

**SUBSTITUTE FOR
HOUSE BILL NO. 4400**

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending sections 236, 236b, 236c, 241, 245, 245a, 252, 256,
263, 264, 265a, 265b, 267, 268, 269, 270, 270c, 274, 275d, 275f,
275g, 275h, 276, 277, 278, 279, 280, 281, 282, 285, and 286 (MCL
388.1836, 388.1836b, 388.1836c, 388.1841, 388.1845, 388.1845a,
388.1852, 388.1856, 388.1863, 388.1864, 388.1865a, 388.1865b,
388.1867, 388.1868, 388.1869, 388.1870, 388.1870c, 388.1874,
388.1875d, 388.1875f, 388.1875g, 388.1875h, 388.1876, 388.1877,
388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1885, and
388.1886), sections 236, 236b, 236c, 241, 245, 245a, 256, 263, 264,
265b, 267, 268, 269, 270, 276, 277, 278, 279, 280, 281, and 282 as
amended and sections 270c, 275f, 275g, and 275h as added by 2020 PA

165, section 252 as amended by 2019 PA 162, sections 265a and 274 as amended and section 275d as added by 2019 PA 62, section 285 as amended by 2012 PA 201, and section 286 as amended by 2015 PA 85, and by adding sections 264a and 275j; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 236. (1) Subject to the conditions set forth in this
2 article, the amounts listed in this section are appropriated for
3 higher education for the fiscal year ending September 30, ~~2021,~~
4 **2022**, 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 ~~\$1,699,925,400.00.~~
7 **\$1,708,901,200.00**. After deducting total interdepartmental grants
8 and intradepartmental transfers in the amount of \$0.00, the
9 adjusted gross appropriation is

10 ~~\$1,699,925,400.00.~~**\$1,708,901,200.00.**

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

13 (i) Total federal revenues, ~~\$126,026,400.00.~~**\$128,526,400.00.**

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

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

16 (iv) Total other state restricted revenues,
17 ~~\$356,063,300.00.~~**\$361,403,300.00.**

18 (v) State general fund/general purpose money,
19 ~~\$1,217,835,700.00.~~**\$1,218,971,500.00.**

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

22 (a) The appropriation for Central Michigan University is
23 ~~\$89,564,500.00, \$87,600,000.00 for operations, \$0.00 for~~

~~performance funding, and \$1,964,500.00 for costs incurred under the~~
~~North American Indian tuition waiver.~~**\$98,521,000.00, \$96,556,500.00**
for operations and \$1,964,500.00 for costs incurred under the North
American Indian tuition waiver.

(b) The appropriation for Eastern Michigan University is
~~\$77,555,200.00, \$77,253,700.00 for operations, \$0.00 for~~
~~performance funding, and \$301,500.00 for costs incurred under the~~
~~North American Indian tuition waiver.~~**\$85,286,700.00, \$85,007,000.00**
for operations and \$279,700.00 for costs incurred under the North
American Indian tuition waiver.

(c) The appropriation for Ferris State University is
~~\$55,934,300.00, \$55,025,500.00 for operations, \$0.00 for~~
~~performance funding, and \$908,800.00 for costs incurred under the~~
~~North American Indian tuition waiver.~~**\$61,548,900.00, \$60,583,100.00**
for operations and \$965,800.00 for costs incurred under the North
American Indian tuition waiver.

(d) The appropriation for Grand Valley State University is
~~\$73,490,700.00, \$72,313,500.00 for operations, \$0.00 for~~
~~performance funding, and \$1,177,200.00 for costs incurred under the~~
~~North American Indian tuition waiver.~~**\$80,839,800.00, \$79,662,600.00**
for operations and \$1,177,200.00 for costs incurred under the North
American Indian tuition waiver.

(e) The appropriation for Lake Superior State University is
~~\$15,252,100.00, \$13,307,000.00 for operations, \$0.00 for~~
~~performance funding, and \$945,100.00 for costs incurred under the~~
~~North American Indian tuition waiver, and \$1,000,000.00 for a 1-~~
~~time pass-through payment for Bay Mills Community~~
~~College.~~**\$14,252,100.00, \$13,325,600.00 for operations and**
\$926,500.00 for costs incurred under the North American Indian

1 **tuition waiver.**

2 (f) The appropriation for Michigan State University is
 3 ~~\$354,009,100.00, \$287,331,700.00 for operations, \$0.00 for~~
 4 ~~performance funding, \$1,604,000.00 for costs incurred under the~~
 5 ~~North American Indian tuition waiver, \$34,937,300.00 for MSU~~
 6 ~~AgBioResearch, and \$30,136,100.00 for MSU~~
 7 ~~Extension.~~**\$357,571,900.00, \$290,565,700.00 for operations**
 8 **\$1,932,800.00 for costs incurred under the North American Indian**
 9 **tuition waiver, \$34,937,300.00 for MSU AgBioResearch, and**
 10 **\$30,136,100.00 for MSU Extension.**

11 (g) The appropriation for Michigan Technological University is
 12 ~~\$50,795,200.00, \$50,101,600.00 for operations, \$0.00 for~~
 13 ~~performance funding, and \$693,600.00 for costs incurred under the~~
 14 ~~North American Indian tuition waiver.~~**\$50,795,200.00, \$50,025,900.00**
 15 **for operations and \$769,300.00 for costs incurred under the North**
 16 **American Indian tuition waiver.**

17 (h) The appropriation for Northern Michigan University is
 18 ~~\$48,869,700.00, \$47,809,100.00 for operations, \$0.00 for~~
 19 ~~performance funding, and \$1,060,600.00 for costs incurred under the~~
 20 ~~North American Indian tuition waiver.~~**\$48,869,700.00, \$47,818,200.00**
 21 **for operations and \$1,051,500.00 for costs incurred under the North**
 22 **American Indian tuition waiver.**

23 (i) The appropriation for Oakland University is
 24 ~~\$53,413,500.00, \$53,147,400.00 for operations, \$0.00 for~~
 25 ~~performance funding, and \$266,100.00 for costs incurred under the~~
 26 ~~North American Indian tuition waiver.~~**\$58,829,500.00, \$58,495,500.00**
 27 **for operations and \$334,000.00 for costs incurred under the North**
 28 **American Indian tuition waiver.**

29 (j) The appropriation for Saginaw Valley State University is

~~\$30,803,300.00, \$30,583,800.00 for operations, \$0.00 for performance funding, and \$219,500.00 for costs incurred under the North American Indian tuition waiver.~~ **\$33,811,500.00, \$33,657,600.00 for operations and \$153,900.00 for costs incurred under the North American Indian tuition waiver.**

(k) The appropriation for University of Michigan - Ann Arbor is ~~\$322,931,100.00, \$321,970,100.00 for operations, \$0.00 for performance funding, and \$961,000.00 for costs incurred under the North American Indian tuition waiver.~~ **\$283,478,200.00, \$282,402,600.00 for operations and \$1,075,600.00 for costs incurred under the North American Indian tuition waiver.**

(l) The appropriation for University of Michigan - Dearborn is ~~\$26,334,800.00, \$26,167,000.00 for operations, \$0.00 for performance funding, and \$167,800.00 for costs incurred under the North American Indian tuition waiver.~~ **\$28,965,200.00, \$28,800,200.00 for operations and \$165,000.00 for costs incurred under the North American Indian tuition waiver.**

(m) The appropriation for University of Michigan - Flint is ~~\$23,964,400.00, \$23,616,200.00 for operations, \$0.00 for performance funding, and \$348,200.00 for costs incurred under the North American Indian tuition waiver.~~ **\$26,357,300.00, \$26,012,300.00 for operations and \$345,000.00 for costs incurred under the North American Indian tuition waiver.**

(n) The appropriation for Wayne State University is ~~\$203,458,900.00, \$202,996,700.00 for operations, \$0.00 for performance funding, and \$462,200.00 for costs incurred under the North American Indian tuition waiver.~~ **\$195,256,900.00, \$194,787,200.00 for operations and \$469,700.00 for costs incurred under the North American Indian tuition waiver.**

(o) The appropriation for Western Michigan University is ~~\$112,363,900.00, \$111,522,200.00 for operations, \$0.00 for performance funding, and \$841,700.00 for costs incurred under the North American Indian tuition waiver.~~ **\$113,840,800.00, \$113,045,500.00 for operations and \$795,300.00 for costs incurred under the North American Indian tuition waiver.**

(3) The amount appropriated in subsection (2) for public universities is ~~\$1,538,740,700.00, \$1,538,224,700.00~~, appropriated from the following:

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

(b) State general fund/general purpose money, ~~\$1,195,572,400.00.~~ **\$1,195,056,400.00.**

(4) The amount appropriated for Michigan public school employees' retirement system reimbursement is ~~\$11,695,000.00,~~ **\$13,495,000.00**, appropriated from the state school aid fund.

(5) The amount appropriated for state and regional programs is ~~\$315,000.00, \$316,800.00~~, appropriated from general fund/general purpose money and allocated as follows:

(a) Higher education database modernization and conversion, ~~\$200,000.00.~~ **\$200,000.00.**

(b) Midwestern Higher Education Compact, ~~\$115,000.00.~~ **\$116,800.00.**

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

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

(b) Michigan college/university partnership program,

1 ~~\$586,800.00.~~**\$586,800.00.**

2 (c) Morris Hood, Jr. educator development program,

3 ~~\$148,600.00.~~**\$148,600.00.**

4 (7) Subject to subsection (8), the amount appropriated for
5 grants and financial aid is ~~\$145,283,200.00,~~**\$147,783,200.00,**
6 allocated as follows:

7 (a) State competitive scholarships,

8 ~~\$29,861,700.00.~~**\$29,861,700.00.**

9 (b) Tuition grants, ~~\$42,021,500.00.~~**\$42,021,500.00.**

10 (c) Tuition incentive program, ~~\$68,800,000.00.~~**\$71,300,000.00.**

11 (d) Children of veterans and officer's survivor tuition grant
12 programs, ~~\$1,400,000.00.~~**\$1,400,000.00.**

13 (e) Project GEAR-UP, ~~\$3,200,000.00.~~**\$3,200,000.00.**

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

16 (a) Federal revenues under the United States Department of
17 Education, Office of Elementary and Secondary Education, GEAR-UP
18 program, ~~\$3,200,000.00.~~**\$3,200,000.00.**

19 (b) Federal revenues under the social security act, temporary
20 assistance for needy families, ~~\$122,826,400.00.~~**\$125,326,400.00.**

21 (c) State general fund/general purpose money,
22 ~~\$19,256,800.00.~~**\$19,256,800.00.**

23 (9) For fiscal year ~~2020-2021~~**2021-2022** only, in addition to
24 the allocation under subsection (4), from the appropriations
25 described in subsection (1), there is allocated an amount not to
26 exceed ~~\$1,200,000.00~~**\$4,740,000.00** for payments to participating
27 public universities, appropriated from the state school aid fund. A
28 university that receives money under this subsection shall use that
29 money solely for the purpose of offsetting the normal cost

1 contribution rate. As used in this subsection, "participating
2 public universities" means public universities that are a reporting
3 unit of the Michigan public school employees' retirement system
4 under the public school employees retirement act of 1979, 1980 PA
5 300, MCL 38.1301 to 38.1437, and that pay contributions to the
6 Michigan public school employees' retirement system for the state
7 fiscal year.

8 (10) The amount appropriated for pregnant and parenting
9 student services is \$500,000.00, appropriated from the state
10 general fund/general purpose money, and subject to the conditions
11 of the pregnant and parenting student services act, 2004 PA 500,
12 MCL 390.1591 to 390.1596.

13 (11) The amount appropriated for a nonprofit de-escalation
14 training center headquartered at Wayne State University is
15 \$150,000.00, appropriated from the state general fund/general
16 purpose money. This appropriation must be used for training
17 purposes including, but not limited to, training law enforcement
18 agencies in this state at no charge to those agencies. Any
19 unexpended funds at the close of the fiscal year ending September
20 30, 2022 lapse to the general fund.

21 (12) The amount appropriated for the prison collegiate
22 education initiative program at Calvin University, which has been
23 in place for 3 years and establishes best practices, training
24 material, and a model for public universities to follow, is
25 \$1,000,000.00, appropriated from the state general fund/general
26 purpose money. Calvin University shall work with public
27 universities to establish additional collegiate educational
28 programs in public correctional facilities in this state.

29 Sec. 236b. In addition to the funds appropriated in section

236, there is appropriated for grants and financial aid in fiscal year ~~2020-2021-2021-2022~~ an amount not to exceed \$6,000,000.00 for federal contingency funds. ~~authorization~~. These funds are not available for 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 ~~2020-2021-2021-2022~~ in section 236, appropriations to the department of technology, management, and budget in the act providing general appropriations for fiscal year ~~2020-2021-2021-2022~~ for state building authority rent, totaling an estimated ~~\$145,848,500.00-\$130,595,300.00~~ 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,

~~\$13,078,900.00-\$13,227,700.00.~~

(b) Eastern Michigan University, ~~\$7,074,300.00-\$6,168,300.00.~~

(c) Ferris State University, ~~\$7,939,200.00-\$8,104,200.00.~~

(d) Grand Valley State University,

~~\$7,229,800.00-\$7,380,000.00.~~

(e) Lake Superior State University,

~~\$1,805,200.00-\$1,842,700.00.~~

(f) Michigan State University, ~~\$15,199,500.00-\$17,351,100.00.~~

(g) Michigan Technological University,

~~\$6,805,300.00-\$3,488,700.00.~~

(h) Northern Michigan University, ~~\$7,334,200.00-\$7,486,500.00.~~

1 (i) Oakland University, ~~\$12,708,600.00~~ **\$9,059,800.00.**

2 (j) Saginaw Valley State University,
3 ~~\$7,907,100.00~~ **\$8,009,900.00.**

4 (k) University of Michigan - Ann Arbor,
5 ~~\$9,644,100.00~~ **\$10,459,000.00.**

6 (l) University of Michigan - Dearborn,
7 ~~\$11,106,100.00~~ **\$11,336,800.00.**

8 (m) University of Michigan - Flint,
9 ~~\$6,413,000.00~~ **\$6,546,200.00.**

10 (n) Wayne State University, ~~\$16,610,900.00~~ **\$10,489,800.00.**

11 (o) Western Michigan University, ~~\$14,989,300.00~~ **\$9,644,600.00.**

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, ~~2020~~ **2021**. Except for Wayne State
18 University, each institution shall accrue its July and August ~~2021~~
19 **2022** payments to its institutional fiscal year ending June 30,
20 ~~2021~~ **2022**.

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, these data shall be submitted to the state
26 budget director by ~~November 15 for fiscal year 2020-2021 and~~
27 ~~October 15. of each fiscal year thereafter.~~ Public universities
28 with a fiscal year ending September 30, ~~2020~~ **2021** shall submit
29 preliminary HEIDI data by November 15, ~~2020~~ **2021** and final data by

1 December 15, ~~2020~~—**2021**. If a public university fails to submit
2 HEIDI data and associated financial aid program information in
3 accordance with this reporting schedule, the state treasurer may
4 withhold the monthly installments under subsection (1) to the
5 public university until those data are submitted.

6 Sec. 245. (1) A public university shall maintain a public
7 transparency website available through a link on its website
8 homepage. The public university shall update this website within 30
9 days after the university's governing board adopts its annual
10 operating budget for the next academic year, or after the governing
11 board adopts a subsequent revision to that budget. **In addition,**
12 **each public university shall submit the information described in**
13 **subsections (2), (3), (6), and (7) to the Michigan Association of**
14 **State Universities, which will compile the information into a**
15 **single report for all public universities and will submit the**
16 **report to the house and senate appropriations subcommittees on**
17 **higher education, the house and senate fiscal agencies, and the**
18 **state budget director.**

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

21 (a) The annual operating budget and subsequent budget
22 revisions.

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

26 (i) A chart of personnel expenditures, broken into the
27 following subcategories:

28 (A) Earnings and wages.

29 (B) Employee benefit costs, including, but not limited to,

1 medical, dental, vision, life, disability, and long-term care
2 benefits.

3 (C) Retirement benefit costs.

4 (D) All other personnel costs.

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

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

10 (i) The current collective bargaining agreement for each
11 bargaining unit.

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

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

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

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

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

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

29 (h) A listing of all community colleges that have entered into

1 reverse transfer agreements with the university.

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

8 (a) Enrollment.

9 (b) Student retention rate.

10 (c) Six-year graduation rates.

11 (d) Number of Pell grant recipients and graduating Pell grant
12 recipients.

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

15 (f) Faculty to student ratios and total university employee to
16 student ratios.

17 (g) Teaching load by faculty classification.

18 (h) Graduation outcome rates, including employment and
19 continuing education.

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

28 (5) The state budget director shall determine whether a public
29 university has complied with this section. The state budget

1 director may withhold a public university's monthly installments
2 described in section 241 until the public university complies with
3 this section.

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

7 (a) Opportunities for earning college credit through the
8 following programs:

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

11 (ii) Direct college credit or concurrent enrollment.

12 (iii) Dual enrollment.

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

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

16 (i) The number of high school students participating in the
17 program.

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

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

23 (iv) The total cost to the public university to operate the
24 program.

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

27 (vi) The location where the course or courses in the program
28 are held.

29 (vii) Instructional resources offered to the program

1 instructors.

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

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

5 (7) A public university shall collect and report the number
6 and percentage of all enrolled students who complete the Free
7 Application for Federal Student Aid, broken out by undergraduate
8 and graduate/professional classifications, to the center and post
9 the information on its website under the budget transparency icon
10 badge.

11 Sec. 245a. (1) A public university shall develop, maintain,
12 and update a "campus safety information and resources" link,
13 prominently displayed on the homepage of its website, to a section
14 of its website containing all of the information required under
15 subsection (2).

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

19 (a) Emergency contact numbers for police, fire, health, and
20 other services.

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

23 (c) A listing of safety and security services provided by the
24 university, including transportation, escort services, building
25 surveillance, anonymous tip lines, and other available security
26 services.

27 (d) A public university's policies applicable to minors on
28 university property.

29 (e) A directory of resources available at the university or

1 surrounding community for students or employees who are survivors
2 of sexual assault or sexual abuse.

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

5 (g) Campus security policies and crime statistics pursuant to
6 the student right-to-know and campus security act, Public Law 101-
7 542, 104 Stat 2381. Information shall include all material prepared
8 pursuant to the public information reporting requirements under the
9 crime awareness and campus security act of 1990, title II of the
10 student right-to-know and campus security act, Public Law 101-542,
11 104 Stat 2381.

12 (3) A public university shall certify to the state budget
13 director by October 1, ~~2020~~**2021** that it is in compliance with this
14 section. The state budget director may withhold a public
15 university's monthly installments described in section 241 until
16 the public university complies with this section.

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

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

24 (3) Pursuant to section 5 of 1966 PA 313, MCL 390.995, and
25 subject to subsections (6) and (7), the department of treasury
26 shall determine an actual tuition grant award per student, which
27 shall be \$2,800.00, that ensures that the aggregate payments for
28 the tuition grant program do not exceed the appropriation contained
29 in section 236 for the state tuition grant program. If the

1 department determines that insufficient funds are available to
2 establish an award amount equal to \$2,800.00, the department shall
3 immediately report to the house and senate appropriations
4 subcommittees on higher education, the house and senate fiscal
5 agencies, and the state budget director regarding the estimated
6 amount of additional funds necessary to establish a \$2,800.00 award
7 amount. If the department determines that sufficient funds are
8 available to establish an award amount equal to \$2,800.00, the
9 department shall immediately report to the house and senate
10 appropriations subcommittees on higher education, the house and
11 senate fiscal agencies, and the state budget director regarding the
12 award amount established and the projected amount of any projected
13 year-end appropriation balance based on that award amount. By
14 February 18 of each fiscal year, the department shall analyze the
15 status of award commitments, shall make any necessary adjustments,
16 and shall confirm that those award commitments will not exceed the
17 appropriation contained in section 236 for the tuition grant
18 program. The determination and actions shall be reported to the
19 state budget director and the house and senate fiscal agencies no
20 later than the final day of February of each year. If award
21 adjustments are necessary, the students shall be notified of the
22 adjustment by March 4 of each year.

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

26 (5) If the department of treasury increases the award per
27 eligible student from that provided in the previous fiscal year, it
28 shall not have the effect of reducing the number of eligible
29 students receiving awards in relation to the total number of

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

4 (6) The department of treasury shall not award more than
5 \$4,800,000.00 in tuition grants to eligible students enrolled in
6 the same independent nonprofit college or university in this state.
7 Any decrease in the grant shall be proportional for all eligible
8 students enrolled in that college or university, as determined by
9 the department. The limit described in this subsection does not
10 apply to any other student financial aid program, ~~or~~ in combination
11 with any other student financial aid program, **or in combination**
12 **with any prisoner education initiative program.**

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

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

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

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

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

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

(2) As used in this section:

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

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

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

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

1 (3) An individual must meet the following basic criteria and
2 financial thresholds to be eligible for tuition incentive program
3 benefits:

4 (a) To be eligible for phase I, an individual must meet all of
5 the following criteria:

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

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

14 (iii) Be at least a half-time student, earning less than 80
15 semester or 120 term credits at a participating educational
16 institution within 4 years of high school graduation or achievement
17 of a high school equivalency certificate. All program eligibility
18 expires 10 years after initial enrollment at a participating
19 educational institution.

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

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

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

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

29 (c) To be eligible for phase I or phase II, an individual must

1 be financially eligible as determined by the department. An
2 individual is financially eligible for the tuition incentive
3 program if he or she was eligible for Medicaid from this state for
4 24 months within the 36 consecutive months before application. The
5 department shall accept certification of Medicaid eligibility only
6 from the department of health and human services for the purposes
7 of verifying if a person is Medicaid eligible for 24 months within
8 the 36 consecutive months before application. Certification of
9 eligibility may begin in the sixth grade.

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

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

16 (a) Payments for associate degree or certificate programs must
17 not be made for more than 80 semester or 120 term credits for any
18 individual student at any participating institution.

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

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

27 (d) For persons enrolled at a Michigan independent, nonprofit
28 degree-granting college or university, ~~or~~ a Michigan federal
29 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 by the last
4 business day of August for 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 provide the highest level of participation and
15 ensure that all requirements of the program are met.

16 (8) The department shall notify students of their financial
17 eligibility for the program any time after the student begins sixth
18 grade.

19 (9) Except as otherwise provided in section 3(d) of the
20 Michigan reconnect grant act, 2020 PA 84, MCL 390.1703, and section
21 17 of the Michigan reconnect grant recipient act, 2020 PA 68, MCL
22 390.1717, each institution shall ensure that all known available
23 restricted grants for tuition and fees are used ~~prior to~~ **before**
24 billing the tuition incentive program for any portion of a
25 student's tuition and fees.

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

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

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

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

(12) ~~Beginning in fiscal year 2020-2021, if~~ **If** a qualified postsecondary institution does not report the data necessary to complete the reporting in subsection (11) to the P-20 longitudinal data system by October 15 for the prior academic year, the department of treasury shall not award phase I tuition incentive program funding to otherwise eligible students enrolled in that institution until the data are submitted.

Sec. 263. (1) Included in the appropriation in section 236 for fiscal year ~~2020-2021~~ **2021-2022** for MSU AgBioResearch is \$2,982,900.00 and included in the appropriation in section 236 for MSU Extension is \$2,645,200.00 for Project GREEN. Project GREEN is intended to address critical regulatory, food safety, economic,

1 and environmental problems faced by this state's plant-based
 2 agriculture, forestry, and processing industries. "GREEN" is an
 3 acronym for Generating Research and Extension to Meet Environmental
 4 and Economic Needs.

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

9 Sec. 264. Included in the appropriation in section 236 for
 10 fiscal year ~~2020-2021-2021-2022~~ for Michigan State University is
 11 \$80,000.00 for the Michigan Future Farmers of America Association.
 12 This \$80,000.00 allocation shall not supplant any existing support
 13 that Michigan State University provides to the Michigan Future
 14 Farmers of America Association.

15 **Sec. 264a. As a condition to the appropriation in section**
 16 **236(2) (f) for MSU Extension, Michigan State University must**
 17 **establish metrics based on COVID-19 related policies and practices**
 18 **that will lead to holding in-person meetings, events, and**
 19 **activities for the 4-H program in 2021. The established metrics**
 20 **must be posted to a publicly available website and submitted to the**
 21 **house and senate appropriations subcommittees on higher education,**
 22 **the house and senate fiscal agencies, and the state budget**
 23 **director.**

24 Sec. 265a. (1) Appropriations to public universities in
 25 section 236 **for operations are based on the distribution formula**
 26 **described in subsection (5), and for fiscal years ~~2019-2020, 2020-~~**
 27 **~~2021, and 2021-2022, 2022-2023, and 2023-2024~~ for performance**
 28 **~~funding~~ shall be paid only to a public university that ~~complies~~**
 29 **~~with section 265 and~~ certifies to the state budget director, the**

1 house and senate appropriations subcommittees on higher education,
 2 and the house and senate fiscal agencies by ~~October 1, 2019~~ **the**
 3 **last business day of August** that it complies with all of the
 4 following requirements:

5 (a) The university participates in reverse transfer agreements
 6 described in section 286 with at least 3 Michigan community
 7 colleges.

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

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

18 (2) Any ~~performance~~ **operations** funding amounts under section
 19 236 that are not paid to a public university because it did not
 20 comply with 1 or more requirements under subsection (1) are
 21 unappropriated and reappropriated for ~~performance~~ **operations**
 22 funding to those public universities that meet the requirements
 23 under subsection (1), distributed in proportion to their
 24 ~~performance~~ **operations** funding appropriation amounts under section
 25 236.

26 (3) The state budget director shall report to the house and
 27 senate appropriations subcommittees on higher education and the
 28 house and senate fiscal agencies by ~~October~~ **September** 15, 2019,
 29 **2021** regarding any ~~performance~~ **operations** funding amounts that are

1 not paid to a public university because it did not comply with 1 or
2 more requirements under subsection (1) and any reappropriation of
3 funds under subsection (2).

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

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

8 ~~(b) Based on weighted undergraduate completions in critical~~
9 ~~skills areas, 11.1%.~~

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

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

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

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

24 ~~(b) A university classified as above national median, a score~~
25 ~~of 2.~~

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

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

(4) Operation funding amounts for each public university in section 236(2) (a) to (o), not including amounts for North American Indian tuition waiver reimbursements, are based on the formula in subsection (5). The following measures apply to the formula in subsection (5):

(a) The prior fiscal year's total operations appropriation not including any appropriation for North American Indian tuition waiver reimbursements, less \$135,000,000.00 for the Carnegie Tier 1 and 2 distribution amounts described in subdivisions (d) and (e), plus an additional operations appropriation increase for the current fiscal year not including any appropriation for North American Indian tuition waiver reimbursements.

(b) A public university's FYES average, which is the average of the total number of resident undergraduate and graduate fiscal year equated students (FYES) for the 3 prior fiscal years for the public university.

(c) The FYES funding figure, which is obtained by dividing the figure determined under subdivision (a) by the sum of all public universities' FYES averages.

(d) The Carnegie Tier 1 distribution amount, which is equal to \$100,000,000.00 divided by the number of public universities within the tier. As used in this section, "Carnegie Tier 1" means those public universities classified by the Carnegie classifications as doctoral universities, very high research activity.

(e) The Carnegie Tier 2 distribution amount, which is equal to \$35,000,000.00 divided by the number of public universities within the tier. As used in this section, "Carnegie Tier 2" means those

1 public universities classified by the Carnegie classifications as
2 doctoral universities, high research activity.

3 (f) The northern regional hold harmless amount, which is equal
4 to the amount of funding needed for a public university located in
5 the Upper Peninsula to reach its fiscal year 2020-2021 operations
6 appropriation level not including any North American Indian tuition
7 waiver reimbursement.

8 (5) The operations funding amounts described in subsection
9 (4) (a) and (d) are distributed as follows:

10 (a) For fiscal year 2021-2022:

11 (i) Subject to subparagraph (iv), 33.3% of the amount described
12 in subsection (4) (a) is distributed to each public university in an
13 amount determined by multiplying its FYES average described in
14 subsection (4) (b) by the FYES funding figure described in
15 subsection (4) (c) and dividing by 3.

16 (ii) Subject to subparagraph (iv), 66.7% of the amount described
17 in subsection (4) (a) is distributed to each public university in
18 proportion to its share of total operations funding for all public
19 universities in fiscal year 2020-2021 not including any North
20 American Indian tuition waiver reimbursement.

21 (iii) Subject to subparagraph (iv), the Carnegie Tier 1
22 distribution amount as described in subsection (4) (d) or the
23 Carnegie Tier 2 distribution amount as described in subsection
24 (4) (e), divided by 3, is distributed to each qualifying public
25 university.

26 (iv) The sum of the amounts distributed to a public university
27 under subparagraphs (i) to (iii) is capped at 110% of its operation
28 funding in fiscal year 2020-2021, not including any North American
29 Indian tuition waiver reimbursement, and any amounts that would

1 otherwise be distributed to public universities in excess of this
2 cap must instead be pooled together and redistributed as follows:

3 (A) A northern regional hold harmless amount, as described in
4 subsection (4)(f), is redistributed to each qualifying public
5 university.

6 (B) The remainder, if any, is redistributed to public
7 universities that remain under the cap, each of which receives a
8 share determined by using an iterative process under which the
9 share redistributed to the university is determined by multiplying
10 the university's FYES average described in subsection (4)(b) by a
11 fraction, the numerator of which is the remainder of the total
12 amount pooled for redistribution and the denominator of which is
13 the sum of all public universities' FYES averages that are under
14 the cap.

15 (b) For fiscal year 2022-2023:

16 (i) Subject to subparagraph (iv), 66.7% of the amount described
17 in subsection (4)(a) is distributed to each public university in an
18 amount determined by multiplying its FYES average described in
19 subsection (4)(b) by the FYES funding figure described in
20 subsection (4)(c) and dividing by 1.5.

21 (ii) Subject to subparagraph (iv), 33.3% of the amount described
22 in subsection (4)(a) is distributed to each public university in
23 proportion to its share of total operations funding for all public
24 universities in fiscal year 2020-2021 not including any North
25 American Indian tuition waiver reimbursement.

26 (iii) Subject to subparagraph (iv), the Carnegie Tier 1
27 distribution amount as described in subsection (4)(d) or the
28 Carnegie Tier 2 distribution amount as described in subsection
29 (4)(e), divided by 1.5, is distributed to each qualifying public

1 university.

2 (iv) The sum of the amounts distributed to a public university
3 under subparagraphs (i) to (iii) is capped at 110% of its operation
4 funding in fiscal year 2021-2022, not including any North American
5 Indian tuition waiver reimbursement, and any amounts that would
6 otherwise be distributed to public universities in excess of this
7 cap must instead be pooled together and redistributed as follows:

8 (A) A northern regional hold harmless amount, as described in
9 subsection (4) (f), is redistributed to each qualifying public
10 university.

11 (B) The remainder, if any, is redistributed to public
12 universities that remain under the cap, each of which receives a
13 share determined by using an iterative process under which the
14 share redistributed to the university is determined by multiplying
15 the university's FYES average described in subsection (4) (b) by a
16 fraction, the numerator of which is the remainder of the total
17 amount pooled for redistribution and the denominator of which is
18 the sum of all public universities' FYES averages that are under
19 the cap.

20 (c) For fiscal year 2023-2024:

21 (i) Subject to subparagraph (iii), 100% of the amount described
22 in subsection (4) (a) is distributed to each public university in an
23 amount determined by multiplying its FYES average described in
24 subsection (4) (b) by the FYES funding figure described in
25 subsection (4) (c).

26 (ii) Subject to subparagraph (iii), the Carnegie Tier 1
27 distribution amount as described in subsection (4) (d) or the
28 Carnegie Tier 2 distribution amount as described in subsection
29 (4) (e) is distributed to each qualifying public university.

1 (iii) The sum of the amounts distributed to a public university
2 under subparagraphs (i) and (ii) is capped at 110% of its operation
3 funding in fiscal year 2022-2023, not including any North American
4 Indian tuition waiver reimbursement, and any amounts that would
5 otherwise be distributed to public universities in excess of this
6 cap must instead be pooled together and redistributed as follows:

7 (A) A northern regional hold harmless amount, as described in
8 subsection (4) (f), is redistributed to each qualifying public
9 university.

10 (B) The remainder, if any, is redistributed to public
11 universities that remain under the cap, each of which receives a
12 share determined by using an iterative process under which the
13 share redistributed to the university is determined by multiplying
14 the university's FYES average described in subsection (4) (b) by a
15 fraction, the numerator of which is the remainder of the total
16 amount pooled for redistribution and the denominator of which is
17 the sum of all public universities' FYES averages that are under
18 the cap.

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

24 ~~(7) It is the intent of the legislature to allocate more~~
25 ~~funding based on an updated set of performance metrics in future~~
26 ~~years. Updated metrics will be based on the outcome of joint~~
27 ~~hearings between the house and senate appropriations subcommittees~~
28 ~~on higher education and community colleges intended to be held in~~
29 ~~the fall of 2019.~~

1 Sec. 265b. (1) Appropriations to public universities in
2 section 236 for the fiscal year ending September 30, ~~2021~~**2022** for
3 operations funding shall be reduced by 10% pursuant to the
4 procedures described in subdivision (a) for a public university
5 that fails to submit certification to the state budget director,
6 the house and senate appropriations subcommittees on higher
7 education, and the house and senate fiscal agencies by October 1,
8 ~~2020~~**2021** that the university complies with sections 274c and 274d
9 and that it complies with all of the requirements described in
10 subdivisions (b) to (i), as follows:

11 (a) If a university fails to submit certification, the state
12 budget director shall withhold 10% of that university's annual
13 operations funding until the university submits certification. If a
14 university fails to submit certification by the end of the fiscal
15 year, the 10% of its annual operations funding that is withheld
16 shall lapse to the general fund.

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

20 (c) For title IX investigations of alleged sexual misconduct,
21 the university prohibits the issuance of divergent reports to
22 complainants, respondents, and administration and instead requires
23 that identical reports be issued to them.

24 (d) Consistent with the university's obligations under 20 USC
25 1092(f), the university notifies each individual who reports having
26 experienced sexual assault by a student, faculty member, or staff
27 member of the university that the individual has the option to
28 report the matter to law enforcement, to the university, to both,
29 or to neither, as the individual may choose.

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

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

6 (ii) For all students not considered freshmen or incoming
7 transfer students, an online or electronic sexual misconduct
8 prevention presentation or course.

9 (f) The university prohibits seeking compensation from the
10 recipient of any medical procedure, treatment, or care provided by
11 a medical professional who has been convicted of a felony arising
12 out of the medical procedure, treatment, or care.

13 (g) The university had a third party review its title IX
14 compliance office and related policies and procedures by the end of
15 the 2018-2019 academic year. A copy of the third-party review shall
16 be transmitted to the state budget director, the house and senate
17 appropriations subcommittees on higher education, and the house and
18 senate fiscal agencies. ~~After the third party review has been~~
19 ~~conducted for the 2018-2019 academic year, the~~ **The** university shall
20 have a third-party review once every ~~three~~ **3** years and a copy of
21 the third-party review shall be transmitted to the state budget
22 director, the house and senate appropriations subcommittees on
23 higher education, and the house and senate fiscal agencies.

24 (h) The university requires that the governing board and the
25 president or chancellor of the university receive not less than
26 quarterly reports from their title IX coordinator or title IX
27 office. The report shall contain aggregated data of the number of
28 sexual misconduct reports that the office received for the academic
29 year, the types of reports received, including reports received

1 against employees, and a summary of the general outcomes of the
2 reports and investigations. A member of the governing board may
3 request to review a title IX investigation report involving a
4 complaint against an employee, and the university shall provide the
5 report in a manner it considers appropriate. The university shall
6 protect the complainant's anonymity, and the report shall not
7 contain specific identifying information.

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

19 (2) Each public university that receives an appropriation in
20 section 236 shall also certify that its president or chancellor and
21 a member of its governing board has reviewed all title IX reports
22 involving the alleged sexual misconduct of an employee of the
23 university, and shall send the certification to the house and
24 senate appropriations subcommittees on higher education, the house
25 and senate fiscal agencies, and the state budget director by
26 October 1, ~~2020~~-2021.

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

29 (a) Intimate partner violence.

1 (b) Nonconsensual sexual conduct.

2 (c) Sexual assault.

3 (d) Sexual exploitation.

4 (e) Sexual harassment.

5 (f) Stalking.

6 Sec. 267. All public universities shall submit the amount of
7 tuition and fees actually charged to a full-time resident
8 undergraduate student for academic year ~~2020-2021~~**2021-2022** as part
9 of their higher education institutional data inventory (HEIDI) data
10 by ~~October 1, 2020, and by~~ the last business day of August each
11 year. ~~thereafter.~~ A public university shall report any revisions
12 for any semester of the reported academic year ~~2020-2021~~**2021-2022**
13 tuition and fee charges to HEIDI within 15 days of being adopted.

14 Sec. 268. ~~(1) For the fiscal year ending September 30, 2021,~~
15 ~~it is the intent of the legislature that funds be allocated for~~
16 ~~unfunded North American Indian tuition waiver costs incurred by~~
17 ~~public universities under 1976 PA 174, MCL 390.1251 to 390.1253,~~
18 ~~from the general fund.~~

19 **(1)** ~~(2)~~ By January 15 of each year, the department of civil
20 rights shall annually submit to the state budget director, the
21 house and senate appropriations subcommittees on higher education,
22 and the house and senate fiscal agencies a report on North American
23 Indian tuition waivers for the preceding academic year that
24 includes, but is not limited to, all of the following information:

25 (a) The number of waiver applications received and the number
26 of waiver applications approved.

27 (b) For each university submitting information under
28 subsection ~~(3)~~, **(2)**, all of the following:

29 (i) The number of graduate and undergraduate North American

1 Indian students enrolled each term for the previous academic year.

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

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

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

20 (2) ~~(3)~~—A public university that receives funds under section
21 236, or a tribal college receiving pass-through funds under section
22 269, 270, or 270c, shall provide to the department of civil rights
23 any information necessary for preparing the report detailed in
24 subsection ~~(2)~~, ~~(1)~~, using guidelines and procedures developed by
25 the department of civil rights.

26 (3) ~~(4)~~—The department of civil rights may consolidate the
27 report required under this section with the report required under
28 section 223, but a consolidated report must separately identify
29 data for universities and data for community colleges.

1 Sec. 269. For fiscal year ~~2020-2021~~, **2021-2022**, from the
2 amount appropriated in section 236 to Central Michigan University
3 for costs incurred under the North American Indian tuition waiver,
4 ~~\$79,700.00~~ **\$82,400.00** shall be paid to Saginaw Chippewa Tribal
5 College for the costs of waiving tuition for North American Indians
6 under 1976 PA 174, MCL 390.1251 to 390.1253. It is the intent of
7 the legislature that Saginaw Chippewa Tribal College provide the
8 department of civil rights the necessary information for the
9 college to be included in the report required under section 268.

10 Sec. 270. For fiscal year ~~2020-2021~~, **2021-2022**, from the
11 amount appropriated in section 236 to Lake Superior State
12 University for costs incurred under the North American Indian
13 tuition waiver, \$0.00 shall be paid to Bay Mills Community College
14 for the costs of waiving tuition for North American Indians under
15 1976 PA 174, MCL 390.1251 to 390.1253. It is the intent of the
16 legislature that Bay Mills Community College provide the department
17 of civil rights the necessary information for the college to be
18 included in the report required under section 268.

19 Sec. 270c. For fiscal year ~~2020-2021~~, **2021-2022**, from the
20 amount appropriated in section 236 to Northern Michigan University
21 for costs incurred under the North American Indian tuition waiver,
22 \$50,000.00 is to be paid to Keweenaw Bay Ojibwa Community College
23 for the costs of waiving tuition for North American Indians under
24 1976 PA 174, MCL 390.1251 to 390.1253. It is the intent of the
25 legislature that Keweenaw Bay Ojibwa Community College provide the
26 department of civil rights the necessary information for the
27 community college to be included in the report required under
28 section 268.

29 Sec. 274. It is the intent of the legislature that public and

private organizations that conduct human embryonic stem cell derivation subject to section 27 of article I of the state constitution of 1963 will provide information to the director of the department of health and human services by December 1, ~~2019~~ **2021** that includes all of the following:

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

(b) A list of all human embryonic stem cell lines submitted by the organization to the National Institutes of Health for inclusion in the Human Embryonic Stem Cell Registry before and during fiscal year ~~2018-2019, 2020-2021~~, and the status of each submission as approved, pending approval, or review completed but not yet accepted.

(c) Number of human embryonic stem cell lines derived and not submitted for inclusion in the Human Embryonic Stem Cell Registry, before and during fiscal year ~~2018-2019, 2020-2021~~.

Sec. 275d. ~~The legislature urges each university that receives~~
A public university receiving an appropriation in section 236 ~~to~~
shall not take disciplinary action against an employee for communicating with a member of the legislature or a legislator's staff.

Sec. 275f. By February 1, ~~2021, 2022~~, each public university receiving an appropriation in section 236 shall submit to the senate and house appropriations subcommittees on higher education, the senate and house fiscal agencies, and the state budget director a report on activities related to strategic planning and internal

1 assessment or reassessment to best provide for open and free
 2 expression and speech, while protecting students from hate-speech,
 3 violence, and discrimination.

4 Sec. 275g. ~~(1) By September 30, 2021, each public university~~
 5 ~~receiving an appropriation in section 236 shall submit a report to~~
 6 ~~the senate and house appropriations subcommittees on higher~~
 7 ~~education, the senate and house fiscal agencies, and the state~~
 8 ~~budget director containing the following information:~~

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

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

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

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

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

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

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

19 **(1) By September 30, 2022, each public university receiving an**
 20 **appropriation in section 236 shall post the following information**
 21 **on the public transparency website described in section 245, and**
 22 **shall submit a report of the following information to the senate**
 23 **and house appropriations subcommittees on higher education, the**
 24 **senate and house fiscal agencies, and the state budget director:**

25 **(a) A description of all federal funds received, including the**
 26 **amounts, related to the COVID-19 pandemic, including, but not**
 27 **limited to, any federal funds received from the coronavirus relief**
 28 **fund under the coronavirus aid, relief, and economic security act,**
 29 **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 public university receiving an appropriation in section 236 shall submit a report to the senate and house appropriations subcommittees on higher education, the senate and house fiscal agencies, and the state budget director containing the following information:

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

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

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

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

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

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

Sec. 275h. It is the ~~intent~~ **goal** of the legislature **and governor** to ensure that 60% of Michigan's residents achieve a postsecondary credential, high-quality industry certification, associate degree, or bachelor's degree by 2030.

Sec. 275j. A public university receiving an appropriation in section 236 shall not require a COVID-19 vaccination as a prerequisite for enrollment, moving into or residing in housing

1 **offered by the university, or attending in-person instruction.**

2 Sec. 276. (1) Included in the appropriation for fiscal year
3 ~~2020-2021-2021-2022~~ for each public university in section 236 is
4 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
5 future faculty program that is intended to increase the pool of
6 academically or economically disadvantaged candidates pursuing
7 faculty teaching careers in postsecondary education. Preference may
8 not be given to applicants on the basis of race, color, ethnicity,
9 gender, or national origin. Institutions should encourage
10 applications from applicants who would otherwise not adequately be
11 represented in the graduate student and faculty populations. Each
12 public university shall apply the percentage change applicable to
13 every public university in the calculation of appropriations in
14 section 236 to the amount of funds allocated to the future faculty
15 program.

16 (2) The program shall be administered by each public
17 university in a manner prescribed by the department of labor and
18 economic opportunity. The department of labor and economic
19 opportunity shall use a good faith effort standard to evaluate
20 whether a fellowship is in default.

21 Sec. 277. (1) Included in the appropriation for fiscal year
22 ~~2020-2021-2021-2022~~ for each public university in section 236 is
23 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
24 college day program that is intended to introduce academically or
25 economically disadvantaged schoolchildren to the potential of a
26 college education. Preference may not be given to participants on
27 the basis of race, color, ethnicity, gender, or national origin.
28 Public universities should encourage participation from those who
29 would otherwise not adequately be represented in the student

1 population.

2 (2) Individual program plans of each public university shall
3 include a budget of equal contributions from this program, the
4 participating public university, the participating school district,
5 and the participating independent degree-granting college. College
6 day funds shall not be expended to cover indirect costs. Not more
7 than 20% of the university match shall be attributable to indirect
8 costs. Each public university shall apply the percentage change
9 applicable to every public university in the calculation of
10 appropriations in section 236 to the amount of funds allocated to
11 the college day program.

12 (3) The program described in this section shall be
13 administered by each public university in a manner prescribed by
14 the department of labor and economic opportunity.

15 Sec. 278. (1) Included in section 236 for fiscal year ~~2020-~~
16 ~~2021-2021-2022~~ is funding for the Martin Luther King, Jr. - Cesar
17 Chavez - Rosa Parks select student support services program for
18 developing academically or economically disadvantaged student
19 retention programs for 4-year public and independent educational
20 institutions in this state. Preference may not be given to
21 participants on the basis of race, color, ethnicity, gender, or
22 national origin. Institutions should encourage participation from
23 those who would otherwise not adequately be represented in the
24 student population.

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

28 (3) The program described in this section shall be
29 administered by the department of labor and economic opportunity.

1 Sec. 279. (1) Included in section 236 for fiscal year ~~2020-~~
2 ~~2021-2021-2022~~ is funding for the Martin Luther King, Jr. - Cesar
3 Chavez - Rosa Parks college/university partnership program between
4 4-year public and independent colleges and universities and public
5 community colleges, which is intended to increase the number of
6 academically or economically disadvantaged students who transfer
7 from community colleges into baccalaureate programs. Preference may
8 not be given to participants on the basis of race, color,
9 ethnicity, gender, or national origin. Institutions should
10 encourage participation from those who would otherwise not
11 adequately be represented in the transfer student population.

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

17 (3) The program described in this section shall be
18 administered by the department of labor and economic opportunity.

19 Sec. 280. (1) Included in the appropriation for fiscal year
20 ~~2020-2021-2021-2022~~ for each public university in section 236 is
21 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
22 visiting professors program which is intended to increase the
23 number of instructors in the classroom to provide role models for
24 academically or economically disadvantaged students. Preference may
25 not be given to participants on the basis of race, color,
26 ethnicity, gender, or national origin. Public universities should
27 encourage participation from those who would otherwise not
28 adequately be represented in the student population.

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

1 administered by the department of labor and economic opportunity.

2 Sec. 281. (1) Included in the appropriation for fiscal year
3 ~~2020-2021-2021-2022~~ in section 236 is funding under the Martin
4 Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the
5 Morris Hood, Jr. educator development program which is intended to
6 increase the number of academically or economically disadvantaged
7 students who enroll in and complete K-12 teacher education programs
8 at the baccalaureate level. 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 teacher education student population.

13 (2) The program described in this section shall be
14 administered by each state-approved teacher education institution
15 in a manner prescribed by the department of labor and economic
16 opportunity.

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

21 Sec. 282. Each institution receiving funds for fiscal year
22 ~~2020-2021-2021-2022~~ under section 278, 279, or 281 shall provide to
23 the department of labor and economic opportunity by April 15, ~~2021~~
24 **2022** the unobligated and unexpended funds as of March 31, ~~2021-2022~~
25 and a plan to expend the remaining funds by the end of the fiscal
26 year. Notwithstanding the award limitations in sections 278 and
27 279, the amount of funding reported as not being expended will be
28 reallocated to the institutions that intend to expend all funding
29 received under section 278, 279, or 281.

1 Sec. 285. ~~Public~~ **From the funds appropriated in section**
2 **236(2), public** universities shall work with the state community
3 colleges to encourage the transfer of students from the community
4 colleges to the public universities and to facilitate the transfer
5 of credits from the community colleges to those public
6 universities.

7 Sec. 286. ~~Public~~ **From the funds appropriated in section**
8 **236(2), public** universities shall work with community colleges in
9 ~~the~~ **this** state to implement statewide reverse transfer agreements
10 to increase the number of students that are awarded credentials of
11 value upon completion of the necessary credits. These statewide
12 agreements shall enable students who have earned a significant
13 number of credits at a community college and transfer to a
14 baccalaureate granting institution before completing a degree to
15 transfer the credits earned at the baccalaureate institution back
16 to the community college in order to be awarded a credential of
17 value.

18 Enacting section 1. In accordance with section 30 of article
19 IX of the state constitution of 1963, total state spending from
20 state sources for higher education for fiscal year 2021-2022 under
21 article III of the state school aid act of 1979, 1979 PA 94, MCL
22 388.1836 to 388.1891, is estimated at \$1,580,374,800.00 and the
23 amount of that state spending from state sources to be paid to
24 local units of government for fiscal year 2021-2022 is estimated at
25 \$0.00.

26 Enacting section 2. Sections 265, 270b, and 275i of the state
27 school aid act of 1979, 1979 PA 94, MCL 388.1865, 388.1870b, and
28 388.1875i, are repealed effective October 1, 2021.

29 Enacting section 3. This amendatory act takes effect October

1 1, 2021.