

**SUBSTITUTE FOR
SENATE BILL NO. 93**

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending sections 236, 236c, 238, 241, 245, 245a, 252, 256, 259,
260, 263, 264, 265, 265b, 267, 268, 269, 270c, 274d, 275f, 276,
277, 278, 279, 280, 281, 281a, 282, 285, 286, and 291 (MCL
388.1836, 388.1836c, 388.1838, 388.1841, 388.1845, 388.1845a,
388.1852, 388.1856, 388.1859, 388.1860, 388.1863, 388.1864,
388.1865, 388.1865b, 388.1867, 388.1868, 388.1869, 388.1870c,
388.1874d, 388.1875f, 388.1876, 388.1877, 388.1878, 388.1879,
388.1880, 388.1881, 388.1881a, 388.1882, 388.1885, 388.1886, and
388.1891), sections 236, 236c, 238, 241, 245, 245a, 256, 263, 264,
265, 265b, 267, 268, 269, 276, 277, 278, 279, 280, 281, and 282 as
amended and sections 259, 260, 270c, 275f, and 281a as added by



2020 PA 165, section 252 as amended by 2019 PA 162, section 274d as amended by 2018 PA 265, sections 285 and 291 as amended by 2012 PA 201, and section 286 as amended by 2015 PA 85, and by adding sections 275j and 286b; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 236. (1) Subject to the conditions set forth in this
2 article, the amounts listed in this section are appropriated for
3 higher education for the fiscal year ending September 30, ~~2021,~~
4 **2022**, from the funds indicated in this section. The following is a
5 summary of the appropriations in this section:

6 (a) The gross appropriation is ~~\$1,699,925,400.00.~~
7 **\$1,707,251,200.00.** After deducting total interdepartmental grants
8 and intradepartmental transfers in the amount of \$0.00, the
9 adjusted gross appropriation is
10 ~~\$1,699,925,400.00.~~**\$1,707,251,200.00.**

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

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

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

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

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

18 (v) State general fund/general purpose money,
19 ~~\$1,217,835,700.00.~~**\$1,217,321,500.00.**

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

22 (a) The appropriation for Central Michigan University is
23 ~~\$89,564,500.00, \$87,600,000.00 for operations, \$0.00 for~~
24 ~~performance funding, and \$1,964,500.00 for costs incurred under the~~



~~North American Indian tuition waiver.~~**\$89,559,500.00, \$87,595,000.00**
for operations, \$0.00 for performance funding, and \$1,964,500.00
for costs incurred under the North American Indian tuition waiver.

(b) The appropriation for Eastern Michigan University is
~~\$77,555,200.00, \$77,253,700.00 for operations, \$0.00 for~~
~~performance funding, and \$301,500.00 for costs incurred under the~~
~~North American Indian tuition waiver.~~**\$77,528,400.00, \$77,248,700.00**
for operations, \$0.00 for performance funding, and \$279,700.00 for
costs incurred under the North American Indian tuition waiver.

(c) The appropriation for Ferris State University is
~~\$55,934,300.00, \$55,025,500.00 for operations, \$0.00 for~~
~~performance funding, and \$908,800.00 for costs incurred under the~~
~~North American Indian tuition waiver.~~**\$55,986,300.00, \$55,020,500.00**
for operations, \$0.00 for performance funding, and \$965,800.00 for
costs incurred under the North American Indian tuition waiver.

(d) The appropriation for Grand Valley State University is
~~\$73,490,700.00, \$72,313,500.00 for operations, \$0.00 for~~
~~performance funding, and \$1,177,200.00 for costs incurred under the~~
~~North American Indian tuition waiver.~~**\$73,485,700.00, \$72,308,500.00**
for operations, \$0.00 for performance funding, and \$1,177,200.00
for costs incurred under the North American Indian tuition waiver.

(e) The appropriation for Lake Superior State University is
~~\$15,252,100.00, \$13,307,000.00 for operations, \$0.00 for~~
~~performance funding, and \$945,100.00 for costs incurred under the~~
~~North American Indian tuition waiver, and \$1,000,000.00 for a 1-~~
~~time pass-through payment for Bay Mills Community~~
~~College.~~**\$14,228,500.00, \$13,302,000.00 for operations, \$0.00 for**
performance funding, and \$926,500.00 for costs incurred under the
North American Indian tuition waiver.



(f) The appropriation for Michigan State University is
~~\$354,009,100.00, \$287,331,700.00 for operations, \$0.00 for~~
~~performance funding, \$1,604,000.00 for costs incurred under the~~
~~North American Indian tuition waiver, \$34,937,300.00 for MSU~~
~~AgBioResearch, and \$30,136,100.00 for MSU~~
Extension. \$354,332,900.00, \$287,326,700.00 for operations, \$0.00
for performance funding, \$1,932,800.00 for costs incurred under the
North American Indian tuition waiver, \$34,937,300.00 for MSU
AgBioResearch, and \$30,136,100.00 for MSU Extension.

(g) The appropriation for Michigan Technological University is
~~\$50,795,200.00, \$50,101,600.00 for operations, \$0.00 for~~
~~performance funding, and \$693,600.00 for costs incurred under the~~
~~North American Indian tuition waiver. \$50,865,900.00, \$50,096,600.00~~
for operations, \$0.00 for performance funding, and \$769,300.00 for
costs incurred under the North American Indian tuition waiver.

(h) The appropriation for Northern Michigan University is
~~\$48,869,700.00, \$47,809,100.00 for operations, \$0.00 for~~
~~performance funding, and \$1,060,600.00 for costs incurred under the~~
~~North American Indian tuition waiver. \$48,855,600.00, \$47,804,100.00~~
for operations, \$0.00 for performance funding, and \$1,051,500.00
for costs incurred under the North American Indian tuition waiver.

(i) The appropriation for Oakland University is
~~\$53,413,500.00, \$53,147,400.00 for operations, \$0.00 for~~
~~performance funding, and \$266,100.00 for costs incurred under the~~
~~North American Indian tuition waiver. \$53,476,400.00, \$53,142,400.00~~
for operations, \$0.00 for performance funding, and \$334,000.00 for
costs incurred under the North American Indian tuition waiver.

(j) The appropriation for Saginaw Valley State University is
~~\$30,803,300.00, \$30,583,800.00 for operations, \$0.00 for~~

~~performance funding, and \$219,500.00 for costs incurred under the North American Indian tuition waiver.~~ **\$30,732,700.00, \$30,578,800.00 for operations, \$0.00 for performance funding, and \$153,900.00 for costs incurred under the North American Indian tuition waiver.**

(k) The appropriation for University of Michigan - Ann Arbor is ~~\$322,931,100.00, \$321,970,100.00 for operations, \$0.00 for performance funding, and \$961,000.00 for costs incurred under the North American Indian tuition waiver.~~ **\$323,040,700.00, \$321,965,100.00 for operations, \$0.00 for performance funding, and \$1,075,600.00 for costs incurred under the North American Indian tuition waiver.**

(l) The appropriation for University of Michigan - Dearborn is ~~\$26,334,800.00, \$26,167,000.00 for operations, \$0.00 for performance funding, and \$167,800.00 for costs incurred under the North American Indian tuition waiver.~~ **\$26,327,000.00, \$26,162,000.00 for operations, \$0.00 for performance funding, and \$165,000.00 for costs incurred under the North American Indian tuition waiver.**

(m) The appropriation for University of Michigan - Flint is ~~\$23,964,400.00, \$23,616,200.00 for operations, \$0.00 for performance funding, and \$348,200.00 for costs incurred under the North American Indian tuition waiver.~~ **\$23,956,200.00, \$23,611,200.00 for operations, \$0.00 for performance funding, and \$345,000.00 for costs incurred under the North American Indian tuition waiver.**

(n) The appropriation for Wayne State University is ~~\$203,458,900.00, \$202,996,700.00 for operations, \$0.00 for performance funding, and \$462,200.00 for costs incurred under the North American Indian tuition waiver.~~ **\$203,461,400.00, \$202,991,700.00 for operations, \$0.00 for performance funding, and \$469,700.00 for costs incurred under the North American Indian**



1 **tuition waiver.**

2 (o) The appropriation for Western Michigan University is
 3 ~~\$112,363,900.00, \$111,522,200.00 for operations, \$0.00 for~~
 4 ~~performance funding, and \$841,700.00 for costs incurred under the~~
 5 ~~North American Indian tuition waiver.~~**\$112,312,500.00,**
 6 **\$111,517,200.00 for operations, \$0.00 for performance funding, and**
 7 **\$795,300.00 for costs incurred under the North American Indian**
 8 **tuition waiver.**

9 (3) The amount appropriated in subsection (2) for public
 10 universities is ~~\$1,538,740,700.00,~~**\$1,538,149,700.00,** appropriated
 11 from the following:

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

13 (b) State general fund/general purpose money,
 14 ~~\$1,195,572,400.00.~~**\$1,194,981,400.00.**

15 (4) The amount appropriated for Michigan public school
 16 employees' retirement system reimbursement is ~~\$11,695,000.00,~~
 17 **\$13,495,000.00,** appropriated from the state school aid fund.

18 (5) The amount appropriated for state and regional programs is
 19 ~~\$315,000.00,~~**\$316,800.00,** appropriated from general fund/general
 20 purpose money and allocated as follows:

21 (a) Higher education database modernization and conversion,
 22 ~~\$200,000.00.~~**\$200,000.00.**

23 (b) Midwestern Higher Education Compact,
 24 ~~\$115,000.00.~~**\$116,800.00.**

25 (6) The amount appropriated for the Martin Luther King, Jr. -
 26 Cesar Chavez - Rosa Parks program is ~~\$2,691,500.00,~~**\$2,766,500.00,**
 27 appropriated from general fund/general purpose money and allocated
 28 as follows:

29 (a) Select student support services,



1 ~~\$1,956,100.00.~~ **\$1,882,500.00.**

2 (b) Michigan college/university partnership program,
3 ~~\$586,800.00.~~ **\$586,800.00.**

4 (c) Morris Hood, Jr. educator development program,
5 ~~\$148,600.00.~~ **\$148,600.00.**

6 **(d) Pregnant and parenting student support services program,**
7 **\$148,600.00.**

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

11 (a) State competitive scholarships,
12 ~~\$29,861,700.00.~~ **\$29,861,700.00.**

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

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

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

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

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

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

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

25 (c) State general fund/general purpose money,
26 ~~\$19,256,800.00.~~ **\$19,256,800.00.**

27 (9) For fiscal year ~~2020-2021~~ **2021-2022** only, in addition to
28 the allocation under subsection (4), from the appropriations
29 described in subsection (1), there is allocated an amount not to



exceed ~~\$1,200,000.00~~ **\$4,740,000.00** for payments to participating public universities, appropriated from the state school aid fund. A university that receives money under this subsection shall use that money solely for the purpose of offsetting the normal cost contribution rate. As used in this subsection, "participating public universities" means public universities that are a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that pay contributions to the Michigan public school employees' retirement system for the state fiscal year.

Sec. 236c. In addition to the funds appropriated for fiscal year ~~2020-2021~~ **2021-2022** in section 236, appropriations to the department of technology, management, and budget in the act providing general appropriations for fiscal year ~~2020-2021~~ **2021-2022** for state building authority rent, totaling an estimated ~~\$145,848,500.00~~ **\$130,595,300.00** provide funding for the state share of costs for previously constructed capital projects for state universities. These appropriations for state building authority rent represent additional state general fund support provided to public universities, and the following is an estimate of the amount of that support to each university:

(a) Central Michigan University,
~~\$13,078,900.00~~ **\$13,227,700.00.**

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

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

(d) Grand Valley State University,
~~\$7,229,800.00~~ **\$7,380,000.00.**

(e) Lake Superior State University,



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

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

3 (g) Michigan Technological University,

4 ~~\$6,805,300.00.~~ **\$3,488,700.00.**

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

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

7 (j) Saginaw Valley State University,

8 ~~\$7,907,100.00.~~ **\$8,009,900.00.**

9 (k) University of Michigan - Ann Arbor,

10 ~~\$9,644,100.00.~~ **\$10,459,000.00.**

11 (l) University of Michigan - Dearborn,

12 ~~\$11,106,100.00.~~ **\$11,336,800.00.**

13 (m) University of Michigan - Flint,

14 ~~\$6,413,000.00.~~ **\$6,546,200.00.**

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

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

17 Sec. 238. Unless otherwise specified, a public university
 18 receiving appropriations in section 236 shall use the internet to
 19 fulfill the reporting requirements of this article. This
 20 requirement includes transmission of reports via ~~electronic mail~~
 21 **email** to the recipients identified for each reporting requirement
 22 and placement of reports on an internet site.

23 Sec. 241. (1) Subject to sections 244 and 265a, the funds
 24 appropriated in section 236 to public universities shall be paid
 25 out of the state treasury and distributed by the state treasurer to
 26 the respective institutions in 11 equal monthly installments on the
 27 sixteenth of each month, or the next succeeding business day,
 28 beginning with October 16, ~~2020.~~ **2021.** Except for Wayne State
 29 University, each institution shall accrue its July and August ~~2021~~



1 2022 payments to its institutional fiscal year ending June 30,
2 ~~2021.~~2022.

3 (2) All public universities shall submit higher education
4 institutional data inventory (HEIDI) data and associated financial
5 and program information requested by and in a manner prescribed by
6 the state budget director. For public universities with fiscal
7 years ending June 30, these data shall be submitted to the state
8 budget director by ~~November 15 for fiscal year 2020-2021 and~~
9 October 15 of each fiscal year. ~~thereafter.~~ Public universities
10 with a fiscal year ending September 30, ~~2020-2021~~ shall submit
11 preliminary HEIDI data by November 15, ~~2020-2021~~ and final data by
12 December 15, ~~2020-2021~~. If a public university fails to submit
13 HEIDI data and associated financial aid program information in
14 accordance with this reporting schedule, the state treasurer may
15 withhold the monthly installments under subsection (1) to the
16 public university until those data are submitted.

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

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

25 (a) The annual operating budget and subsequent budget
26 revisions.

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



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

(A) Earnings and wages.

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

(C) Retirement benefit costs.

(D) All other personnel costs.

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

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

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

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

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

(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



1 total outstanding debt for the current fiscal year.

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

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

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

12 (a) Enrollment.

13 (b) Student retention rate.

14 (c) Six-year graduation rates.

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

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

19 (f) Faculty to student ratios and total university employee to
20 student ratios.

21 (g) Teaching load by faculty classification.

22 (h) Graduation outcome rates, including employment and
23 continuing education.

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



size and style for this reporting must be consistent with other documents on each university's website.

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

(6) By the first business day of November of each year, a public university shall post the following 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-both~~ 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.~~

~~(ii) (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~~



1 ~~program.~~

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

4 ~~(vii) Instructional resources offered to the program~~
 5 ~~instructors.~~

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

7 ~~(ix) Transportation services provided to students in the~~
 8 ~~program.~~

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

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

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

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

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

27 (c) A listing of safety and security services provided by the
 28 university, including transportation, escort services, building
 29 surveillance, anonymous tip lines, and other available security



1 services.

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

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

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

9 (g) Campus security policies and crime statistics pursuant to
10 the student right-to-know and campus security act, Public Law 101-
11 542, 104 Stat 2381. Information shall include all material prepared
12 pursuant to the public information reporting requirements under the
13 crime awareness and campus security act of 1990, title II of the
14 student right-to-know and campus security act, Public Law 101-542,
15 104 Stat 2381.

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

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

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

28 (3) Pursuant to section 5 of 1966 PA 313, MCL 390.995, and
29 subject to ~~subsections (6) and (7)~~, **subsection (6)**, the department



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

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



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

(6) The department of treasury shall not award more than ~~\$4,800,000.00~~ **\$5,000,000.00** in tuition grants to eligible students enrolled in the same independent nonprofit college or university in this state. Any decrease in the grant shall be proportional for all eligible students enrolled in that college or university, as determined by the department. The limit described in this subsection does not apply to any other student financial aid program or in combination with any other student financial aid program.

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

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

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



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

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

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

(2) As used in this section:

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

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



1 year degree programs.

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

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

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

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

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

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

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

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

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

29 (i) Complete at least 56 transferable semester or 84



1 transferable term credits.

2 (ii) Obtain an associate degree or certificate at a
3 participating institution.

4 (c) To be eligible for phase I or phase II, an individual must
5 be financially eligible as determined by the department. An
6 individual is financially eligible for the tuition incentive
7 program if he or she was eligible for Medicaid from this state for
8 24 months within the 36 ~~consecutive~~ months before application. The
9 department shall accept certification of Medicaid eligibility only
10 from the department of health and human services for the purposes
11 of verifying if a person is Medicaid eligible for 24 months within
12 the 36 ~~consecutive~~ months before application. Certification of
13 eligibility may begin in the sixth grade.

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

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

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

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

28 (c) For persons enrolled at a Michigan public university, the
29 department shall pay lower division resident tuition and mandatory



1 fees for the current year.

2 (d) For persons enrolled at a Michigan independent, nonprofit
3 degree-granting college or university, ~~or a~~ Michigan federal
4 tribally controlled community college, or Focus: HOPE, the
5 department shall pay mandatory fees for the current year and a per-
6 credit payment that does not exceed the average community college
7 in-district per-credit tuition rate as reported by the last
8 business day of August for the immediately preceding academic year.

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

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

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

17 (7) The department shall work closely with participating
18 institutions to provide the highest level of participation and
19 ensure that all requirements of the program are met.

20 (8) The department shall notify students of their financial
21 eligibility for the program any time after the student begins sixth
22 grade.

23 (9) Except as otherwise provided in section 3(d) of the
24 Michigan reconnect grant act, 2020 PA 84, MCL 390.1703, and section
25 17 of the Michigan reconnect grant recipient act, 2020 PA 68, MCL
26 390.1717, each institution shall ensure that all known available
27 restricted grants for tuition and fees are used ~~prior to~~ **before**
28 billing the tuition incentive program for any portion of a
29 student's tuition and fees.



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

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

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

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

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

29 Sec. 259. It is the intent of the legislature that the

1 department of treasury ~~launch~~**continue** an aggressive campaign to
 2 inform high school students about the financial aid programs
 3 offered by this state and the eligibility requirements for
 4 participation in those financial aid programs, **including free or**
 5 **reduced tuition programs provided by community colleges and**
 6 **universities in this state.**

7 Sec. 260. (1) The department of treasury shall work with
 8 student and postsecondary education groups, including the Michigan
 9 College Access Network, **the Michigan Association of School**
 10 **Counselors**, the Michigan Association of State Universities, the
 11 Michigan Community College Association, and the Michigan
 12 Independent Colleges and Universities, to provide an online
 13 informational resource for **students in grades 9 through 12 and**
 14 prospective and current student loan borrowers. The online
 15 informational resource must be a website or a portion of an
 16 existing website designed and maintained by the department of
 17 treasury that, to the extent practicable, contains information
 18 including, but not limited to, all of the following:

19 (a) A list of public and private community support centers,
 20 student debt clinics, and other organizations and their contact
 21 information submitted by Michigan College Access Network that
 22 provides free information and services for student loan borrowers
 23 to help educate them about repayment options and to help them
 24 access student loan programs or benefits for which they may be
 25 eligible.

26 (b) Links to state and federal financial aid programs,
 27 including FAFSA and College Scorecard.

28 (c) **Links to each promise zone website and the financial aid**
 29 **website to each community college, public university, and**



1 **independent college and university in this state.**

2 (d) ~~(e)~~ Benefits of federal student loans that may no longer
3 be available if a borrower refinances a loan.

4 (e) ~~(d)~~ Links to net price calculators for community colleges
5 receiving an appropriation in section 201 and universities
6 receiving an appropriation in section 236, if available.

7 ~~(e) A list of loan servicers, including FAFSA.gov for federal~~
8 ~~loans, and contact information for each and for federally held~~
9 ~~loans made through the William D. Ford Federal Direct Loan Program~~
10 ~~and the Federal Family Education Loan Program.~~

11 (f) Information on the fundamentals of borrowing and
12 repayment, including, but not limited to, all of the following:

13 (i) ~~Types of student loans and repayment options, including~~
14 ~~income-driven repayment, and a listing of employers in this state~~
15 ~~offering employment eligible for public service loan forgiveness.~~**A**
16 **link to the federal Public Service Loan Forgiveness Program.**

17 (ii) Deciding how much to borrow.

18 (iii) Creating a plan for borrowing and repayment.

19 (iv) Estimating how much borrowing is needed for a given school
20 year.

21 (v) Evaluating financial aid offers.

22 (vi) Factors that affect total student loan costs.

23 (vii) Tips for graduating with less student loan debt.

24 (viii) A loan payment calculator or a link to a loan payment
25 calculator that can be used for different types of loans.

26 (ix) Links to federal student loan entrance and exit counseling
27 services and the FACT tool.

28 (x) Student loan debt relief scams.

29 (g) A list of student loan providers in this state.



1 (2) A university receiving an appropriation in section 236
2 shall place a prominent link to the website created under this
3 section on its website homepage.

4 (3) Independent colleges and universities in this state are
5 encouraged to place a link to the website created under this
6 section on their website homepages.

7 **(4) By November 1 of each year, the department of treasury**
8 **shall inform each high school in this state about the website**
9 **described in this section and encourage them to distribute the**
10 **information to all students in grades 9 through 12.**

11 Sec. 263. (1) Included in the appropriation in section 236 for
12 fiscal year ~~2020-2021~~**2021-2022** for MSU AgBioResearch is
13 \$2,982,900.00 and included in the appropriation in section 236 for
14 MSU Extension is \$2,645,200.00 for Project GREEN. Project GREEN
15 is intended to address critical regulatory, food safety, economic,
16 and environmental problems faced by this state's plant-based
17 agriculture, forestry, and processing industries. "GREEN" is an
18 acronym for Generating Research and Extension to Meet Environmental
19 and Economic Needs.

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

24 Sec. 264. Included in the appropriation in section 236 for
25 fiscal year ~~2020-2021~~**2021-2022** for Michigan State University is
26 \$80,000.00 for the Michigan Future Farmers of America Association.
27 This \$80,000.00 allocation shall not supplant any existing support
28 that Michigan State University provides to the Michigan Future
29 Farmers of America Association.



1 Sec. 265. (1) Payments under section 265a for performance
 2 funding for fiscal years ~~2020-2021, 2021-2022, and 2022-2023, and~~
 3 **2023-2024** shall only be made to a public university that certifies
 4 to the state budget director by ~~October 1, 2020~~ **the last business**
 5 **day of August** that its board did not adopt an increase in tuition
 6 and fee rates for resident undergraduate students after September
 7 1, ~~2019-2020~~ for the ~~2019-2020~~ **2020-2021** academic year and that its
 8 board will not adopt an increase in tuition and fee rates for
 9 resident undergraduate students for the ~~2020-2021~~ **2021-2022**
 10 academic year that is greater than ~~4.25% or \$586.00,~~ **4.2% or**
 11 **\$590.00**, whichever is greater. As used in this subsection:

12 (a) "Fee" means any board-authorized fee that will be paid by
 13 more than 1/2 of all resident undergraduate students at least once
 14 during their enrollment at a public university, as described in the
 15 higher education institutional data inventory (HEIDI) user manual.
 16 A university increasing a fee that applies to a specific subset of
 17 students or courses shall provide sufficient information to prove
 18 that the increase applied to that subset will not cause the
 19 increase in the average amount of board-authorized total tuition
 20 and fees paid by resident undergraduate students in the ~~2020-2021~~
 21 **2021-2022** academic year to exceed the limit established in this
 22 subsection.

23 (b) "Tuition and fee rate" means the average of full-time
 24 rates paid by a majority of students in each undergraduate class,
 25 based on an unweighted average of the rates authorized by the
 26 university board and actually charged to students, deducting any
 27 uniformly rebated or refunded amounts, for the 2 semesters with the
 28 highest levels of full-time equated resident undergraduate
 29 enrollment during the academic year, as described in the higher



1 education institutional data inventory (HEIDI) user manual.

2 (2) The state budget director shall implement uniform
3 reporting requirements to ensure that a public university receiving
4 a payment under section 265a for performance funding has satisfied
5 the tuition restraint requirements of this section. The state
6 budget director shall have the sole authority to determine if a
7 public university has met the requirements of this section.

8 Information reported by a public university to the state budget
9 director under this subsection shall also be reported to the house
10 and senate appropriations subcommittees on higher education and the
11 house and senate fiscal agencies.

12 (3) Universities that exceed the tuition and fee rate cap
13 described in subsection (1) shall not receive a planning or
14 construction authorization for a state-funded capital outlay
15 project in fiscal ~~years 2021-2022~~, **year** 2022-2023, ~~or~~ 2023-2024.

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

21 Sec. 265b. (1) Appropriations to public universities in
22 section 236 for the fiscal year ending September 30, ~~2021-2022~~ for
23 operations funding shall be reduced by 10% pursuant to the
24 procedures described in subdivision (a) for a public university
25 that fails to submit certification to the state budget director,
26 the house and senate appropriations subcommittees on higher
27 education, and the house and senate fiscal agencies by October 1,
28 ~~2020-2021~~ that the university complies with sections 274c and 274d
29 and that it complies with all of the requirements described in



1 subdivisions (b) to (i), as follows:

2 (a) If a university fails to submit certification, the state
3 budget director shall withhold 10% of that university's annual
4 operations funding until the university submits certification. If a
5 university fails to submit certification by the end of the fiscal
6 year, the 10% of its annual operations funding that is withheld
7 shall lapse to the general fund.

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

11 (c) For title IX investigations of alleged sexual misconduct,
12 the university prohibits the issuance of divergent reports to
13 complainants, respondents, and administration and instead requires
14 that identical reports be issued to them.

15 (d) Consistent with the university's obligations under 20 USC
16 1092(f), the university notifies each individual who reports having
17 experienced sexual assault by a student, faculty member, or staff
18 member of the university that the individual has the option to
19 report the matter to law enforcement, to the university, to both,
20 or to neither, as the individual may choose.

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

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

26 (ii) For all students not considered freshmen or incoming
27 transfer students, an online or electronic sexual misconduct
28 prevention presentation or course.

29 (f) The university prohibits seeking compensation from the



1 recipient of any medical procedure, treatment, or care provided by
2 a medical professional who has been convicted of a felony arising
3 out of the medical procedure, treatment, or care.

4 (g) The university had a third party review its title IX
5 compliance office and related policies and procedures by the end of
6 the 2018-2019 academic year. A copy of the third-party review shall
7 be transmitted to the state budget director, the house and senate
8 appropriations subcommittees on higher education, and the house and
9 senate fiscal agencies. ~~After the third-party review has been~~
10 ~~conducted for the 2018-2019 academic year, the~~ **Each** university
11 shall have a third-party review once every three years and a copy
12 of the third-party review shall be transmitted to the state budget
13 director, the house and senate appropriations subcommittees on
14 higher education, and the house and senate fiscal agencies.

15 (h) The university requires that the governing board and the
16 president or chancellor of the university receive not less than
17 quarterly reports from their title IX coordinator or title IX
18 office. The report shall contain aggregated data of the number of
19 sexual misconduct reports that the office received for the academic
20 year, the types of reports received, including reports received
21 against employees, and a summary of the general outcomes of the
22 reports and investigations. A member of the governing board may
23 request to review a title IX investigation report involving a
24 complaint against an employee, and the university shall provide the
25 report in a manner it considers appropriate. The university shall
26 protect the complainant's anonymity, and the report shall not
27 contain specific identifying information.

28 (i) If allegations against an employee are made in more than 1
29 title IX complaint that resulted in the university finding that no



misconduct occurred, the university requires that the title IX officer promptly notify the president or chancellor and a member of the university's governing board in writing and take all appropriate steps to ensure that the matter is being investigated thoroughly, including hiring an outside investigator for future cases involving that employee. A third-party title IX investigation under this subdivision does not prohibit the university from simultaneously conducting its own title IX investigation through its own title IX coordinator.

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

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

- (a) Intimate partner violence.
- (b) Nonconsensual sexual conduct.
- (c) Sexual assault.
- (d) Sexual exploitation.
- (e) Sexual harassment.
- (f) Stalking.

Sec. 267. All public universities shall submit the amount of tuition and fees actually charged to a full-time resident undergraduate student for academic year ~~2020-2021~~**2021-2022** as part of their higher education institutional data inventory (HEIDI) data



1 by ~~October 1, 2020, and by~~ the last business day of August each
 2 year. ~~thereafter.~~ A public university shall report any revisions
 3 for any semester of the reported academic year ~~2020-2021~~ **2021-2022**
 4 tuition and fee charges to HEIDI within 15 days of being adopted.

5 Sec. 268. (1) For the fiscal year ending September 30, ~~2021,~~
 6 **2022**, it is the intent of the legislature that funds be allocated
 7 for unfunded North American Indian tuition waiver costs incurred by
 8 public universities under 1976 PA 174, MCL 390.1251 to 390.1253,
 9 from the general fund.

10 (2) By January 15 of each year, the department of civil rights
 11 shall annually submit to the state budget director, the house and
 12 senate appropriations subcommittees on higher education, and the
 13 house and senate fiscal agencies a report on North American Indian
 14 tuition waivers for the preceding academic year that includes, but
 15 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 (3), 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.
 28 For purposes of this subparagraph, a withdrawal occurs when a
 29 student who has been awarded the waiver withdraws from the



1 institution at any point during the term, regardless of enrollment
2 in subsequent terms.

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

11 (3) ~~A~~ **By January 1 of each year, a** public university that
12 receives funds under section 236, or a tribal college receiving
13 pass-through funds under section 269 ~~, 270,~~ or 270c, shall provide
14 to the department of civil rights any information necessary for
15 preparing the report detailed in subsection (2), using guidelines
16 and procedures developed by the department of civil rights.

17 (4) 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 ~~2020-2021,~~ **2021-2022**, from the
22 amount appropriated in section 236 to Central Michigan University
23 for costs incurred under the North American Indian tuition waiver,
24 ~~\$79,700.00~~ **\$82,380.00** 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. It is the intent of
27 the legislature that Saginaw Chippewa Tribal College provide the
28 department of civil rights the necessary information for the
29 college to be included in the report required under section 268.



1 Sec. 270c. For fiscal year ~~2020-2021~~, **2021-2022**, from the
 2 amount appropriated in section 236 to Northern Michigan University
 3 for costs incurred under the North American Indian tuition waiver,
 4 \$50,000.00 is to be paid to Keweenaw Bay Ojibwa Community College
 5 for the costs of waiving tuition for North American Indians under
 6 1976 PA 174, MCL 390.1251 to 390.1253. It is the intent of the
 7 legislature that Keweenaw Bay Ojibwa Community College provide the
 8 department of civil rights the necessary information for the
 9 community college to be included in the report required under
 10 section 268.

11 Sec. 274d. (1) By October 31 **of each year**, each university
 12 receiving funds under section 236 shall report to the senate and
 13 house appropriations subcommittees on higher education, the senate
 14 and house fiscal agencies, the state budget director, and the
 15 attorney general its annual ~~title IX~~ **security** report, also known as
 16 the ~~student sexual misconduct report~~, issued by the ~~title IX~~
 17 ~~coordinator~~, **Clery Act Report**, as required under ~~the federal campus~~
 18 ~~save act of 2013, Public Law 113-4, section 304, 127 Stat 54, 89-92~~
 19 ~~(2013)~~. **20 USC 1092(f)** .

20 (2) For purposes of the report required under subsection (1),
 21 each university shall include a title IX summary report that
 22 includes all of the following information:

23 (a) The amounts and descriptions of all fees incurred in title
 24 IX-related civil and criminal litigation.

25 (b) The number of title IX complaints.

26 (c) The average length of time for investigation and
 27 resolution of title IX complaints.

28 (d) The aggregate number of title IX cases, investigations,
 29 and complaints for each of the categories described in



subparagraphs (i) to ~~(iii)~~, **(v)**, subject to subparagraph ~~(iv)~~, **(vi)**, as follows:

(i) Cases investigated for less than 15 days.

(ii) Cases investigated for at least 15 days and less than 30 days.

~~(iii)~~ ~~(ii)~~ Cases investigated for at least 30 days and less than 60 days.

(iv) Cases investigated for at least 60 days and less than 90 days.

~~(v)~~ ~~(iii)~~ Cases investigated for 90 days or more.

(vi) ~~(iv)~~ If, for any category of cases under subparagraphs (i) to ~~(iii)~~, **(v)**, there is an aggregate of fewer than 5 cases investigated, the university shall not report the aggregate number of cases and instead shall report that fewer than 5 cases were investigated.

(e) The number of title IX appeals and the resolutions of those appeals.

(f) The number of title IX-related complaints filed by the university with law enforcement agencies.

Sec. 275f. **(1)** ~~By February 1, 2021, each public university receiving an appropriation in section 236 shall submit to the senate and house appropriations subcommittees on higher education, the senate and house fiscal agencies, and the state budget director a report on activities related to strategic planning and internal assessment or reassessment to best provide for open and free expression and speech, while protecting students from hate speech, violence, and discrimination. It is the intent of the legislature that each public university adopt an advocacy policy applicable to faculty, staff, students, student employees, visitors, and~~



1 contractors by January 1, 2022 and comply with all other
2 requirements of this section.

3 (2) An advocacy policy established under subsection (1) should
4 include, but is not limited to, policies for distribution and self-
5 distribution of printed political or advocacy materials, related
6 First Amendment activities, and political demonstrating. The policy
7 should include a process for filing a complaint or reporting a
8 violation of the advocacy policy and identify the public university
9 staff responsible for investigating complaints and violations. The
10 advocacy policy should include the effective date and be posted on
11 the university's website.

12 (3) Each public university shall report to the senate and
13 house appropriations subcommittees on higher education, the senate
14 and house fiscal agencies, and the state budget director the number
15 of complaints, the number of substantiated violations, and the
16 consequences or actions taken by the university in response to
17 substantiated violations by August 31, 2022.

18 Sec. 275j. (1) Appropriations in section 236 for the Martin
19 Luther King, Jr. - Cesar Chavez - Rosa Parks pregnant and parenting
20 student support services program are for developing academically or
21 economically disadvantaged student retention programs for 4-year
22 public and independent educational institutions in this state.
23 Preference may not be given to participants on the basis of race,
24 color, ethnicity, gender, or national origin. Institutions should
25 encourage participation from those who would otherwise not
26 adequately be represented in the student population.

27 (2) An award made under this program to an individual
28 institution must not be greater than \$50,000.00, and the amount
29 awarded must be matched on a 70% state, 30% college or university



1 basis.

2 (3) The department of labor and economic opportunity shall
3 administer the program. All of the following apply to the program:

4 (a) The institution shall provide a physical location for the
5 program on its campus.

6 (b) The department of labor and economic opportunity shall
7 annually assess the performance of the institution in meeting the
8 following needs of students on campus who are pregnant or who are a
9 custodial parent or legal guardian of a minor:

10 (i) Comprehensive student health care.

11 (ii) Family housing.

12 (iii) Child care.

13 (iv) Flexible or alternative academic scheduling.

14 (v) Education concerning responsible parenting for mothers and
15 fathers.

16 (c) The institution shall identify public and private service
17 providers qualified to meet the needs described in subdivision (b),
18 both on campus and within the local community, and establish
19 programs with qualified providers it selects to meet those needs.

20 (d) The institution shall assist students in locating and
21 obtaining services that meet 1 or more of the needs described in
22 subdivision (b).

23 (e) If appropriate, the institution shall provide referrals on
24 prenatal care and delivery, infant or foster care, adoption, and
25 family planning to individual students who request that
26 information. An approved program shall not provide referrals for
27 abortion services.

28 (4) By December 1, 2022, institutions that establish a
29 pregnant and parenting student support services program shall



1 report to the house and senate subcommittees on higher education,
 2 the house and senate fiscal agencies, and the state budget director
 3 all of the following:

4 (a) A review and evaluation of the performance of the program
 5 in fulfilling its goals and objectives.

6 (b) The number of students served.

7 (c) The number and percentage of program graduates.

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

22 (2) The program shall be administered by each public
 23 university in a manner prescribed by the department of labor and
 24 economic opportunity. The department of labor and economic
 25 opportunity shall use a good faith effort standard to evaluate
 26 whether a fellowship is in default. **All of the following apply to**
 27 **the program:**

28 (a) **By April 15 of each year, public universities shall report**
 29 **any anticipated unexpended or unencumbered program funds to the**



1 department of labor and economic opportunity. Encumbered funds are
 2 those funds that were committed by a fellowship agreement that is
 3 signed during the current fiscal year or administrative expenses
 4 that have been approved by the department of labor and economic
 5 opportunity.

6 (b) Before August 1, 2022, unexpended or unencumbered funds
 7 may be transferred, under the direction of the department of labor
 8 and economic opportunity, to a future faculty program at another
 9 university to be awarded to an eligible candidate at that
 10 university.

11 (c) Program allocations not expended or encumbered by
 12 September 30, 2022 must be returned to the department of labor and
 13 economic opportunity so that those funds may lapse to the state
 14 general fund.

15 (d) Not more than 5% of each public university's allocation
 16 for the program may be used for administration of the program.

17 Sec. 277. (1) Included in the appropriation for fiscal year
 18 ~~2020-2021~~ **2021-2022** for each public university in section 236 is
 19 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
 20 college day program that is intended to introduce academically or
 21 economically disadvantaged schoolchildren to the potential of a
 22 college education **in this state**. Preference may not be given to
 23 participants on the basis of race, color, ethnicity, gender, or
 24 national origin. Public universities should encourage participation
 25 from those who would otherwise not adequately be represented in the
 26 student population.

27 (2) Individual program plans of each public university shall
 28 include a budget of equal contributions from this program, the
 29 participating public university, the participating school district,



1 and the participating independent degree-granting college. College
 2 day funds shall not be expended to cover indirect costs. Not more
 3 than 20% of the university match shall be attributable to indirect
 4 costs. Each public university shall apply the percentage change
 5 applicable to every public university in the calculation of
 6 appropriations in section 236 to the amount of funds allocated to
 7 the college day program.

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

11 Sec. 278. (1) Included in section 236 for fiscal year ~~2020-~~
 12 ~~2021-2021-2022~~ is funding for the Martin Luther King, Jr. - Cesar
 13 Chavez - Rosa Parks select student support services program for
 14 developing academically or economically disadvantaged student
 15 retention programs for 4-year public and independent educational
 16 institutions in this state. Preference may not be given to
 17 participants on the basis of race, color, ethnicity, gender, or
 18 national origin. Institutions should encourage participation from
 19 those who would otherwise not adequately be represented in the
 20 student population.

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

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

26 Sec. 279. (1) Included in section 236 for fiscal year ~~2020-~~
 27 ~~2021-2021-2022~~ is funding for the Martin Luther King, Jr. - Cesar
 28 Chavez - Rosa Parks college/university partnership program between
 29 4-year public and independent colleges and universities and public



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

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

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

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

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

(3) The amount allocated to each university is \$4,895.00. Each university receiving funds for fiscal year 2020-2021 under this section shall report to the department of labor and economic



1 opportunity by April 15, 2021 the amount of its unobligated and
 2 unexpended funds as of March 31, 2021 and a plan to expend the
 3 remaining funds by the end of the fiscal year. The amount of
 4 funding reported as not being expended may be transferred, under
 5 the direction of the department, to another university for use
 6 under this section.

7 Sec. 281. (1) Included in the appropriation for fiscal year
 8 ~~2020-2021~~**2021-2022** in section 236 is funding under the Martin
 9 Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the
 10 Morris Hood, Jr. educator development program, which is intended to
 11 increase the number of academically or economically disadvantaged
 12 students who enroll in and complete K-12 teacher education programs
 13 at the baccalaureate level **and teach in this state**. Preference may
 14 not be given to participants on the basis of race, color,
 15 ethnicity, gender, or national origin. Institutions should
 16 encourage participation from those who would otherwise not
 17 adequately be represented in the teacher education student
 18 population.

19 (2) The program described in this section shall be
 20 administered by each state-approved teacher education institution
 21 in a manner prescribed by the department of labor and economic
 22 opportunity.

23 (3) Approved teacher education institutions may and are
 24 encouraged to use **select** student support services funding in
 25 coordination with the Morris Hood, Jr. funding to achieve the goals
 26 of the program described in this section.

27 Sec. 281a. (1) ~~Each public university that receives an amount~~
 28 ~~of the appropriations in section 236 for the Martin Luther King,~~
 29 ~~Jr. Cesar Chavez Rosa Parks initiatives shall submit a report~~



~~to the department of labor and economic opportunity by December 15 of each year containing, at a minimum, all of the following information from the immediately preceding academic year:~~

~~(a) For the future faculty program detailed in section 276, the number of completions by degree type, and the fellowship default rate.~~

~~(b) For the college day program detailed in section 277, the number of students served and the amount of matching funds from each college and participating school district.~~

~~(c) For the select student support services program detailed in section 278, the number of students served, the amount of any university matching funds for the program, and the number and percentage of program participants who graduate.~~

~~(d) For the college/university partnership program detailed in section 279, the number of students served, the number of bachelor's degrees conferred to program participants, the 6-year graduation rate of program participants, and the amount of any university matching funds for the program.~~

~~(e) For the visiting professors program detailed in section 280, the number of students who took a class taught by an instructor hired using program funds, the number of instructors hired using program funds, the number of class sections taught by instructors hired using program funds, and the amount of any university matching funds for the program.~~

~~(f) For the educator development program detailed in section 281, the number of students participating in the program and the number of education-related bachelor's degrees conferred to participants in the program.~~

~~(2) By February 15 of each year, the department of labor and~~

1 ~~economic opportunity shall compile the reports submitted under~~
 2 ~~subsection (1) and submit them to the house and senate~~
 3 ~~appropriations subcommittees on higher education, the house and~~
 4 ~~senate fiscal agencies, and the state budget director.~~ **By not later**
 5 **than December 15 of each year, each public university that receives**
 6 **an amount of the appropriations in section 236 for the Martin**
 7 **Luther King, Jr. - Cesar Chavez - Rosa Parks initiatives shall**
 8 **submit a report to the department of labor and economic opportunity**
 9 **containing, at a minimum, all of the following information for the**
 10 **preceding academic year:**

11 (a) For the future faculty program detailed in section 276,
 12 all of the following:

- 13 (i) The number of program applications received.
- 14 (ii) The number of fellowships awarded.
- 15 (iii) The total amount of fellowship funding awarded.
- 16 (iv) The number of degrees conferred to fellowship recipients.
- 17 (v) The number of fellowship recipients still pursuing a
 18 degree.

19 (b) For the college day program detailed in section 277, all
 20 of the following:

- 21 (i) The number of students served.
- 22 (ii) The amount of grant funding received for the program and
 23 the amount of matching funds from each source.
- 24 (iii) The number of participating school districts.
- 25 (iv) College enrollment data of students served.
- 26 (v) A summary of progress toward meeting the goals and
 27 objectives of the program.

28 (c) For the select student support services program detailed
 29 in section 278, all of the following:



1 (i) The number of students served.

2 (ii) The amount of grant funding received for the program and
3 the amount of any university matching funds for the program.

4 (iii) The number and percentage of program participants who
5 graduated.

6 (iv) A summary of progress toward meeting the goals and
7 objectives of the program.

8 (d) For the college/university partnership program detailed in
9 section 279, all of the following:

10 (i) The number of students served.

11 (ii) The number of bachelor degrees conferred to program
12 participants.

13 (iii) The 6-year graduation rate of program participants.

14 (iv) The amount of any university matching funds for the
15 program.

16 (v) A summary of progress toward meeting the goals and
17 objectives of the program.

18 (e) For the visiting professors program detailed in section
19 280, all of the following:

20 (i) The number of students served.

21 (ii) The number of instructors hired using program funds.

22 (iii) The number of classes taught by instructors hired using
23 program funds.

24 (iv) The amount of any university matching funds for the
25 program.

26 (v) A summary of progress toward meeting the goals and
27 objectives of the program.

28 (f) For the educator development program detailed in section



1 281, all of the following:

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

3 (ii) The number of education-related bachelor degrees conferred
4 to participants in the program.

5 (iii) A summary of progress toward meeting the goals and
6 objectives of the program.

7 (2) By not later than February 15 of each year, the department
8 of labor and economic opportunity shall submit both of the
9 following to the house and senate appropriations subcommittees on
10 higher education, the house and senate fiscal agencies, and the
11 state budget director:

12 (a) A compilation of all reports submitted to the department
13 under subsection (1) in the immediately preceding year.

14 (b) A separate report produced by the department containing
15 all of the following information relative to the Martin Luther
16 King, Jr. - Cesar Chavez - Rosa Parks initiatives:

17 (i) For the future faculty program detailed in section 276, all
18 of the following:

19 (A) The number of fellowship recipients who had not received
20 their degrees and were in default.

21 (B) The number of fellowship recipients who had received their
22 degrees and were in default.

23 (C) The default rate for the program.

24 (D) The number of delinquent program accounts and outstanding
25 loan balance of those accounts.

26 (E) The number of delinquent program loan accounts transferred
27 to the department of treasury for collection, and the total
28 applicable interest and collection fees for those accounts.

29 (F) The total amount of defaulted program funds that were



1 recovered and returned to the state general fund.

2 (G) The amount of lapsed program funds that were unused and
3 returned to the state general fund.

4 (H) A summary of progress toward meeting the goals and
5 objectives of the program.

6 (I) The number of fellows in the process of fulfilling the
7 teaching requirement.

8 (ii) For the select student support services program detailed
9 in section 278, all of the following:

10 (A) The number of on-site or virtual monitoring visits, a list
11 of where those visits occurred, the reason each visit occurred, the
12 results of the on-site or virtual review, and the dates of any
13 follow-up visits.

14 (B) The amount of any unexpended program funds returned to the
15 state general fund.

16 (iii) For the college/university partnership program detailed in
17 section 279, all of the following:

18 (A) The number of on-site or virtual monitoring visits, a list
19 of where those visits occurred, the reason each visit occurred, the
20 results of the on-site or virtual review, and the dates of any
21 follow-up visits.

22 (B) The amount of any unexpended program funds returned to the
23 state general fund.

24 (iv) For the educator development program detailed in section
25 281, the number of on-site or virtual monitoring visits, a list of
26 where those visits occurred, the reason each visit occurred, the
27 results of the on-site or virtual review, and the dates of any
28 follow-up visits.

29 Sec. 282. (1) Each institution receiving funds for fiscal year



1 ~~2020-2021-2021-2022~~ under section 278, 279, or 281 shall provide to
 2 the department of labor and economic opportunity by April 15, ~~2021~~
 3 ~~2022~~ the unobligated and unexpended funds as of March 31, ~~2021-2022~~
 4 and a plan to expend the remaining funds by the end of the fiscal
 5 year. Notwithstanding the award limitations in sections 278 and
 6 279, the amount of funding reported as not being expended will be
 7 reallocated to the institutions that intend to expend all funding
 8 received under section 278, 279, or 281.

9 **(2) Funds received for the purpose of administering programs**
 10 **under sections 275j, 278, 279, and 281 shall not be used for direct**
 11 **financial aid or indirect financial aid. However, a university may**
 12 **provide academic incentives to motivate participating students as**
 13 **approved by the department. As used in this subsection:**

14 (a) "Direct financial aid" includes, but is not limited to,
 15 scholarships, payment of tuition, stipends, and work-studies.

16 (b) "Indirect financial aid" includes, but is not limited to,
 17 transportation, textbook allowances, and child care support.

18 Sec. 285. ~~Public~~ **From the funds appropriated in section**
 19 **236(2), public** universities shall work with the state community
 20 colleges to encourage the transfer of students from the community
 21 colleges to the public universities and to facilitate the transfer
 22 of credits from the community colleges to those public
 23 universities.

24 Sec. 286. ~~Public~~ **From the funds appropriated in section**
 25 **236(2), public** universities shall work with community colleges in
 26 ~~the~~ **this** state to implement statewide reverse transfer agreements
 27 to increase the number of students that are awarded credentials of
 28 value upon completion of the necessary credits. These statewide
 29 agreements shall enable students who have earned a significant



1 number of credits at a community college and transfer to a
2 baccalaureate granting institution before completing a degree to
3 transfer the credits earned at the baccalaureate institution back
4 to the community college in order to be awarded a credential of
5 value.

6 **Sec. 286b. (1) By November 1 of each year, a public university**
7 **that has an accredited bachelor of science in nursing program shall**
8 **submit a report containing all of the following information to the**
9 **house and senate appropriations subcommittees on higher education,**
10 **the house and senate fiscal agencies, and the state budget**
11 **director:**

12 **(a) The number of existing and number of new bachelor of**
13 **science in nursing articulation agreements confirmed during the**
14 **fiscal year with community colleges, whether courses are offered**
15 **online or in person, and the location or locations where those**
16 **classes were held.**

17 **(b) The number of community colleges the public university**
18 **conferred with during the fiscal year regarding the establishment**
19 **of an articulation agreement for a bachelor of science in nursing**
20 **program that includes in-person course options at the community**
21 **college or another mutually agreed-upon site, and a summary of**
22 **efforts made to provide in-person course options and limitations,**
23 **if any, to providing in-person courses.**

24 **(2) Independent colleges and universities with accredited**
25 **bachelor of science in nursing programs are encouraged to submit**
26 **the report described in subsection (1) to the house and senate**
27 **appropriations subcommittees on higher education, the house and**
28 **senate fiscal agencies, and the state budget director.**

29 **Sec. 291. ~~The~~ To the extent allowable under section 53 of**



1 **article IV of the state constitution of 1963, the** auditor general
2 may conduct performance audits of public universities receiving
3 funds in section 236 as the auditor general considers necessary.

4 Enacting section 1. In accordance with section 30 of article
5 IX of the state constitution of 1963, total state spending from
6 state sources for higher education for fiscal year 2021-2022 under
7 article III of the state school aid act of 1979, 1979 PA 94, MCL
8 388.1836 to 388.1891, is estimated at \$1,578,724,800.00 and the
9 amount of that state spending from state sources to be paid to
10 local units of government for fiscal year 2021-2022 is estimated at
11 \$0.00.

12 Enacting section 2. Sections 236b, 270, 270b, 275g, 275h, and
13 275i of the state school aid act of 1979, 1979 PA 94, MCL
14 388.1836b, 388.1870, 388.1870b, 388.1875g, 388.1875h, and
15 388.1875i, are repealed effective October 1, 2021.

16 Enacting section 3. This amendatory act takes effect October
17 1, 2021.