

HOUSE BILL No. 5760

April 23, 1998, Introduced by Rep. Whyman and referred to the Committee on Constitutional and Civil Rights.

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending section 402 (MCL 37.2402), as amended by 1993 PA 216.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 402. An educational institution shall not do any of
2 the following:

3 (a) Discriminate against an individual in the full utiliza-
4 tion of or benefit from the institution, or the services, activi-
5 ties, or programs provided by the institution because of reli-
6 gion, race, color, national origin, or sex.

7 (b) Exclude, expel, limit, or otherwise discriminate against
8 an individual seeking admission as a student or an individual
9 enrolled as a student in the terms, conditions, or privileges of

1 the institution, because of religion, race, color, national
2 origin, or sex.

3 (c) For purposes of admission only, make or use a written or
4 oral inquiry or form of application that elicits or attempts to
5 elicit information concerning the religion, race, color, national
6 origin, age, sex, or marital status of a person, except as per-
7 mitted by rule of the commission or as required by federal law,
8 rule, or regulation, or pursuant to an affirmative action
9 program.

10 (d) Print or publish or cause to be printed or published a
11 catalog, notice, or advertisement indicating a preference, limi-
12 tation, specification, or discrimination based on the religion,
13 race, color, national origin, or sex of an applicant for admis-
14 sion to the educational institution.

15 (e) Announce or follow a policy of denial or limitation
16 through a quota or otherwise of educational opportunities of a
17 group or its members because of religion, race, color, national
18 origin, or sex.

19 (F) USE RELIGION, RACE, COLOR, NATIONAL ORIGIN, OR SEX AS A
20 CRITERION FOR EITHER DISCRIMINATING AGAINST OR GRANTING PREFEREN-
21 TIAL TREATMENT TO AN INDIVIDUAL APPLYING FOR EITHER OF THE
22 FOLLOWING:

23 (i) ADMISSION TO THE EDUCATIONAL INSTITUTION.

24 (ii) A SCHOLARSHIP OR FINANCIAL AID FUNDED WHOLLY OR IN PART
25 BY THE EDUCATIONAL INSTITUTION.