) and dividing by 3.

29 (ii) Subject to subparagraph (iv), 66.7% of the amount described

1 in subsection (1)(a) is distributed to each community college in
2 proportion to its share of total operations funding for all
3 community colleges in fiscal year 2020-2021, not including any
4 North American Indian tuition waiver reimbursement.

5 (iii) Subject to subparagraph (iv), the separate appropriation
6 amount described in subsection (1)(d) is distributed in equal
7 allocations of \$3,500,000.00 to each community college.

8 (iv) The sum of the amounts distributed to a community college
9 under subparagraphs (i) to (iii) is capped at 110% of its operation
10 funding in fiscal year 2020-2021, not including any North American
11 Indian tuition waiver reimbursement, and any amounts that would
12 otherwise be distributed to community colleges in excess of this
13 cap must instead be pooled together and redistributed using an
14 iterative process to those community colleges that remain under the
15 cap. The share redistributed to a community college that remains
16 under the cap is determined by multiplying the community college's
17 FYES average described in subsection (1)(b) by a fraction, the
18 numerator of which is the total amount pooled for redistribution
19 and the denominator of which is the sum of all community colleges'
20 FYES averages that are under the cap.

21 (b) For fiscal year 2022-2023:

22 (i) Subject to subparagraph (iv), 66.7% of the amount described
23 in subsection (1)(a) is distributed to each community college in an
24 amount determined by multiplying its FYES average described in
25 subsection (1)(b) by the FYES funding figure described in
26 subsection (1)(c) and dividing by 1.5.

27 (ii) Subject to subparagraph (iv), 33.3% of the amount described
28 in subsection (1)(a) is distributed to each community college in
29 proportion to its share of total operations funding for all

1 community colleges in fiscal year 2020-2021, not including any
2 North American Indian tuition waiver reimbursement.

3 (iii) Subject to subparagraph (iv), the separate appropriation
4 amount described in subsection (1)(d) is distributed in equal
5 allocations of \$3,500,000.00 to each community college.

6 (iv) The sum of the amounts distributed to a community college
7 under subparagraphs (i) to (iii) is capped at 110% of its operation
8 funding in fiscal year 2021-2022, not including any North American
9 Indian tuition waiver reimbursement, and any amounts that would
10 otherwise be distributed to community colleges in excess of this
11 cap must instead be pooled together and redistributed using an
12 iterative process to those community colleges that remain under the
13 cap. The share redistributed to a community college that remains
14 under the cap is determined by multiplying the community college's
15 FYES average described in subsection (1)(b) by a fraction, the
16 numerator of which is the total amount pooled for redistribution
17 and the denominator of which is the sum of all community colleges'
18 FYES averages that are under the cap.

19 (c) For fiscal year 2023-2024:

20 (i) Subject to subparagraph (iii), 100% of the amount described
21 in subsection (1)(a) is distributed to each community college in an
22 amount determined by multiplying its FYES average described in
23 subsection (1)(b) by the FYES funding figure described in
24 subsection (1)(c).

25 (ii) Subject to subparagraph (iii), the separate appropriation
26 amount described in subsection (1)(d) is distributed in equal
27 allocations of \$3,500,000.00 to each community college.

28 (iii) The sum of the amounts distributed to a community college
29 under subparagraphs (i) and (ii) is capped at 110% of its operation

1 funding in fiscal year 2022-2023, not including any North American
 2 Indian tuition waiver reimbursement, and any amounts that would
 3 otherwise be distributed to community colleges in excess of this
 4 cap must instead be pooled together and redistributed using an
 5 iterative process to those community colleges that remain under the
 6 cap. The share redistributed to a community college that remains
 7 under the cap is determined by multiplying the community college's
 8 FYES average described in subsection (1) (b) by a fraction, the
 9 numerator of which is the total amount pooled for redistribution
 10 and the denominator of which is the sum of all community colleges'
 11 FYES averages that are under the cap.

12 (3) ~~(4) Payments for performance funding under section 201(2)~~
 13 **operations funding distributed based on the formula described in**
 14 **subsection (2)** shall be made to a community college only if that
 15 community college actively participates in the Michigan Transfer
 16 Network sponsored by the Michigan Association of Collegiate
 17 Registrars and Admissions Officers and submits timely updates,
 18 including updated course equivalencies at least every 6 months, to
 19 the Michigan ~~transfer network~~. **Transfer Network. Community colleges**
 20 **should work to ensure that courses are transferable to all public**
 21 **universities in this state.** The state budget director shall
 22 determine if a community college has not satisfied this
 23 requirement. The state budget director may withhold payments for
 24 ~~performance funding~~ **operations funding distributed based on the**
 25 **formula described in subsection (2)** until a community college is in
 26 compliance with this section.

27 Enacting section 1. In accordance with section 30 of article
 28 IX of the state constitution of 1963, total state spending from
 29 state sources for community colleges for fiscal year 2021-2022

1 under article II of the state school aid act of 1979, 1979 PA 94,
2 MCL 388.1801 to 388.1830, is estimated at \$449,955,000.00 and the
3 amount of that state spending from state sources to be paid to
4 local units of government for fiscal year 2021-2022 is estimated at
5 \$449,955,000.00.

6 Enacting section 2. This amendatory act takes effect October
7 1, 2021.