

**SUBSTITUTE FOR
SENATE BILL NO. 857**

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending sections 236, 236a, 236b, 236c, 241, 245, 251, 252,
256, 263, 264, 265, 265a, 267, 268, 269, 270, 274, 274c, 274d,
275b, 276, 277, 278, 279, 280, 281, 282, and 289 (MCL 388.1836,
388.1836a, 388.1836b, 388.1836c, 388.1841, 388.1845, 388.1851,
388.1852, 388.1856, 388.1863, 388.1864, 388.1865, 388.1865a,
388.1867, 388.1868, 388.1869, 388.1870, 388.1874, 388.1874c,
388.1874d, 388.1875b, 388.1876, 388.1877, 388.1878, 388.1879,
388.1880, 388.1881, 388.1882, and 388.1889), sections 236, 236a,
236b, 236c, 241, 245, 251, 252, 256, 263, 264, 265, 265a, 267, 268,
269, 270, 274, 274c, 276, 277, 278, 279, 280, 281, and 282 as
amended and section 274d as added by 2017 PA 108, section 275b as
added by 2015 PA 44, and section 289 as amended by 2013 PA 60, and

by adding sections 245a, 265b, 274e, and 274f.

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, ~~2018,~~
4 **2019**, 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 ~~\$1,629,224,400.00.~~
7 **\$1,680,147,700.00**. After deducting total interdepartmental grants
8 and intradepartmental transfers in the amount of \$0.00, the
9 adjusted gross appropriation is
10 ~~\$1,629,224,400.00.~~ **\$1,680,147,700.00.**

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

13 (i) Total federal revenues, ~~\$111,526,400.00.~~ **\$119,026,400.00.**

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

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

16 (iv) Total other state restricted revenues,
17 ~~\$238,443,500.00.~~ **\$385,688,300.00.**

18 (v) State general fund/general purpose money,
19 ~~\$1,279,254,500.00.~~ **\$1,175,433,000.00.**

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

22 (a) The appropriation for Central Michigan University is
23 ~~\$85,654,400.00, \$83,925,500.00 for operations and \$1,728,900.00 for~~
24 ~~performance funding.~~ **\$88,220,800.00, \$85,654,400.00 FOR OPERATIONS,**
25 **\$1,760,600.00 FOR PERFORMANCE FUNDING, AND \$805,800.00 FOR CAMPUS**

1 **INITIATIVES.**

2 (b) The appropriation for Eastern Michigan University is
3 ~~\$75,169,900.00, \$73,593,800.00 for operations and \$1,576,100.00 for~~
4 ~~performance funding.~~ **\$77,743,800.00, \$75,169,900.00 FOR OPERATIONS,**
5 **\$1,809,400.00 FOR PERFORMANCE FUNDING, AND \$764,500.00 FOR CAMPUS**
6 **INITIATIVES.**

7 (c) The appropriation for Ferris State University is
8 ~~\$53,595,500.00, \$52,259,900.00 for operations and \$1,335,600.00 for~~
9 ~~performance funding.~~ **\$55,439,600.00, \$53,595,500.00 FOR OPERATIONS,**
10 **\$1,355,200.00 FOR PERFORMANCE FUNDING, AND \$488,900.00 FOR CAMPUS**
11 **INITIATIVES.**

12 (d) The appropriation for Grand Valley State University is
13 ~~\$70,100,100.00, \$68,227,900.00 for operations and \$1,872,200.00 for~~
14 ~~performance funding.~~ **\$72,679,900.00, \$70,100,100.00 FOR OPERATIONS,**
15 **\$1,956,500.00 FOR PERFORMANCE FUNDING, AND \$623,300.00 FOR CAMPUS**
16 **INITIATIVES.**

17 (e) The appropriation for Lake Superior State University is
18 ~~\$13,775,000.00, \$13,567,400.00 for operations and \$207,600.00 for~~
19 ~~performance funding.~~ **\$14,114,700.00, \$13,775,000.00 FOR OPERATIONS,**
20 **\$212,000.00 FOR PERFORMANCE FUNDING, AND \$127,700.00 FOR CAMPUS**
21 **INITIATIVES.**

22 (f) The appropriation for Michigan State University is
23 ~~\$344,404,800.00, \$275,862,100.00 for operations, \$5,377,000.00 for~~
24 ~~performance funding, \$33,913,100.00 for MSU AgBioResearch, and~~
25 ~~\$29,252,600.00 for MSU Extension.~~ **\$354,187,700.00, \$281,239,100.00**
26 **FOR OPERATIONS, \$5,035,100.00 FOR PERFORMANCE FUNDING,**
27 **\$2,852,800.00 FOR CAMPUS INITIATIVES, \$34,930,500.00 FOR MSU**

1 AGBIORESEARCH, AND \$30,130,200.00 FOR MSU EXTENSION.

2 (g) The appropriation for Michigan Technological University is
3 ~~\$49,052,200.00, \$48,097,500.00 for operations and \$954,700.00 for~~
4 ~~performance funding.~~ \$50,431,500.00, \$49,052,200.00 FOR OPERATIONS,
5 \$897,400.00 FOR PERFORMANCE FUNDING, AND \$481,900.00 FOR CAMPUS
6 INITIATIVES.

7 (h) The appropriation for Northern Michigan University is
8 ~~\$47,137,400.00, \$46,279,200.00 for operations and \$858,200.00 for~~
9 ~~performance funding.~~ \$48,452,300.00, \$47,137,400.00 FOR OPERATIONS,
10 \$861,000.00 FOR PERFORMANCE FUNDING, AND \$453,900.00 FOR CAMPUS
11 INITIATIVES.

12 (i) The appropriation for Oakland University is
13 ~~\$51,235,900.00, \$49,920,700.00 for operations and \$1,315,200.00 for~~
14 ~~performance funding.~~ \$53,329,700.00, \$51,235,900.00 FOR OPERATIONS,
15 \$1,583,300.00 FOR PERFORMANCE FUNDING, AND \$510,500.00 FOR CAMPUS
16 INITIATIVES.

17 (j) The appropriation for Saginaw Valley State University is
18 ~~\$29,766,100.00, \$29,114,000.00 for operations and \$652,100.00 for~~
19 ~~performance funding.~~ \$30,806,800.00, \$29,766,100.00 FOR OPERATIONS,
20 \$761,900.00 FOR PERFORMANCE FUNDING, AND \$278,800.00 FOR CAMPUS
21 INITIATIVES.

22 (k) The appropriation for University of Michigan - Ann Arbor
23 is ~~\$314,589,100.00, \$308,639,000.00 for operations and~~
24 ~~\$5,950,100.00 for performance funding.~~ \$323,962,800.00,
25 \$314,589,100.00 FOR OPERATIONS, \$6,193,300.00 FOR PERFORMANCE
26 FUNDING, AND \$3,180,400.00 FOR CAMPUS INITIATIVES.

27 (l) The appropriation for University of Michigan - Dearborn is

1 ~~\$25,421,900.00, \$24,803,300.00 for operations and \$618,600.00 for~~
 2 ~~performance funding.~~ **\$26,320,500.00, \$25,421,900.00 FOR OPERATIONS,**
 3 **\$649,900.00 FOR PERFORMANCE FUNDING, AND \$248,700.00 FOR CAMPUS**
 4 **INITIATIVES.**

5 (m) The appropriation for University of Michigan - Flint is
 6 ~~\$23,061,800.00, \$22,549,300.00 for operations and \$512,500.00 for~~
 7 ~~performance funding.~~ **\$23,795,600.00, \$23,061,800.00 FOR OPERATIONS,**
 8 **\$523,600.00 FOR PERFORMANCE FUNDING, AND \$210,200.00 FOR CAMPUS**
 9 **INITIATIVES.**

10 (n) The appropriation for Wayne State University is
 11 ~~\$199,169,800.00, \$196,064,500.00 for operations and \$3,105,300.00~~
 12 ~~for performance funding.~~ **\$204,517,000.00, \$199,169,800.00 FOR**
 13 **OPERATIONS, \$3,193,400.00 FOR PERFORMANCE FUNDING, AND**
 14 **\$2,153,800.00 FOR CAMPUS INITIATIVES.**

15 (o) The appropriation for Western Michigan University is
 16 ~~\$109,376,800.00, \$107,440,900.00 for operations and \$1,935,900.00~~
 17 ~~for performance funding.~~ **\$112,253,300.00, \$109,376,800.00 FOR**
 18 **OPERATIONS, \$1,774,200.00 FOR PERFORMANCE FUNDING, AND**
 19 **\$1,102,300.00 FOR CAMPUS INITIATIVES.**

20 (3) The amount appropriated in subsection (2) for public
 21 universities is appropriated from the following:

22 (a) State school aid fund, ~~\$231,219,500.00.~~ **\$379,786,300.00.**

23 (b) State general fund/general purpose money,
 24 ~~\$1,260,291,200.00.~~ **\$1,156,469,700.00.**

25 (4) The amount appropriated for Michigan public school
 26 employees' retirement system reimbursement is ~~\$6,705,000.00,~~
 27 **\$5,133,000.00, appropriated from the state school aid fund.**

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

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

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

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

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

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

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

(7) Subject to subsection (8), the amount appropriated for grants and financial aid is ~~\$127,583,200.00~~, **\$135,083,200.00**, allocated as follows:

(a) State competitive scholarships, ~~\$26,361,700.00~~, **\$32,361,700.00**.

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

(c) Tuition incentive program, ~~\$58,300,000.00~~, **\$59,800,000.00**.

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

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

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

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

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

4 (b) Federal revenues under the social security act, temporary
5 assistance for needy families, ~~\$108,326,400.00~~ **\$115,826,400.00**.

6 (c) Contributions to children of veterans tuition grant
7 program, \$100,000.00.

8 (d) State general fund/general purpose money, \$15,956,800.00.

9 (9) For fiscal year ~~2017-2018~~ **2018-2019** only, in addition to
10 the allocation under subsection (4), from the appropriations
11 described in subsection (1), there is allocated an amount not to
12 exceed ~~\$419,000.00~~ **\$669,000.00** for payments to participating public
13 universities, appropriated from the state school aid fund. A
14 university that receives money under this subsection shall use that
15 money solely for the purpose of offsetting the normal cost
16 contribution rate. As used in this subsection, "participating
17 public universities" means public universities that are a reporting
18 unit of the Michigan public school employees' retirement system
19 under the public school employees retirement act of 1979, 1980 PA
20 300, MCL 38.1301 to 38.1437, and that pay contributions to the
21 Michigan public school employees' retirement system for the state
22 fiscal year.

23 Sec. 236a. It is the intent of the legislature to provide
24 appropriations for the fiscal year ending on September 30, ~~2019~~
25 **2020** for the items listed in section 236. The fiscal year ~~2018-2019~~
26 **2019-2020** appropriations are anticipated to be the same as those
27 for fiscal year ~~2017-2018~~, **2018-2019**, except that the amounts will

1 be adjusted for changes in caseload and related costs, federal fund
 2 match rates, economic factors, and available revenue. These
 3 adjustments will be determined after the January ~~2018-2019~~
 4 consensus revenue estimating conference.

5 Sec. 236b. In addition to the funds appropriated in section
 6 236, there is appropriated for grants and financial aid in fiscal
 7 year ~~2017-2018-2018-2019~~ an amount not to exceed \$6,000,000.00 for
 8 federal contingency funds. These funds are not available for
 9 expenditure until they have been transferred under section 393(2)
 10 of the management and budget act, 1984 PA 431, MCL 18.1393, for
 11 another purpose under this article.

12 Sec. 236c. In addition to the funds appropriated for fiscal
 13 year ~~2017-2018-2018-2019~~ in section 236, appropriations to the
 14 department of technology, management, and budget in the act
 15 providing general appropriations for fiscal year ~~2017-2018-2018-~~
 16 ~~2019~~ for state building authority rent, totaling an estimated
 17 ~~\$144,995,300.00, \$155,478,500.00~~, provide funding for the state
 18 share of costs for previously constructed capital projects for
 19 state universities. These appropriations for state building
 20 authority rent represent additional state general fund support
 21 provided to public universities, and the following is an estimate
 22 of the amount of that support to each university:

23 (a) Central Michigan University,
 24 ~~\$12,570,900.00-\$12,936,500.00.~~

25 (b) Eastern Michigan University, ~~\$5,177,500.00-\$7,083,900.00.~~

26 (c) Ferris State University, ~~\$6,658,300.00-\$8,275,000.00.~~

27 (d) Grand Valley State University,

1 ~~\$7,057,800.00.~~**\$8,800,000.00.**

2 (e) Lake Superior State University,

3 ~~\$1,832,400.00.~~**\$2,285,800.00.**

4 (f) Michigan State University, ~~\$15,500,500.00.~~**\$16,790,400.00.**

5 (g) Michigan Technological University,

6 ~~\$7,225,100.00.~~**\$6,782,000.00.**

7 (h) Northern Michigan University, ~~\$7,786,500.00.~~**\$7,309,000.00.**

8 (i) Oakland University, ~~\$13,492,400.00.~~**\$12,665,000.00.**

9 (j) Saginaw Valley State University,

10 ~~\$10,918,500.00.~~**\$10,984,000.00.**

11 (k) University of Michigan - Ann Arbor,

12 ~~\$10,586,200.00.~~**\$11,861,000.00.**

13 (l) University of Michigan - Dearborn,

14 ~~\$9,581,500.00.~~**\$10,918,000.00.**

15 (m) University of Michigan - Flint,

16 ~~\$4,315,600.00.~~**\$6,244,800.00.**

17 (n) Wayne State University, ~~\$16,378,300.00.~~**\$16,480,200.00.**

18 (o) Western Michigan University,

19 ~~\$15,913,800.00.~~**\$16,062,900.00.**

20 Sec. 241. (1) Subject to sections 244 and 265a, the funds
 21 appropriated in section 236 to public universities shall be paid
 22 out of the state treasury and distributed by the state treasurer to
 23 the respective institutions in 11 equal monthly installments on the
 24 sixteenth of each month, or the next succeeding business day,
 25 beginning with October 16, ~~2017.~~**2018.** Except for Wayne State
 26 University, each institution shall accrue its July and August ~~2018~~
 27 **2019** payments to its institutional fiscal year ending June 30,

1 ~~2018-2019.~~

2 (2) All public universities shall submit higher education
3 institutional data inventory (HEIDI) data and associated financial
4 and program information requested by and in a manner prescribed by
5 the state budget director. For public universities with fiscal
6 years ending June 30, ~~2017, 2018~~, these data shall be submitted to
7 the state budget director by October 15, ~~2017, 2018~~. Public
8 universities with a fiscal year ending September 30, ~~2017-2018~~
9 shall submit preliminary HEIDI data by November 15, ~~2017-2018~~ and
10 final data by December 15, ~~2017, 2018~~. If a public university fails
11 to submit HEIDI data and associated financial aid program
12 information in accordance with this reporting schedule, the state
13 treasurer may withhold the monthly installments under subsection
14 (1) to the public university until those data are submitted.

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

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

23 (a) The annual operating budget and subsequent budget
24 revisions.

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

1 (i) A chart of personnel expenditures, broken into the
2 following subcategories:

3 (A) Earnings and wages.

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

7 (C) Retirement benefit costs.

8 (D) All other personnel costs.

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

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

14 (i) The current collective bargaining agreement for each
15 bargaining unit.

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

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

23 ~~—— (iv) Campus security policies and crime statistics pursuant to~~
24 ~~the student right to know and campus security act, Public Law 101-~~
25 ~~542, 104 Stat 2381. Information shall include all material prepared~~
26 ~~pursuant to the public information reporting requirements under the~~
27 ~~crime awareness and campus security act of 1990, title II of the~~

~~student right to know and campus security act, Public Law 101-542,
104 Stat 2381.~~

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

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

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

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

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

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

(a) Enrollment.

(b) Student retention rate.

(c) Six-year graduation rates.

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

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

1 (f) Faculty to student ratios and total university employee to
2 student ratios.

3 (g) Teaching load by faculty classification.

4 (h) Graduation outcome rates, including employment and
5 continuing education.

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

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

19 (6) By November 15 of each year, a public university shall
20 report the following information to the center and post the
21 information on its website under the budget transparency icon
22 badge:

23 (a) Opportunities for earning college credit through the
24 following programs:

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

27 (ii) Direct college credit or concurrent enrollment.

1 (iii) Dual enrollment.

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

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

5 (i) The number of high school students participating in the
6 program.

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

9 (iii) Whether a university professor, qualified local school
10 district employee, or other individual teaches the course or
11 courses in the program.

12 (iv) The total cost to the public university to operate the
13 program.

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

16 (vi) The location where the course or courses in the program
17 are held.

18 (vii) Instructional resources offered to the program
19 instructors.

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

21 (ix) Transportation services provided to students in the
22 program.

23 **SEC. 245A. (1) A PUBLIC UNIVERSITY SHALL DEVELOP, MAINTAIN,**
24 **AND UPDATE A "CAMPUS SAFETY INFORMATION AND RESOURCES" LINK,**
25 **PROMINENTLY DISPLAYED ON THE HOMEPAGE OF ITS WEBSITE, TO A SECTION**
26 **OF ITS WEBSITE CONTAINING ALL OF THE INFORMATION REQUIRED UNDER**
27 **SUBSECTION (2).**

1 (2) THE "CAMPUS SAFETY INFORMATION AND RESOURCES" SECTION OF A
2 PUBLIC UNIVERSITY'S WEBSITE SHALL INCLUDE, BUT NOT BE LIMITED TO,
3 ALL OF THE FOLLOWING INFORMATION:

4 (A) EMERGENCY CONTACT NUMBERS FOR POLICE, FIRE, HEALTH, AND
5 OTHER SERVICES.

6 (B) HOURS, LOCATIONS, PHONE NUMBERS, AND ELECTRONIC MAIL
7 CONTACTS FOR CAMPUS PUBLIC SAFETY OFFICES AND TITLE IX OFFICES.

8 (C) A LISTING OF SAFETY AND SECURITY SERVICES PROVIDED BY THE
9 UNIVERSITY, INCLUDING TRANSPORTATION, ESCORT SERVICES, BUILDING
10 SURVEILLANCE, ANONYMOUS TIP LINES, AND OTHER AVAILABLE SECURITY
11 SERVICES.

12 (D) A PUBLIC UNIVERSITY'S POLICIES APPLICABLE TO MINORS ON
13 UNIVERSITY PROPERTY.

14 (E) A DIRECTORY OF RESOURCES AVAILABLE AT THE UNIVERSITY OR
15 SURROUNDING COMMUNITY FOR STUDENTS OR EMPLOYEES WHO ARE SURVIVORS
16 OF SEXUAL ASSAULT OR SEXUAL ABUSE.

17 (F) AN ELECTRONIC COPY OF "A RESOURCE HANDBOOK FOR CAMPUS
18 SEXUAL ASSAULT SURVIVORS, FRIENDS AND FAMILY", PUBLISHED IN 2018 BY
19 THE OFFICE OF THE GOVERNOR IN CONJUNCTION WITH THE FIRST LADY OF
20 MICHIGAN.

21 (G) CAMPUS SECURITY POLICIES AND CRIME STATISTICS PURSUANT TO
22 THE STUDENT RIGHT-TO-KNOW AND CAMPUS SECURITY ACT, PUBLIC LAW 101-
23 542, 104 STAT 2381. INFORMATION SHALL INCLUDE ALL MATERIAL PREPARED
24 PURSUANT TO THE PUBLIC INFORMATION REPORTING REQUIREMENTS UNDER THE
25 CRIME AWARENESS AND CAMPUS SECURITY ACT OF 1990, TITLE II OF THE
26 STUDENT RIGHT-TO-KNOW AND CAMPUS SECURITY ACT, PUBLIC LAW 101-542,
27 104 STAT 2381.

1 (3) THE STATE BUDGET DIRECTOR SHALL DETERMINE WHETHER A PUBLIC
2 UNIVERSITY HAS COMPLIED WITH THIS SECTION. THE STATE BUDGET
3 DIRECTOR MAY WITHHOLD A PUBLIC UNIVERSITY'S MONTHLY INSTALLMENTS
4 DESCRIBED IN SECTION 241 UNTIL THE PUBLIC UNIVERSITY COMPLIES WITH
5 THIS SECTION.

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

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

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

25 (4) If a student who receives an award under this section has
26 his or her tuition and fees paid under the Michigan educational
27 trust program, pursuant to the Michigan education trust act, 1986

1 PA 316, MCL 390.1421 to 390.1442, and still has financial need, the
2 funds awarded under this section may be used for educational
3 expenses other than tuition and fees.

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

10 (6) Veterans Administration benefits shall not be considered
11 in determining eligibility for the award of scholarships under 1964
12 PA 208, MCL 390.971 to 390.981.

13 (7) Any unexpended and unencumbered funds remaining on
14 September 30, ~~2018-2019~~ from the amounts appropriated in section
15 236 for the state competitive scholarship program for fiscal year
16 ~~2017-2018-2018-2019~~ do not lapse on September 30, ~~2018,~~2019, but
17 continue to be available for the expenditure for state competitive
18 scholarships provided in the ~~2018-2019-2019-2020~~ fiscal year under
19 a work project account. The use of these unexpended fiscal year
20 ~~2017-2018-2018-2019~~ funds terminates at the end of the ~~2018-2019~~
21 ~~2019-2020~~ fiscal year.

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

25 (2) Tuition grant awards shall be made to all eligible
26 Michigan residents enrolled in undergraduate degree programs who
27 are qualified and who apply before ~~July 1, 2017 for the 2017-2018~~

1 ~~academic year. Beginning with the 2018-2019 academic year, tuition~~
2 ~~grant awards shall be made to all eligible Michigan residents~~
3 ~~enrolled in undergraduate degree programs who are qualified and who~~
4 ~~apply before March 1 of each year for the next academic year.~~

5 ~~—— (3) Beginning with the 2018-2019 academic year, a tuition~~
6 ~~grant may be renewed for not more than 10 semesters or its~~
7 ~~equivalent in trimesters or quarters of undergraduate education, or~~
8 ~~if an eligible applicant has not completed using the grant within~~
9 ~~10 years after his or her eligibility is determined, whichever~~
10 ~~occurs first. The department shall determine an equivalent to 10~~
11 ~~semesters or its equivalent in trimesters or quarters of~~
12 ~~undergraduate education for less than full-time but more than half-~~
13 ~~time students.~~

14 (3) ~~(4)~~ Pursuant to section 5 of 1966 PA 313, MCL 390.995, and
15 subject to subsections ~~(8)~~ **(7)** and ~~(9)~~ **(8)**, the department of
16 treasury shall determine an actual maximum tuition grant award per
17 student, which shall be no less than ~~\$2,000.00,~~ **\$2,400.00**, that
18 ensures that the aggregate payments for the tuition grant program
19 do not exceed the appropriation contained in section 236 for the
20 state tuition grant program. If the department determines that
21 insufficient funds are available to establish a maximum award
22 amount equal to at least ~~\$2,000.00,~~ **\$2,400.00**, the department shall
23 immediately report to the house and senate appropriations
24 subcommittees on higher education, the house and senate fiscal
25 agencies, and the state budget director regarding the estimated
26 amount of additional funds necessary to establish a ~~\$2,000.00~~
27 **\$2,400.00** maximum award amount. If the department determines that

1 sufficient funds are available to establish a maximum award amount
2 equal to at least ~~\$2,000.00,~~ **\$2,400.00**, 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 maximum award
6 amount established and the projected amount of any projected year-
7 end appropriation balance based on that maximum award amount. By
8 February 18 of each fiscal year, the department shall analyze the
9 status of award commitments, shall make any necessary adjustments,
10 and shall confirm that those award commitments will not exceed the
11 appropriation contained in section 236 for the tuition grant
12 program. The determination and actions shall be reported to the
13 state budget director and the house and senate fiscal agencies no
14 later than the final day of February of each year. If award
15 adjustments are necessary, the students shall be notified of the
16 adjustment by March 4 of each year.

17 **(4)** ~~(5)~~ Any unexpended and unencumbered funds remaining on
18 September 30, ~~2018-2019~~ from the amounts appropriated in section
19 236 for the tuition grant program for fiscal year ~~2017-2018-2018-~~
20 ~~2019~~ do not lapse on September 30, ~~2018,~~ **2019**, but continue to be
21 available for expenditure for tuition grants provided in the ~~2018-~~
22 ~~2019-2019-2020~~ fiscal year under a work project account. ~~The use of~~
23 ~~these unexpended fiscal year 2017-2018 funds terminates at the end~~
24 ~~of the 2018-2019 fiscal year.~~

25 **(5)** ~~(6)~~ The department of treasury shall continue a
26 proportional tuition grant maximum award level for recipients
27 enrolled less than full-time in a given semester or term.

1 (6) ~~(7)~~—If the department of treasury increases the maximum
2 award per eligible student from that provided in the previous
3 fiscal year, it shall not have the effect of reducing the number of
4 eligible students receiving awards in relation to the total number
5 of eligible applicants. Any increase in the maximum grant shall be
6 proportional for all eligible students receiving awards for that
7 fiscal year.

8 (7) ~~(8)~~—Except as provided in subsection ~~(5)~~, ~~(4)~~, the
9 department of treasury shall not award more than ~~\$3,500,000.00~~
10 \$4,200,000.00 in tuition grants to eligible students enrolled in
11 the same independent nonprofit college or university in this state.
12 Any decrease in the maximum grant shall be proportional for all
13 eligible students enrolled in that college or university, as
14 determined by the department. **THE LIMIT DESCRIBED IN THIS**
15 **SUBSECTION DOES NOT APPLY TO ANY OTHER STUDENT FINANCIAL AID**
16 **PROGRAM OR IN COMBINATION WITH ANY OTHER STUDENT FINANCIAL AID**
17 **PROGRAM.**

18 (8) ~~(9)~~—The department of treasury shall not award tuition
19 grants to otherwise eligible students enrolled in an independent
20 college or university that does not report, in a form and manner
21 directed by and satisfactory to the department of treasury, by
22 October 31 of each year, all of the following:

23 (a) The number of students in the most recently completed
24 academic year who in any academic year received a state tuition
25 grant at the reporting institution and successfully completed a
26 program or graduated.

27 (b) The number of students in the most recently completed

1 academic year who in any academic year received a state tuition
2 grant at the reporting institution and took a remedial education
3 class.

4 (c) The number of students in the most recently completed
5 academic year who in any academic year received a Pell grant at the
6 reporting institution and successfully completed a program or
7 graduated.

8 (9) ~~(10)~~ By February 1, ~~2018~~, **2019**, each independent college
9 and university participating in the tuition grant program shall
10 report to the senate and house appropriations subcommittees on
11 higher education, the senate and house fiscal agencies, and the
12 state budget director on its efforts to develop and implement
13 sexual assault response training for the institution's title IX
14 coordinator, campus law enforcement personnel, campus public safety
15 personnel, and any other campus personnel charged with responding
16 to on-campus incidents, including information on sexual assault
17 response training materials and the status of implementing sexual
18 assault response training for institutional personnel.

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

23 (2) As used in this section:

24 (a) "Phase I" means the first part of the tuition incentive
25 program defined as the academic period of 80 semester or 120 term
26 credits, or less, leading to an associate degree or certificate.
27 Students must be enrolled in a certificate or associate degree

1 program and taking classes within the program of study for a
2 certificate or associate degree. Tuition will not be covered for
3 courses outside of a certificate or associate degree program.

4 (b) "Phase II" means the second part of the tuition incentive
5 program which provides assistance in the third and fourth year of
6 4-year degree programs.

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

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

10 (3) An individual shall meet the following basic criteria and
11 financial thresholds to be eligible for tuition incentive program
12 benefits:

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

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

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

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

27 (iv) Be at least a half-time student, earning less than 80

1 semester or 120 term credits at a participating educational
2 institution within 4 years of high school graduation or achievement
3 of a high school equivalency certificate. All program eligibility
4 expires 6 years from high school graduation or achievement of a
5 high school equivalency certificate.

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

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

11 (i) Complete at least 56 transferable semester or 84
12 transferable term credits.

13 (ii) Obtain an associate degree or certificate at a
14 participating institution.

15 (c) To be eligible for phase I or phase II, an individual must
16 not be incarcerated and must be financially eligible as determined
17 by the department. An individual is financially eligible for the
18 tuition incentive program if he or she was eligible for Medicaid
19 from this state for 24 months within the 36 consecutive months
20 before application. The department shall accept certification of
21 Medicaid eligibility only from the department of health and human
22 services for the purposes of verifying if a person is Medicaid
23 eligible for 24 months within the 36 consecutive months before
24 application. Certification of eligibility may begin in the sixth
25 grade. As used in this subdivision, "incarcerated" does not include
26 detention of a juvenile in a state-operated or privately operated
27 juvenile detention facility.

1 ~~—— (4) Beginning in fiscal year 2017-2018, the department shall~~
2 ~~not award more than \$8,500,000.00 annually in tuition incentive~~
3 ~~program funds to eligible students enrolled in the same college or~~
4 ~~university in this state.~~

5 (4) ~~(5)~~ For phase I, the department shall provide payment on
6 behalf of a person eligible under subsection (3). The department
7 shall only accept standard per-credit hour tuition billings and
8 shall reject billings that are excessive or outside the guidelines
9 for the type of educational institution.

10 (5) ~~(6)~~ For phase I, all of the following apply:

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

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

19 (c) For ~~fiscal year 2017-2018, for~~ persons enrolled at a
20 Michigan public university, the department shall pay lower division
21 resident tuition and mandatory fees for the current year. ~~Beginning~~
22 ~~in fiscal year 2018-2019, for persons enrolled at a Michigan public~~
23 ~~university, the department shall pay mandatory fees for the current~~
24 ~~year and a per credit payment that does not exceed 3 times the~~
25 ~~average community college in district per credit tuition rate as~~
26 ~~reported on August 1 for the immediately preceding academic year.~~

27 (d) For persons enrolled at a Michigan independent, nonprofit

1 degree-granting college or university, or a Michigan federal
2 tribally controlled community college, or Focus: HOPE, the
3 department shall pay mandatory fees for the current year and a per-
4 credit payment that does not exceed the average community college
5 in-district per-credit tuition rate as reported on August 1, for
6 the immediately preceding academic year.

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

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

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

15 (7) ~~(8)~~—The department shall work closely with participating
16 institutions to develop an application and eligibility
17 determination process that will provide the highest level of
18 participation and ensure that all requirements of the program are
19 met.

20 (8) ~~(9)~~—Applications for the tuition incentive program may be
21 approved at any time after the student begins the sixth grade. If a
22 determination of financial eligibility is made, that determination
23 is valid as long as the student meets all other program
24 requirements and conditions.

25 (9) ~~(10)~~—Each institution shall ensure that all known
26 available restricted grants for tuition and fees are used prior to
27 billing the tuition incentive program for any portion of a

1 student's tuition and fees.

2 (10) ~~(11)~~—The department shall ensure that the tuition
3 incentive program is well publicized and that eligible Medicaid
4 clients are provided information on the program. The department
5 shall provide the necessary funding and staff to fully operate the
6 program.

7 (11) ~~(12)~~—Any unexpended and unencumbered funds remaining on
8 September 30, ~~2018-2019~~ from the amounts appropriated in section
9 236 for the tuition incentive program for fiscal year ~~2017-2018~~
10 ~~2018-2019~~ do not lapse on September 30, ~~2018,~~~~2019~~, but continue to
11 be available for expenditure for tuition incentive program funds
12 provided in the ~~2018-2019-2019-2020~~ fiscal year under a work
13 project account. The use of these unexpended fiscal year ~~2017-2018~~
14 ~~2018-2019~~ funds terminates at the end of the ~~2018-2019-2019-2020~~
15 fiscal year.

16 (12) ~~(13)~~—The department of treasury shall collaborate with
17 the center to use the P-20 longitudinal data system to report the
18 following information for each qualified postsecondary institution:

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

26 (b) The number of students in the most recently completed
27 academic year who in any academic year received a Pell grant at the

1 reporting institution and who successfully completed a degree or
 2 certificate program. Cohort graduation rates for students who
 3 received Pell grants shall be calculated using the established
 4 success rate methodology developed by the center in collaboration
 5 with the postsecondary institutions.

6 (13) ~~(14)~~—If a qualified postsecondary institution does not
 7 report the data necessary to comply with subsection ~~(13)~~ (12) to
 8 the P-20 longitudinal data system, the institution shall report, in
 9 a form and manner satisfactory to the department of treasury and
 10 the center, all of the information needed to comply with subsection
 11 ~~(13)~~ (12) by December 1, ~~2017~~ 2019.

12 (14) ~~(15)~~—Beginning in fiscal year ~~2018-2019~~, 2019-2020, if a
 13 qualified postsecondary institution does not report the data
 14 necessary to complete the reporting in subsection ~~(13)~~ (12) to the
 15 P-20 longitudinal data system by October 15 for the prior academic
 16 year, the department of treasury shall not award phase I tuition
 17 incentive program funding to otherwise eligible students enrolled
 18 in that institution until the data are submitted.

19 Sec. 263. (1) Included in the appropriation in section 236 for
 20 fiscal year ~~2017-2018~~ 2018-2019 for MSU AgBioResearch is
 21 \$2,982,900.00 and included in the appropriation in section 236 for
 22 MSU Extension is \$2,645,200.00 for Project GREEN. Project GREEN
 23 is intended to address critical regulatory, food safety, economic,
 24 and environmental problems faced by this state's plant-based
 25 agriculture, forestry, and processing industries. "GREEN" is an
 26 acronym for Generating Research and Extension to Meet Environmental
 27 and Economic Needs.

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

5 Sec. 264. Included in the appropriation in section 236 for
6 fiscal year ~~2017-2018-2018-2019~~ for Michigan State University is
7 \$80,000.00 for the Michigan Future Farmers of America Association.
8 This \$80,000.00 allocation shall not supplant any existing support
9 that Michigan State University provides to the Michigan Future
10 Farmers of America Association.

11 Sec. 265. (1) Payments under section 265a for performance
12 funding shall only be made to a public university that certifies to
13 the state budget director by August 31, ~~2017-2018~~ that its board
14 did not adopt an increase in tuition and fee rates for resident
15 undergraduate students after September 1, ~~2016-2017~~ for the ~~2016-~~
16 ~~2017-2017-2018~~ academic year and that its board will not adopt an
17 increase in tuition and fee rates for resident undergraduate
18 students for the ~~2017-2018-2018-2019~~ academic year that is greater
19 than 3.8% or ~~\$475.00, \$490.00~~, whichever is greater. As used in
20 this subsection:

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

1 increase in the average amount of board-authorized total tuition
2 and fees paid by resident undergraduate students in the ~~2017-2018~~
3 **2018-2019** academic year to exceed the limit established in this
4 subsection.

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

13 (c) For purposes of subdivision (a), for a public university
14 that compels resident undergraduate students to be covered by
15 health insurance as a condition to enroll at the university, "fee"
16 includes the annual amount a student is charged for coverage by the
17 university-affiliated group health insurance policy if he or she
18 does not provide proof that he or she is otherwise covered by
19 health insurance. This subdivision does not apply to limited
20 subsets of resident undergraduate students to be covered by health
21 insurance for specific reasons other than general enrollment at the
22 university.

23 (2) The state budget director shall implement uniform
24 reporting requirements to ensure that a public university receiving
25 a payment under section 265a for performance funding has satisfied
26 the tuition restraint requirements of this section. The state
27 budget director shall have the sole authority to determine if a

1 public university has met the requirements of this section.
2 Information reported by a public university to the state budget
3 director under this subsection shall also be reported to the house
4 and senate appropriations subcommittees on higher education and the
5 house and senate fiscal agencies.

6 (3) Universities that exceed the tuition and fee rate cap
7 described in subsection (1) shall not receive a planning or
8 construction authorization for a state-funded capital outlay
9 project in fiscal year ~~2018-2019~~**2019-2020** or fiscal year ~~2019-~~
10 ~~2020-2020-2021~~.

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

16 Sec. 265a. (1) Appropriations to public universities in
17 section 236 for fiscal year ~~2017-2018~~**2018-2019** for performance
18 funding shall be paid only to a public university that complies
19 with section 265 and certifies to the state budget director, the
20 house and senate appropriations subcommittees on higher education,
21 and the house and senate fiscal agencies by August 31, ~~2017-2018~~
22 that it complies with all of the following requirements:

23 (a) The university participates in reverse transfer agreements
24 described in section 286 with at least 3 Michigan community
25 colleges.

26 (b) The university does not and will not consider whether dual
27 enrollment credits earned by an incoming student were utilized

1 towards his or her high school graduation requirements when making
2 a determination as to whether those credits may be used by the
3 student toward completion of a university degree or certificate
4 program.

5 (c) The university actively participates in and submits timely
6 updates to the Michigan Transfer Network created as part of the
7 Michigan Association of Collegiate Registrars and Admissions
8 Officers transfer agreement.

9 (2) Any performance funding amounts under section 236 that are
10 not paid to a public university because it did not comply with 1 or
11 more requirements under subsection (1) are unappropriated and
12 reappropriated for performance funding to those public universities
13 that meet the requirements under subsection (1), distributed in
14 proportion to their performance funding appropriation amounts under
15 section 236.

16 (3) The state budget director shall report to the house and
17 senate appropriations subcommittees on higher education and the
18 house and senate fiscal agencies by September 30, ~~2017~~, **2018**,
19 regarding any performance funding amounts that are not paid to a
20 public university because it did not comply with 1 or more
21 requirements under subsection (1) and any reappropriation of funds
22 under subsection (2).

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

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

27 (b) Based on weighted undergraduate completions in critical

1 skills areas, 11.1%.

2 (c) Based on research and development expenditures, for
3 universities classified in Carnegie classifications as doctoral
4 universities: moderate research activity, doctoral universities:
5 higher research activity, or doctoral universities: highest
6 research activity only, 5.6%.

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

12 (5) For purposes of determining the score of a university
13 under subsection (4)(d), each university is assigned 1 of the
14 following scores:

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

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

18 (c) A university classified as improving, a score of 2. It is
19 the intent of the legislature that, beginning in the ~~2018-2019~~
20 **2019-2020** state fiscal year, a university classified as improving
21 is assigned a score of 1.

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

24 (6) As used in this section, "Carnegie classification" means
25 the basic classification of the university according to the most
26 recent version of the Carnegie classification of institutions of
27 higher education, published by the Carnegie Foundation for the

1 Advancement of Teaching.

2 (7) It is the intent of the legislature to allocate more
3 funding based on performance metrics in future years.

4 SEC. 265B. APPROPRIATIONS TO PUBLIC UNIVERSITIES IN SECTION
5 236 FOR FISCAL YEAR 2018-2019 FOR CAMPUS INITIATIVES SHALL BE PAID
6 ONLY TO A PUBLIC UNIVERSITY THAT COMPLIES WITH SECTIONS 265 AND
7 265A(1)(A) TO (C). ALLOCATIONS TO UNIVERSITIES ARE BASED ON A
8 DISTRIBUTION PROPORTIONAL TO EACH UNIVERSITY'S SHARE OF TOTAL
9 OPERATIONS FUNDING APPROPRIATED IN FISCAL YEAR 2010-2011.
10 APPROPRIATIONS FOR CAMPUS INITIATIVES SHALL BE LIMITED TO
11 EXPENDITURES ON 1 OR MORE OF THE FOLLOWING:

12 (A) CAMPUS SAFETY PROGRAMS.

13 (B) SEXUAL ASSAULT PREVENTION PROGRAMS.

14 (C) STUDENT MENTAL HEALTH PROGRAMS.

15 Sec. 267. All public universities shall submit the amount of
16 tuition and fees actually charged to a full-time resident
17 undergraduate student for academic year ~~2017-2018~~ **2018-2019** as part
18 of their higher education institutional data inventory (HEIDI) data
19 by August 31 of each year. A public university shall report any
20 revisions for any semester of the reported academic year ~~2017-2018~~
21 **2018-2019** tuition and fee charges to HEIDI within 15 days of being
22 adopted.

23 Sec. 268. (1) For the fiscal year ending September 30, ~~2018,~~
24 **2019**, it is the intent of the legislature that funds be allocated
25 for unfunded North American Indian tuition waiver costs incurred by
26 public universities under 1976 PA 174, MCL 390.1251 to 390.1253,
27 from the general fund.

1 (2) Appropriations in section 236(7)(f) for North American
2 Indian tuition waivers shall be paid to universities under section
3 2a of 1976 PA 174, MCL 390.1252a. Allocations shall be adjusted for
4 amounts included in university operations appropriations. If funds
5 are insufficient to support the entire cost of waivers, amounts
6 shall be prorated proportionate to each institution's shortfall as
7 a percentage of its fiscal year ~~2017-2018-2018-2019~~ state
8 appropriation for operations.

9 (3) By February 15 of each year, the department of civil
10 rights shall annually submit to the state budget director, the
11 house and senate appropriations subcommittees on higher education,
12 and the house and senate fiscal agencies a report on North American
13 Indian tuition waivers for the preceding academic year that
14 includes, but is not limited to, all of the following information:

15 (a) The number of waiver applications received and the number
16 of waiver applications approved.

17 (b) For each university submitting information under
18 subsection (4), all of the following:

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

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

24 (iii) The number of graduate and undergraduate students
25 attending under a North American Indian tuition waiver who withdrew
26 from the university each term during the previous academic year.

27 For purposes of this subparagraph, a withdrawal occurs when a

1 student who has been awarded the waiver withdraws from the
2 institution at any point during the term, regardless of enrollment
3 in subsequent terms.

4 (iv) The number of graduate and undergraduate students
5 attending under a North American Indian tuition waiver who
6 successfully complete a degree or certificate program, separated by
7 degree or certificate level, and the graduation rate for graduate
8 and undergraduate students attending under a North American Indian
9 tuition waiver who complete a degree or certificate within 150% of
10 the normal time to complete, separated by the level of the degree
11 or certificate.

12 (4) A public university that receives funds under section 236
13 shall provide to the department of civil rights any information
14 necessary for preparing the report detailed in subsection (3),
15 using guidelines and procedures developed by the department of
16 civil rights.

17 (5) The department of civil rights may consolidate the report
18 required under this section with the report required under section
19 223, but a consolidated report must separately identify data for
20 universities and data for community colleges.

21 Sec. 269. For fiscal year ~~2017-2018~~, **2018-2019**, from the
22 amount appropriated in section 236 to Central Michigan University
23 for operations, \$29,700.00 shall be paid to Saginaw Chippewa Tribal
24 College for the costs of waiving tuition for North American Indians
25 under 1976 PA 174, MCL 390.1251 to 390.1253.

26 Sec. 270. For fiscal year ~~2017-2018~~, **2018-2019**, from the
27 amount appropriated in section 236 to Lake Superior State

1 University for operations, \$100,000.00 shall be paid to Bay Mills
2 Community College for the costs of waiving tuition for North
3 American Indians under 1976 PA 174, MCL 390.1251 to 390.1253.

4 Sec. 274. It is the intent of the legislature that public and
5 private organizations that conduct human embryonic stem cell
6 derivation subject to section 27 of article I of the state
7 constitution of 1963 will provide information to the director of
8 the department of health and human services by December 1, ~~2017~~
9 **2018** that includes all of the following:

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

15 (b) A list of all human embryonic stem cell lines submitted by
16 the organization to the National Institutes of Health for inclusion
17 in the Human Embryonic Stem Cell Registry before and during fiscal
18 year ~~2016-2017, 2017-2018~~, and the status of each submission as
19 approved, pending approval, or review completed but not yet
20 accepted.

21 (c) Number of human embryonic stem cell lines derived and not
22 submitted for inclusion in the Human Embryonic Stem Cell Registry,
23 before and during fiscal year ~~2016-2017, 2017-2018~~.

24 Sec. 274c. By February 1, ~~2018, 2019~~, each university
25 receiving funds under section 236 shall report to the senate and
26 house appropriations subcommittees on higher education, the senate
27 and house fiscal agencies, and the state budget director on its

Senate Bill No. 857 as amended May 3, 2018

1 efforts to develop and implement sexual assault response training
2 for the university's title IX coordinator, campus law enforcement
3 personnel, campus public safety personnel, and any other campus
4 personnel charged with responding to on-campus incidents, including
5 information on sexual assault response training materials and the
6 status of implementing sexual assault response training for campus
7 personnel.

8 Sec. 274d. By October 31, each university receiving funds
9 under section 236 shall report to the senate and house
10 appropriations subcommittees on higher education, the senate and
11 house fiscal agencies, and the state budget director its annual
12 title IX report, also known as the student sexual misconduct
13 report, issued by the title IX coordinator, as required under the
14 federal campus save act of 2013, Public Law 113-4, section 304, 127
15 —Stat 54, 89-92 (2013).

16 **SEC. 274E. PURSUANT TO SECTION 4 OF ARTICLE VIII OF THE STATE**
17 **CONSTITUTION OF 1963, APPROPRIATIONS OF STATE TAXPAYER FUNDING**
18 **PROVIDED FOR IN SECTION 236 SHALL BE EXPENDED TO MAINTAIN MICHIGAN**
19 **PUBLIC UNIVERSITIES. EACH PUBLIC UNIVERSITY THAT RECEIVES STATE**
20 **FUNDING SHALL PROVIDE THE LEGISLATURE WITH AN ANNUAL ACCOUNTING OF**
21 **ALL OF ITS INCOME AND EXPENDITURES.**

22 <<**SEC. 274F.EACH PUBLIC UNIVERSITY RECEIVING FUNDS UNDER SECTION**
23 **236 SHALL REQUIRE THAT THE GOVERNING BOARD AND THE PRESIDENT OF THE**
24 **UNIVERSITY RECEIVE NOT LESS THAN QUARTERLY REPORTS FROM THEIR TITLE IX**
25 **COORDINATOR OR TITLE IX OFFICE. THE REPORT SHALL CONTAIN AGGREGATED DATA**
26 **OF THE NUMBER OF SEXUAL MISCONDUCT REPORTS THAT THE OFFICE RECEIVED FOR**
27 **THE ACADEMIC YEAR, THE TYPES OF REPORTS RECEIVED, AND A SUMMARY OF THE**
GENERAL OUTCOMES OF THE REPORTS AND INVESTIGATIONS. THE REPORT SHALL NOT
CONTAIN SPECIFIC IDENTIFYING INFORMATION.

Senate Bill No. 857 as amended May 3, 2018

1 >>.

2 Sec. 275b. (1) Each public university receiving funds under
3 section 236 shall ensure that the public university does all of the
4 following in its admission application process if it knows that an
5 applicant for admission is currently serving, or has ever served,
6 as a member of the military, the ~~national guard~~, **NATIONAL GUARD**, or
7 the military reserves:

8 (a) Inform the applicant that he or she may receive academic
9 credit for college-level training and education he or she received
10 while serving in the military.

11 (b) Inform the applicant that he or she may submit a
12 transcript of his or her college-level military training and
13 education to the public university.

14 (c) If the applicant submits a transcript described in
15 subdivision (b), evaluate that transcript and notify the applicant
16 of what transfer credits are available to the applicant from the
17 public university for his or her college-level military training
18 and education.

19 (2) As used in this section, "transcript" includes a joint
20 services transcript prepared for the applicant under the American
21 council on education registry of credit recommendations.

22 Sec. 276. (1) Included in the appropriation for fiscal year
23 ~~2017-2018-2018-2019~~ for each public university in section 236 is
24 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
25 future faculty program that is intended to increase the pool of
26 academically or economically disadvantaged candidates pursuing
27 faculty teaching careers in postsecondary education. Preference may

1 not be given to applicants on the basis of race, color, ethnicity,
2 gender, or national origin. Institutions should encourage
3 applications from applicants who would otherwise not adequately be
4 represented in the graduate student and faculty populations. Each
5 public university shall apply the percentage change applicable to
6 every public university in the calculation of appropriations in
7 section 236 to the amount of funds allocated to the future faculty
8 program.

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

13 Sec. 277. (1) Included in the appropriation for fiscal year
14 ~~2017-2018-2018-2019~~ for each public university in section 236 is
15 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
16 college day program that is intended to introduce academically or
17 economically disadvantaged schoolchildren to the potential of a
18 college education. Preference may not be given to participants on
19 the basis of race, color, ethnicity, gender, or national origin.
20 Public universities should encourage participation from those who
21 would otherwise not adequately be represented in the student
22 population.

23 (2) Individual program plans of each public university shall
24 include a budget of equal contributions from this program, the
25 participating public university, the participating school district,
26 and the participating independent degree-granting college. College
27 day funds shall not be expended to cover indirect costs. Not more

1 than 20% of the university match shall be attributable to indirect
2 costs. Each public university shall apply the percentage change
3 applicable to every public university in the calculation of
4 appropriations in section 236 to the amount of funds allocated to
5 the college day program.

6 (3) The program described in this section shall be
7 administered by each public university in a manner prescribed by
8 the workforce development agency.

9 Sec. 278. (1) Included in section 236 for fiscal year ~~2017-~~
10 ~~2018-2018-2019~~ is funding for the Martin Luther King, Jr. - Cesar
11 Chavez - Rosa Parks select student support services program for
12 developing academically or economically disadvantaged student
13 retention programs for 4-year public and independent educational
14 institutions in this state. Preference may not be given to
15 participants on the basis of race, color, ethnicity, gender, or
16 national origin. Institutions should encourage participation from
17 those who would otherwise not adequately be represented in the
18 student population.

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

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

24 Sec. 279. (1) Included in section 236 for fiscal year ~~2017-~~
25 ~~2018-2018-2019~~ is funding for the Martin Luther King, Jr. - Cesar
26 Chavez - Rosa Parks college/university partnership program between
27 4-year public and independent colleges and universities and public

1 community colleges, which is intended to increase the number of
2 academically or economically disadvantaged students who transfer
3 from community colleges into baccalaureate programs. Preference may
4 not be given to participants on the basis of race, color,
5 ethnicity, gender, or national origin. Institutions should
6 encourage participation from those who would otherwise not
7 adequately be represented in the transfer student population.

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

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

15 Sec. 280. (1) Included in the appropriation for fiscal year
16 ~~2017-2018-2018-2019~~ for each public university in section 236 is
17 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
18 visiting professors program which is intended to increase the
19 number of instructors in the classroom to provide role models for
20 academically or economically disadvantaged students. Preference may
21 not be given to participants on the basis of race, color,
22 ethnicity, gender, or national origin. Public universities should
23 encourage participation from those who would otherwise not
24 adequately be represented in the student population.

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

27 Sec. 281. (1) Included in the appropriation for fiscal year

1 ~~2017-2018-2018-2019~~ in section 236 is funding under the Martin
2 Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the
3 Morris Hood, Jr. educator development program which is intended to
4 increase the number of academically or economically disadvantaged
5 students who enroll in and complete K-12 teacher education programs
6 at the baccalaureate level. Preference may not be given to
7 participants on the basis of race, color, ethnicity, gender, or
8 national origin. Institutions should encourage participation from
9 those who would otherwise not adequately be represented in the
10 teacher education student population.

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

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

18 Sec. 282. Each institution receiving funds for fiscal year
19 ~~2017-2018-2018-2019~~ under section 278, 279, or 281 shall provide to
20 the workforce development agency by April 15, ~~2018-2019~~ the
21 unobligated and unexpended funds as of March 31, ~~2018-2019~~ and a
22 plan to expend the remaining funds by the end of the fiscal year.
23 Notwithstanding the award limitations in sections 278 and 279, the
24 amount of funding reported as not being expended will be
25 reallocated to the institutions that intend to expend all funding
26 received under section 278, 279, or 281.

27 Sec. 289. (1) ~~The~~ **NOT LESS THAN EVERY 4 YEARS, THE** auditor

1 general shall ~~periodically~~ audit higher education institutional
2 data inventory (HEIDI) data submitted by all public universities
3 under section 241 and may perform audits of selected public
4 universities if determined necessary. The audits shall be based
5 upon the definitions, requirements, and uniform reporting
6 categories established by the state budget director in consultation
7 with the HEIDI advisory committee. The auditor general shall submit
8 a report of findings to the house and senate appropriations
9 committees and the state budget director no later than July 1 of
10 each year an audit takes place.

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

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

17 (b) Student credit hours generated through distance learning
18 instruction for students not eligible for the public university's
19 in-state main campus resident tuition rate. However, in instances
20 where a student is enrolled in distance education and non-distance
21 education credit hours in a given term and the student's non-
22 distance education enrollment is at a campus or site located within
23 Michigan, student credit hours per the student's eligibility for
24 in-state or out-of-state tuition rates may be reported.

25 (c) Student credit hours generated through credit by
26 examination.

27 (d) Student credit hours generated through inmate prison

1 programs regardless of teaching location.

2 (e) Student credit hours generated in new degree programs
3 created on or after January 1, 1975 and before January 1, 2013,
4 that were not specifically authorized for funding by the
5 legislature, except spin-off programs converted from existing core
6 programs, and student credit hours generated in any new degree
7 programs created after January 1, 2013, that are specifically
8 excluded from reporting by the legislature under this section.

9 (3) "Distance learning instruction" as used in subsection (2)
10 means instruction that occurs solely in other than a traditional
11 classroom setting where the student and instructor are in the same
12 physical location and for which a student receives course credits
13 and is charged tuition and fees. Examples of distance learning
14 instruction are instruction delivered solely through the internet,
15 cable television, teleconference, or mail.

16 Enacting section 1. In accordance with section 30 of article
17 IX of the state constitution of 1963, total state spending from
18 state sources for higher education for fiscal year 2018-2019 under
19 article III of the state school aid act of 1979, 1979 PA 94, MCL
20 388.1836 to 388.1891, is estimated at \$1,561,121,300.00 and the
21 amount of that state spending from state sources to be paid to
22 local units of government for fiscal year 2018-2019 is estimated at
23 \$0.00.

24 Enacting section 2. This amendatory act takes effect October
25 1, 2018.