

**SUBSTITUTE FOR  
HOUSE BILL NO. 4236**

A bill to amend 1979 PA 94, entitled  
"The state school aid act of 1979,"  
by amending sections 236, 236a, 236b, 236c, 237, 241, 245, 245a,  
251, 252, 256, 263, 264, 265, 265a, 265b, 265c, 265d, 267, 268,  
269, 270, 274, 274c, 276, 277, 278, 279, 280, 281, 282, 283, and  
289 (MCL 388.1836, 388.1836a, 388.1836b, 388.1836c, 388.1837,  
388.1841, 388.1845, 388.1845a, 388.1851, 388.1852, 388.1856,  
388.1863, 388.1864, 388.1865, 388.1865a, 388.1865b, 388.1865c,  
388.1865d, 388.1867, 388.1868, 388.1869, 388.1870, 388.1874,  
388.1874c, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880,  
388.1881, 388.1882, 388.1883, and 388.1889), sections 236, 236a,  
236b, 236c, 241, 245, 251, 252, 256, 263, 264, 265a, 267, 268, 269,  
270, 274, 274c, 276, 277, 278, 279, 280, 281, 282, and 289 as  
amended and sections 245a, 265b, 265c, and 265d as added by 2018 PA

265, section 237 as amended by 2012 PA 201, section 265 as amended by 2018 PA 586, and section 283 as amended by 2017 PA 108.

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

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

6       (a) The gross appropriation is ~~\$1,669,732,600.00.~~  
7 **\$1,681,045,100.00.** After deducting total interdepartmental grants  
8 and intradepartmental transfers in the amount of \$0.00, the  
9 adjusted gross appropriation is ~~\$1,669,732,600.00.~~  
10 **\$1,681,045,100.00.**

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

13       (i) Total federal revenues, \$123,526,400.00.

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

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

16       (iv) Total other state restricted revenues,  
17 ~~\$500,188,300.00.~~**\$150,000.00.**

18       (v) State general fund/general purpose money,  
19 ~~\$1,046,017,900.00.~~**\$1,557,368,700.00.**

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

22       (a) The appropriation for Central Michigan University is  
23 ~~\$87,415,000.00, \$85,654,400.00 for operations and \$1,760,600.00 for~~  
24 ~~performance funding.~~**\$89,076,800.00, \$87,415,000.00 FOR OPERATIONS,**

1    **\$421,600.00 FOR PERFORMANCE FUNDING, AND \$1,240,200.00 FOR INDIAN**  
2    **TUITION WAIVER SHORTFALL PAYMENT.**

3           (b) The appropriation for Eastern Michigan University is  
4    ~~\$76,979,300.00, \$75,169,900.00 for operations and \$1,809,400.00 for~~  
5    ~~performance funding.~~**\$77,402,000.00, \$76,979,300.00 FOR OPERATIONS,**  
6    **\$288,200.00 FOR PERFORMANCE FUNDING, AND \$134,500.00 FOR INDIAN**  
7    **TUITION WAIVER SHORTFALL PAYMENT.**

8           (c) The appropriation for Ferris State University is  
9    ~~\$54,950,700.00, \$53,595,500.00 for operations and \$1,355,200.00 for~~  
10   ~~performance funding.~~**\$55,955,600.00, \$54,950,700.00 FOR OPERATIONS,**  
11   **\$254,500.00 FOR PERFORMANCE FUNDING, AND \$750,400.00 FOR INDIAN**  
12   **TUITION WAIVER SHORTFALL PAYMENT.**

13          (d) The appropriation for Grand Valley State University is  
14   ~~\$72,056,600.00, \$70,100,100.00 for operations and \$1,956,500.00 for~~  
15   ~~performance funding.~~**\$73,187,600.00, \$72,056,600.00 FOR OPERATIONS,**  
16   **\$362,100.00 FOR PERFORMANCE FUNDING, AND \$768,900.00 FOR INDIAN**  
17   **TUITION WAIVER SHORTFALL PAYMENT.**

18          (e) The appropriation for Lake Superior State University is  
19   ~~\$13,987,000.00, \$13,775,000.00 for operations and \$212,000.00 for~~  
20   ~~performance funding.~~**\$14,282,100.00, \$13,987,000.00 FOR OPERATIONS,**  
21   **\$31,400.00 FOR PERFORMANCE FUNDING, AND \$263,700.00 FOR INDIAN**  
22   **TUITION WAIVER SHORTFALL PAYMENT.**

23          (f) The appropriation for Michigan State University is  
24   ~~\$350,703,300.00, \$281,239,100.00 for operations, \$5,035,100.00 for~~  
25   ~~performance funding, \$34,591,400.00 for MSU AgBioResearch, and~~  
26   ~~\$29,837,700.00 for MSU Extension.~~**\$353,208,500.00, \$286,274,200.00**  
27   **FOR OPERATIONS, \$872,000.00 FOR PERFORMANCE FUNDING, \$988,900.00**

1 FOR INDIAN TUITION WAIVER SHORTFALL PAYMENT, \$34,937,300.00 FOR MSU  
2 AGBIORESEARCH, AND \$30,136,100.00 FOR MSU EXTENSION.

3 (g) The appropriation for Michigan Technological University is  
4 ~~\$49,949,600.00, \$49,052,200.00 for operations and \$897,400.00 for~~  
5 ~~performance funding.~~ \$50,440,600.00, \$49,949,600.00 FOR OPERATIONS,  
6 \$158,000.00 FOR PERFORMANCE FUNDING, AND \$333,000.00 FOR INDIAN  
7 TUITION WAIVER SHORTFALL PAYMENT.

8 (h) The appropriation for Northern Michigan University is  
9 ~~\$47,998,400.00, \$47,137,400.00 for operations and \$861,000.00 for~~  
10 ~~performance funding.~~ \$48,786,000.00, \$47,998,400.00 FOR OPERATIONS,  
11 \$147,500.00 FOR PERFORMANCE FUNDING, AND \$640,100.00 FOR INDIAN  
12 TUITION WAIVER SHORTFALL PAYMENT.

13 (i) The appropriation for Oakland University is  
14 ~~\$52,819,200.00, \$51,235,900.00 for operations and \$1,583,300.00 for~~  
15 ~~performance funding.~~ \$53,370,100.00, \$52,819,200.00 FOR OPERATIONS,  
16 \$374,600.00 FOR PERFORMANCE FUNDING, AND \$176,300.00 FOR INDIAN  
17 TUITION WAIVER SHORTFALL PAYMENT.

18 (j) The appropriation for Saginaw Valley State University is  
19 ~~\$30,528,000.00, \$29,766,100.00 for operations and \$761,900.00 for~~  
20 ~~performance funding.~~ \$30,784,400.00, \$30,528,000.00 FOR OPERATIONS,  
21 \$116,900.00 FOR PERFORMANCE FUNDING, AND \$139,500.00 FOR INDIAN  
22 TUITION WAIVER SHORTFALL PAYMENT.

23 (k) The appropriation for University of Michigan - Ann Arbor  
24 is ~~\$320,782,400.00, \$314,589,100.00 for operations and~~  
25 ~~\$6,193,300.00 for performance funding.~~ \$321,986,700.00,  
26 \$320,782,400.00 FOR OPERATIONS, \$929,800.00 FOR PERFORMANCE  
27 FUNDING, AND \$274,500.00 FOR INDIAN TUITION WAIVER SHORTFALL

1 **PAYMENT.**

2 (l) The appropriation for University of Michigan - Dearborn is  
 3 ~~\$26,071,800.00, \$25,421,900.00 for operations and \$649,900.00 for~~  
 4 ~~performance funding.~~**\$26,312,400.00, \$26,071,800.00 FOR OPERATIONS,**  
 5 **\$172,500.00 FOR PERFORMANCE FUNDING, AND \$68,100.00 FOR INDIAN**  
 6 **TUITION WAIVER SHORTFALL PAYMENT.**

7 (m) The appropriation for University of Michigan - Flint is  
 8 ~~\$23,585,400.00, \$23,061,800.00 for operations and \$523,600.00 for~~  
 9 ~~performance funding.~~**\$23,869,800.00, \$23,585,400.00 FOR OPERATIONS,**  
 10 **\$118,000.00 FOR PERFORMANCE FUNDING, AND \$166,400.00 FOR INDIAN**  
 11 **TUITION WAIVER SHORTFALL PAYMENT.**

12 (n) The appropriation for Wayne State University is  
 13 ~~\$202,363,200.00, \$199,169,800.00 for operations and \$3,193,400.00~~  
 14 ~~for performance funding.~~**\$203,096,400.00, \$202,363,200.00 FOR**  
 15 **OPERATIONS, \$568,800.00 FOR PERFORMANCE FUNDING, AND \$164,400.00**  
 16 **FOR INDIAN TUITION WAIVER SHORTFALL PAYMENT.**

17 (o) The appropriation for Western Michigan University is  
 18 ~~\$111,151,000.00, \$109,376,800.00 for operations and \$1,774,200.00~~  
 19 ~~for performance funding.~~**\$112,164,500.00, \$111,151,000.00 FOR**  
 20 **OPERATIONS, \$435,300.00 FOR PERFORMANCE FUNDING, AND \$578,200.00**  
 21 **FOR INDIAN TUITION WAIVER SHORTFALL PAYMENT.**

22 (3) The amount appropriated in subsection (2) for public  
 23 universities is **\$1,533,923,500.00**, appropriated from ~~the following:~~

24 ~~—— (a) State school aid fund, \$494,286,300.00.~~

25 ~~—— (b) State general fund/general purpose money. 7~~

26 ~~\$1,027,054,600.00.~~

27 (4) The amount appropriated for Michigan public school

1 employees' retirement system reimbursement is ~~\$5,133,000.00,~~  
 2 **\$5,017,000.00**, appropriated from ~~the state school aid fund.~~**GENERAL**  
 3 **FUND/GENERAL PURPOSE MONEY.**

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

7 (a) Higher education database modernization and conversion,  
 8 \$200,000.00.

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

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

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

14 (b) Michigan college/university partnership program,  
 15 \$586,800.00.

16 (c) Morris Hood, Jr. educator development program,  
 17 \$148,600.00.

18 (7) Subject to subsection (8), the amount appropriated for  
 19 grants and financial aid is ~~\$139,583,200.00,~~ **\$137,714,100.00**,  
 20 allocated as follows:

21 (a) State competitive scholarships,  
 22 ~~\$32,361,700.00.~~ **\$30,292,600.00.**

23 (b) Tuition grants, ~~\$38,021,500.00.~~ **\$38,521,500.00.**

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

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

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

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

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

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

7 (b) Federal revenues under the social security act, temporary  
8 assistance for needy families, \$120,326,400.00.

9 ~~—— (c) Contributions to children of veterans tuition grant  
10 program, \$100,000.00.~~

11 (C) ~~(d)~~ State general fund/general purpose money,  
12 ~~\$15,956,800.00.~~ **\$14,187,700.00.**

13 (9) For fiscal year ~~2018-2019~~ **2019-2020** only, in addition to  
14 the allocation under subsection (4), from the appropriations  
15 described in subsection (1), there is allocated an amount not to  
16 exceed ~~\$669,000.00~~ **\$1,234,000.00** for payments to participating  
17 public universities, appropriated from ~~the state school aid fund.~~  
18 **GENERAL FUND/GENERAL PURPOSE MONEY.** A university that receives  
19 money under this subsection shall use that money solely for the  
20 purpose of offsetting the normal cost contribution rate. As used in  
21 this subsection, "participating public universities" means public  
22 universities that are a reporting unit of the Michigan public  
23 school employees' retirement system under the public school  
24 employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to  
25 38.1437, and that pay contributions to the Michigan public school  
26 employees' retirement system for the state fiscal year.

27 **(10) THE AMOUNT APPROPRIATED FOR PREGNANT AND PARENTING**

1 STUDENT SERVICES IS \$150,000.00, APPROPRIATED FROM THE PREGNANT AND  
2 PARENTING STUDENT SERVICES FUND CREATED IN, AND SUBJECT TO THE  
3 CONDITIONS OF, THE PREGNANT AND PARENTING SERVICES ACT, 2004 PA  
4 500, MCL 390.1591 TO 390.1596.

5 Sec. 236a. It is the intent of the legislature to provide  
6 appropriations for the fiscal year ending on September 30, ~~2020~~  
7 **2021** for the items listed in section 236. The fiscal year ~~2019-2020~~  
8 **2020-2021** appropriations are anticipated to be the same as those  
9 for fiscal year ~~2018-2019,~~ **2019-2020**, except that the amounts will  
10 be adjusted for changes in caseload and related costs, federal fund  
11 match rates, economic factors, and available revenue. These  
12 adjustments will be determined after the January ~~2019-2020~~  
13 consensus revenue estimating conference.

14 Sec. 236b. In addition to the funds appropriated in section  
15 236, there is appropriated for grants and financial aid in fiscal  
16 year ~~2018-2019-2019-2020~~ an amount not to exceed \$6,000,000.00 for  
17 federal contingency funds. These funds are not available for  
18 expenditure until they have been transferred under section 393(2)  
19 of the management and budget act, 1984 PA 431, MCL 18.1393, for  
20 another purpose under this article.

21 Sec. 236c. In addition to the funds appropriated for fiscal  
22 year ~~2018-2019-2019-2020~~ in section 236, appropriations to the  
23 department of technology, management, and budget in the act  
24 providing general appropriations for fiscal year ~~2018-2019-2019-~~  
25 **2020** for state building authority rent, totaling an estimated  
26 ~~\$155,478,500.00,~~ **\$144,995,300.00** provide funding for the state  
27 share of costs for previously constructed capital projects for



1 state universities. These appropriations for state building  
2 authority rent represent additional state general fund support  
3 provided to public universities, and the following is an estimate  
4 of the amount of that support to each university:

5 (a) Central Michigan University,

6 ~~\$12,936,500.00.~~**\$12,141,800.00.**

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

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

9 (d) Grand Valley State University,

10 ~~\$8,800,000.00.~~**\$6,752,400.00.**

11 (e) Lake Superior State University,

12 ~~\$2,285,800.00.~~**\$1,856,100.00.**

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

14 (g) Michigan Technological University,

15 ~~\$6,782,000.00.~~**\$6,912,500.00.**

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

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

18 (j) Saginaw Valley State University,

19 ~~\$10,984,000.00.~~**\$10,670,900.00.**

20 (k) University of Michigan - Ann Arbor,

21 ~~\$11,861,000.00.~~**\$9,795,900.00.**

22 (l) University of Michigan - Dearborn,

23 ~~\$10,918,000.00.~~**\$9,522,700.00.**

24 (m) University of Michigan - Flint,

25 ~~\$6,244,800.00.~~**\$4,128,900.00.**

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

27 (o) Western Michigan University,

1 ~~\$16,062,900.00.~~**\$15,225,200.00.**

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

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

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

27       Sec. 245. (1) A public university shall maintain a public

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

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

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

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

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

15 (A) Earnings and wages.

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

19 (C) Retirement benefit costs.

20 (D) All other personnel costs.

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

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

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

1           (ii) Each health care benefits plan, including, but not  
2     limited to, medical, dental, vision, disability, long-term care, or  
3     any other type of benefits that would constitute health care  
4     services, offered to any bargaining unit or employee of the public  
5     university.

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

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

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

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

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

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

20           **(I) THE NUMBER AND PERCENTAGE OF GRADUATES WHO REMAIN IN THIS**  
21    **STATE.**

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

1 (a) Enrollment.

2 (b) Student retention rate.

3 (c) Six-year graduation rates.

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

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

8 (f) Faculty to student ratios and total university employee to  
9 student ratios.

10 (g) Teaching load by faculty classification.

11 (h) Graduation outcome rates, including employment and  
12 continuing education.

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

21 (5) The state budget director shall determine whether a public  
22 university has complied with this section. The state budget  
23 director may withhold a public university's monthly installments  
24 described in section 241 until the public university complies with  
25 this section.

26 (6) By **THE FIRST BUSINESS DAY OF** November ~~15~~ of each year, a  
27 public university shall report the following information to the

center and post the information on its website under the budget transparency icon badge:

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

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

(ii) Direct college credit or concurrent enrollment.

(iii) Dual enrollment.

(iv) An early college/middle college program.

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

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

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

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

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

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

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

(vii) Instructional resources offered to the program instructors.

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

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

3 (7) A PUBLIC UNIVERSITY SHALL COLLECT AND REPORT THE NUMBER  
4 AND PERCENTAGE OF GRADUATES WHO REMAIN IN THIS STATE, BROKEN OUT BY  
5 UNDERGRADUATE AND GRADUATE/PROFESSIONAL CLASSIFICATIONS, TO THE  
6 CENTER AND POST THE INFORMATION ON ITS WEBSITE UNDER THE BUDGET  
7 TRANSPARENCY ICON BADGE.

8 (8) A PUBLIC UNIVERSITY SHALL COLLECT AND REPORT THE NUMBER  
9 AND PERCENTAGE OF ALL ENROLLED STUDENTS WHO COMPLETE THE FREE  
10 APPLICATION FOR FEDERAL STUDENT AID, BROKEN OUT BY UNDERGRADUATE  
11 AND GRADUATE/PROFESSIONAL CLASSIFICATIONS, TO THE CENTER AND POST  
12 THE INFORMATION ON ITS WEBSITE UNDER THE BUDGET TRANSPARENCY ICON  
13 BADGE.

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

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

22 (a) Emergency contact numbers for police, fire, health, and  
23 other services.

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

26 (c) A listing of safety and security services provided by the  
27 university, including transportation, escort services, building

1 surveillance, anonymous tip lines, and other available security  
2 services.

3 (d) A public university's policies applicable to minors on  
4 university property.

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

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

12 (g) Campus security policies and crime statistics pursuant to  
13 the student right-to-know and campus security act, Public Law 101-  
14 542, 104 Stat 2381. Information shall include all material prepared  
15 pursuant to the public information reporting requirements under the  
16 crime awareness and campus security act of 1990, title II of the  
17 student right-to-know and campus security act, Public Law 101-542,  
18 104 Stat 2381.

19 (3) A public university shall certify to the state budget  
20 director by August 31, ~~2018~~**2019** that it is in compliance with this  
21 section. The state budget director may withhold a public  
22 university's monthly installments described in section 241 until  
23 the public university complies with this section.

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

27 (2) Pursuant to section 6 of 1964 PA 208, MCL 390.976, the



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

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

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

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

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

4 (7) Any unexpended and unencumbered funds remaining on  
5 September 30, ~~2019-2020~~ from the amounts appropriated in section  
6 236 for the state competitive scholarship program for fiscal year  
7 ~~2018-2019-2019-2020~~ do not lapse on September 30, ~~2019-2020~~, but  
8 continue to be available for the expenditure for state competitive  
9 scholarships provided in the ~~2019-2020-2020-2021~~ fiscal year under  
10 a work project account. The use of these unexpended fiscal year  
11 ~~2018-2019-2019-2020~~ funds terminates at the end of the ~~2019-2020~~  
12 **2020-2021** fiscal year.

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

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

20 (3) Pursuant to section 5 of 1966 PA 313, MCL 390.995, and  
21 subject to subsections (7) and (8), the department of treasury  
22 shall determine an actual maximum tuition grant award per student,  
23 which shall be no less than ~~\$2,400.00~~, **\$2,450.00**, that ensures that  
24 the aggregate payments for the tuition grant program do not exceed  
25 the appropriation contained in section 236 for the state tuition  
26 grant program. If the department determines that insufficient funds  
27 are available to establish a maximum award amount equal to at least

1 ~~\$2,400.00,~~ **\$2,450.00**, the department shall immediately report to  
2 the house and senate appropriations subcommittees on higher  
3 education, the house and senate fiscal agencies, and the state  
4 budget director regarding the estimated amount of additional funds  
5 necessary to establish a ~~\$2,400.00~~ **\$2,450.00** maximum award amount.  
6 If the department determines that sufficient funds are available to  
7 establish a maximum award amount equal to at least ~~\$2,400.00,~~  
8 **\$2,450.00**, the department shall immediately report to the house and  
9 senate appropriations subcommittees on higher education, the house  
10 and senate fiscal agencies, and the state budget director regarding  
11 the maximum award amount established and the projected amount of  
12 any projected year-end appropriation balance based on that maximum  
13 award amount. By February 18 of each fiscal year, the department  
14 shall analyze the status of award commitments, shall make any  
15 necessary adjustments, and shall confirm that those award  
16 commitments will not exceed the appropriation contained in section  
17 236 for the tuition grant program. The determination and actions  
18 shall be reported to the state budget director and the house and  
19 senate fiscal agencies no later than the final day of February of  
20 each year. If award adjustments are necessary, the students shall  
21 be notified of the adjustment by March 4 of each year.

22 (4) Any unexpended and unencumbered funds remaining on  
23 September 30, ~~2019~~ **2020** from the amounts appropriated in section  
24 236 for the tuition grant program for fiscal year ~~2018-2019~~ **2019-**  
25 **2020** do not lapse on September 30, ~~2019,~~ **2020**, but continue to be  
26 available for expenditure for tuition grants provided in the ~~2019-~~  
27 ~~2020-2020-2021~~ fiscal year under a work project account.

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

4           (6) 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 for that  
10 fiscal year.

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

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

26           (a) The number of students in the most recently completed  
27 academic year who in any academic year received a state tuition

1 grant at the reporting institution and successfully completed a  
2 program or graduated.

3 (b) The number of students in the most recently completed  
4 academic year who in any academic year received a state tuition  
5 grant at the reporting institution and took a remedial education  
6 class.

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

11 (9) By February 1, ~~2019~~, **2020**, each independent college and  
12 university participating in the tuition grant program shall report  
13 to the senate and house appropriations subcommittees on higher  
14 education, the senate and house fiscal agencies, and the state  
15 budget director on its efforts to develop and implement sexual  
16 assault response training for the institution's title IX  
17 coordinator, campus law enforcement personnel, campus public safety  
18 personnel, and any other campus personnel charged with responding  
19 to on-campus incidents, including information on sexual assault  
20 response training materials and the status of implementing sexual  
21 assault response training for institutional personnel.

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

26 (2) As used in this section:

27 (a) "Phase I" means the first part of the tuition incentive

1 program defined as the academic period of 80 semester or 120 term  
2 credits, or less, leading to an associate degree or certificate.  
3 Students must be enrolled in a certificate or associate degree  
4 program and taking classes within the program of study for a  
5 certificate or associate degree. Tuition will not be covered for  
6 courses outside of a certificate or associate degree program.

7 (b) "Phase II" means the second part of the tuition incentive  
8 program which provides assistance in the third and fourth year of  
9 4-year degree programs.

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

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

13 (3) An individual shall meet the following basic criteria and  
14 financial thresholds to be eligible for tuition incentive program  
15 benefits:

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

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

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

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

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

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

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

14           (i) Complete at least 56 transferable semester or 84  
15 transferable term credits.

16           (ii) Obtain an associate degree or certificate at a  
17 participating institution.

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

1 grade. ~~As used in this subdivision, "incarcerated" does not include~~  
2 ~~detention of a juvenile in a state-operated or privately operated~~  
3 ~~juvenile detention facility.~~

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

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

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

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

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

21 (d) For persons enrolled at a Michigan independent, nonprofit  
22 degree-granting college or university, or a Michigan federal  
23 tribally controlled community college, or Focus: HOPE, the  
24 department shall pay mandatory fees for the current year and a per-  
25 credit payment that does not exceed the average community college  
26 in-district per-credit tuition rate as reported on August 1, for  
27 the immediately preceding academic year.



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

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

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

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

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

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

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

27           (11) Any unexpended and unencumbered funds remaining on

1 September 30, ~~2019-2020~~ from the amounts appropriated in section  
2 236 for the tuition incentive program for fiscal year ~~2018-2019~~  
3 **2019-2020** do not lapse on September 30, ~~2019,~~**2020**, but continue to  
4 be available for expenditure for tuition incentive program funds  
5 provided in the ~~2019-2020-2020-2021~~ fiscal year under a work  
6 project account. The use of these unexpended fiscal year ~~2018-2019~~  
7 **2019-2020** funds terminates at the end of the ~~2019-2020-2020-2021~~  
8 fiscal year.

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

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

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

26 (13) If a qualified postsecondary institution does not report  
27 the data necessary to comply with subsection (12) to the P-20

1 longitudinal data system, the institution shall report, in a form  
2 and manner satisfactory to the department of treasury and the  
3 center, all of the information needed to comply with subsection  
4 (12) by December 1, ~~2019-2020~~.

5 (14) Beginning in fiscal year ~~2019-2020~~, **2020-2021**, if a  
6 qualified postsecondary institution does not report the data  
7 necessary to complete the reporting in subsection (12) to the P-20  
8 longitudinal data system by October 15 for the prior academic year,  
9 the department of treasury shall not award phase I tuition  
10 incentive program funding to otherwise eligible students enrolled  
11 in that institution until the data are submitted.

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

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

25 Sec. 264. Included in the appropriation in section 236 for  
26 fiscal year ~~2018-2019~~ **2019-2020** for Michigan State University is  
27 \$80,000.00 for the Michigan Future Farmers of America Association.

1 This \$80,000.00 allocation shall not supplant any existing support  
 2 that Michigan State University provides to the Michigan Future  
 3 Farmers of America Association.

4 Sec. 265. (1) Payments under section 265a for performance  
 5 funding for fiscal ~~years 2018-2019, YEAR~~ 2019-2020 ~~, and 2020-2021~~  
 6 shall only be made to a public university that certifies to the  
 7 state budget director by August 31, ~~2018-2019~~ that its board did  
 8 not adopt an increase in tuition and fee rates for resident  
 9 undergraduate students after September 1, ~~2017-2018~~ for the ~~2017-~~  
 10 ~~2018-2018-2019~~ academic year and that its board will not adopt an  
 11 increase in tuition and fee rates for resident undergraduate  
 12 students for the ~~2018-2019-2019-2020~~ academic year that is greater  
 13 than ~~3.8%-115% OF THE HIGHER EDUCATION PRICE INDEX FOR FISCAL YEAR~~  
 14 ~~2018, WHICH AMOUNTS TO 3.2%~~ or ~~\$490.00, \$427.00~~, whichever is  
 15 greater. As used in this subsection:

16 (a) "Fee" means any board-authorized fee that will be paid by  
 17 more than 1/2 of all resident undergraduate students at least once  
 18 during their enrollment at a public university, as described in the  
 19 higher education institutional data inventory (HEIDI) user manual.  
 20 A university increasing a fee that applies to a specific subset of  
 21 students or courses shall provide sufficient information to prove  
 22 that the increase applied to that subset will not cause the  
 23 increase in the average amount of board-authorized total tuition  
 24 and fees paid by resident undergraduate students in the ~~2018-2019~~  
 25 ~~2019-2020~~ academic year to exceed the limit established in this  
 26 subsection.

27 (b) "Tuition and fee rate" means the average of full-time

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

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

18 (3) Universities that exceed the tuition and fee rate cap  
19 described in subsection (1) shall not receive a planning or  
20 construction authorization for a state-funded capital outlay  
21 project in fiscal year ~~2019-2020, fiscal year 2020-2021. , or~~  
22 ~~fiscal year 2021-2022.~~

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

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

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

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

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

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

1 section 236.

2 (3) The state budget director shall report to the house and  
3 senate appropriations subcommittees on higher education and the  
4 house and senate fiscal agencies by September 30, ~~2018~~, **2019**,  
5 regarding any performance funding amounts that are not paid to a  
6 public university because it did not comply with 1 or more  
7 requirements under subsection (1) and any reappropriation of funds  
8 under subsection (2).

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

11 (a) Proportional to each university's share of total  
12 operations funding appropriated in fiscal year 2010-2011, ~~50%~~. **30%**.

13 (b) Based on weighted undergraduate completions in critical  
14 skills areas, ~~11.1%~~. **16.1%**.

15 (c) Based on research and development expenditures, for  
16 universities classified in Carnegie classifications as doctoral  
17 universities: moderate research activity, doctoral universities:  
18 higher research activity, or doctoral universities: highest  
19 research activity only, ~~5.6%~~. **5.5%**.

20 (d) Based on ~~6-year graduation rate, total degree completions,~~  
21 ~~and~~ institutional support as a percentage of core expenditures, and  
22 the percentage of students receiving Pell grants, scored against  
23 national Carnegie classification peers and weighted by total  
24 undergraduate fiscal year equated students, ~~33.3%~~. **32.3%**.

25 **(E) BASED ON THE IN-STATE RETENTION OF GRADUATES, SCORED**  
26 **AGAINST STATE PEERS AND WEIGHTED BY TOTAL UNDERGRADUATE FISCAL YEAR**  
27 **EQUATED STUDENTS, 16.1%.**

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

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

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

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

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

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

**(7) FOR THE PURPOSES OF DETERMINING THE SCORE OF A UNIVERSITY UNDER SUBSECTION (4) (E), EACH UNIVERSITY IS ASSIGNED 1 OF THE FOLLOWING SCORES:**

**(A) A UNIVERSITY WITH 1 OF THE 5 HIGHEST IN-STATE GRADUATE RETENTION RANKINGS, A SCORE OF 3.**

**(B) A UNIVERSITY WITH AN IN-STATE GRADUATE RETENTION RANKING OF 6 TO 10, A SCORE OF 2.**

**(C) A UNIVERSITY WITH 1 OF THE 5 LOWEST IN-STATE GRADUATE RETENTION RANKINGS, A SCORE OF 1.**

**(8) ~~(7)~~—It is the intent of the legislature to allocate more**



1 funding based on performance metrics in future years.

2       Sec. 265b. (1) Appropriations to public universities in  
3 section 236 for the fiscal year ending September 30, ~~2019~~**2020** for  
4 operations funding shall be reduced by 10% pursuant to the  
5 procedures described in subdivision (a) for a public university  
6 that fails to submit certification to the state budget director,  
7 the house and senate appropriations subcommittees on higher  
8 education, and the house and senate fiscal agencies by August 31,  
9 ~~2018~~**2019** that the university complies with sections 274c and 274d  
10 and that it complies with all of the requirements described in  
11 subdivisions (b) to (i), as follows:

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

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

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

25       (d) Consistent with the university's obligations under 20 USC  
26 1092(f), the university notifies each individual who reports having  
27 experienced sexual assault by a student, faculty member, or staff

1 member of the university that the individual has the option to  
2 report the matter to law enforcement, to the university, to both,  
3 or to neither, as the individual may choose.

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

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

9 (ii) For all students not considered freshmen or incoming  
10 transfer students, an online or electronic sexual misconduct  
11 prevention presentation or course.

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

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

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

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

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

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

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

- 8 (a) Intimate partner violence.
- 9 (b) Nonconsensual sexual conduct.
- 10 (c) Sexual assault.
- 11 (d) Sexual exploitation.
- 12 (e) Sexual harassment.
- 13 (f) Stalking.

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

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

1 campuses.

2 (b) The names of the articulation agreements for baccalaureate  
3 degree programs of study between public community colleges, public  
4 universities, and private colleges and universities.

5 (c) The number of students enrolled and number of degrees  
6 awarded through articulation agreements, and the number of courses  
7 offered, number of students enrolled, and number of degrees awarded  
8 through on-campus programs named in subdivision (a) from July 1,  
9 ~~2017-2018~~ through June 30, ~~2018-2019~~.

10 Sec. 265d. ~~The legislature encourages each~~ **EACH** public  
11 university that receives an appropriation in section 236 **IS**  
12 **ENCOURAGED** to enter into a memorandum of understanding with at  
13 least 1 local law enforcement agency with jurisdiction on or around  
14 campus for the communication and coordination of responses to  
15 incidents of sexual assault.

16 Sec. 267. All public universities shall submit the amount of  
17 tuition and fees actually charged to a full-time resident  
18 undergraduate student for academic year ~~2018-2019~~ **2019-2020** as part  
19 of their higher education institutional data inventory (HEIDI) data  
20 by August 31 of each year. A public university shall report any  
21 revisions for any semester of the reported academic year ~~2018-2019~~  
22 **2019-2020** tuition and fee charges to HEIDI within 15 days of being  
23 adopted.

24 Sec. 268. (1) For the fiscal year ending September 30, ~~2019,~~  
25 **2020**, it is the intent of the legislature that funds be allocated  
26 for unfunded North American Indian tuition waiver costs incurred by  
27 public universities under 1976 PA 174, MCL 390.1251 to 390.1253,

1 from the general fund.

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

10 (2) ~~(3)~~ By February 15 of each year, the department of civil  
 11 rights shall annually submit to the state budget director, the  
 12 house and senate appropriations subcommittees on higher education,  
 13 and the house and senate fiscal agencies a report on North American  
 14 Indian tuition waivers for the preceding academic year that  
 15 includes, but is not limited to, all of the following information:

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

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

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

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

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

1 For purposes of this subparagraph, a withdrawal occurs when a  
2 student who has been awarded the waiver withdraws from the  
3 institution at any point during the term, regardless of enrollment  
4 in subsequent terms.

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

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

18 (4) ~~(5)~~—The department of civil rights may consolidate the  
19 report required under this section with the report required under  
20 section 223, but a consolidated report must separately identify  
21 data for universities and data for community colleges.

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

27 Sec. 270. For fiscal year ~~2018-2019~~, **2019-2020**, from the

1 amount appropriated in section 236 to Lake Superior State  
2 University for operations, \$100,000.00 shall be paid to Bay Mills  
3 Community College for the costs of waiving tuition for North  
4 American Indians under 1976 PA 174, MCL 390.1251 to 390.1253.

5 Sec. 274. It is the intent of the legislature that public and  
6 private organizations that conduct human embryonic stem cell  
7 derivation subject to section 27 of article I of the state  
8 constitution of 1963 will provide information to the director of  
9 the department of health and human services by December 1, ~~2018~~  
10 **2019** that includes all of the following:

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

16 (b) A list of all human embryonic stem cell lines submitted by  
17 the organization to the National Institutes of Health for inclusion  
18 in the Human Embryonic Stem Cell Registry before and during fiscal  
19 year ~~2017-2018~~, **2018-2019**, and the status of each submission as  
20 approved, pending approval, or review completed but not yet  
21 accepted.

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

25 Sec. 274c. By February 1, ~~2019~~, **2020**, each university  
26 receiving funds under section 236 shall report to the senate and  
27 house appropriations subcommittees on higher education, the senate



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

9       Sec. 276. (1) Included in the appropriation for fiscal year  
10 ~~2018-2019-2019-2020~~ for each public university in section 236 is  
11 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks  
12 future faculty program that is intended to increase the pool of  
13 academically or economically disadvantaged candidates pursuing  
14 faculty teaching careers in postsecondary education. Preference may  
15 not be given to applicants on the basis of race, color, ethnicity,  
16 gender, or national origin. Institutions should encourage  
17 applications from applicants who would otherwise not adequately be  
18 represented in the graduate student and faculty populations. Each  
19 public university shall apply the percentage change applicable to  
20 every public university in the calculation of appropriations in  
21 section 236 to the amount of funds allocated to the future faculty  
22 program.

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

27       Sec. 277. (1) Included in the appropriation for fiscal year

1 ~~2018-2019-2019-2020~~ for each public university in section 236 is  
2 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks  
3 college day program that is intended to introduce academically or  
4 economically disadvantaged schoolchildren to the potential of a  
5 college education. Preference may not be given to participants on  
6 the basis of race, color, ethnicity, gender, or national origin.  
7 Public universities should encourage participation from those who  
8 would otherwise not adequately be represented in the student  
9 population.

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

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

23 Sec. 278. (1) Included in section 236 for fiscal year ~~2018-~~  
24 ~~2019-2019-2020~~ is funding for the Martin Luther King, Jr. - Cesar  
25 Chavez - Rosa Parks select student support services program for  
26 developing academically or economically disadvantaged student  
27 retention programs for 4-year public and independent educational

1 institutions in this state. Preference may not be given to  
2 participants on the basis of race, color, ethnicity, gender, or  
3 national origin. Institutions should encourage participation from  
4 those who would otherwise not adequately be represented in the  
5 student population.

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

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

11 Sec. 279. (1) Included in section 236 for fiscal year ~~2018-~~  
12 ~~2019-2019-2020~~ is funding for the Martin Luther King, Jr. - Cesar  
13 Chavez - Rosa Parks college/university partnership program between  
14 4-year public and independent colleges and universities and public  
15 community colleges, which is intended to increase the number of  
16 academically or economically disadvantaged students who transfer  
17 from community colleges into baccalaureate programs. Preference may  
18 not be given to participants on the basis of race, color,  
19 ethnicity, gender, or national origin. Institutions should  
20 encourage participation from those who would otherwise not  
21 adequately be represented in the transfer student population.

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

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

1 administered by the workforce development agency.

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

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

14       Sec. 281. (1) Included in the appropriation for fiscal year  
15 ~~2018-2019-2019-2020~~ in section 236 is funding under the Martin  
16 Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the  
17 Morris Hood, Jr. educator development program which is intended to  
18 increase the number of academically or economically disadvantaged  
19 students who enroll in and complete K-12 teacher education programs  
20 at the baccalaureate level. 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 teacher education student population.

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

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

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

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

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

26 Sec. 289. (1) ~~Not less than~~**AT LEAST ONCE** every 4 years, the  
27 auditor general shall audit higher education institutional data

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

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

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

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

24 **(B)** ~~(c)~~ Student credit hours generated through credit by  
25 examination.

26 ~~—— (d) Student credit hours generated through inmate prison~~  
27 ~~programs regardless of teaching location.~~

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

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

15           Enacting section 1. In accordance with section 30 of article  
16    IX of the state constitution of 1963, total state spending from  
17    state sources for higher education for fiscal year 2019-2020 under  
18    article III of the state school aid act of 1979, 1979 PA 94, MCL  
19    388.1836 to 388.1891, is estimated at \$1,557,518,700.00 and the  
20    amount of that state spending from state sources to be paid to  
21    local units of government for fiscal year 2019-2020 is estimated at  
22    \$0.00.

23           Enacting section 2. This amendatory act takes effect October  
24    1, 2019.