

**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 236i, 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 **and section 236i**:

6 (a) The gross appropriation is ~~\$1,699,925,400.00.~~
7 **\$1,736,465,900.00**. 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.~~ **\$1,736,465,900.00.**

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.~~ **\$1,246,536,200.00.**

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

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

~~performance funding, and \$1,964,500.00 for costs incurred under the North American Indian tuition waiver.~~
\$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

1 **North American Indian tuition waiver.**

2 (f) The appropriation for Michigan State University is
 3 ~~\$354,009,100.00, \$287,331,700.00 for operations, \$0.00 for~~
 4 ~~performance funding, \$1,604,000.00 for costs incurred under the~~
 5 ~~North American Indian tuition waiver, \$34,937,300.00 for MSU~~
 6 ~~AgBioResearch, and \$30,136,100.00 for MSU~~
 7 **Extension. \$354,332,900.00, \$287,326,700.00 for operations, \$0.00**
 8 **for performance funding, \$1,932,800.00 for costs incurred under the**
 9 **North American Indian tuition waiver, \$34,937,300.00 for MSU**
 10 **AgBioResearch, and \$30,136,100.00 for MSU Extension.**

11 (g) The appropriation for Michigan Technological University is
 12 ~~\$50,795,200.00, \$50,101,600.00 for operations, \$0.00 for~~
 13 ~~performance funding, and \$693,600.00 for costs incurred under the~~
 14 ~~North American Indian tuition waiver. \$50,865,900.00, \$50,096,600.00~~
 15 **for operations, \$0.00 for performance funding, and \$769,300.00 for**
 16 **costs incurred under the North American Indian tuition waiver.**

17 (h) The appropriation for Northern Michigan University is
 18 ~~\$48,869,700.00, \$47,809,100.00 for operations, \$0.00 for~~
 19 ~~performance funding, and \$1,060,600.00 for costs incurred under the~~
 20 ~~North American Indian tuition waiver. \$48,855,600.00, \$47,804,100.00~~
 21 **for operations, \$0.00 for performance funding, and \$1,051,500.00**
 22 **for costs incurred under the North American Indian tuition waiver.**

23 (i) The appropriation for Oakland University is
 24 ~~\$53,413,500.00, \$53,147,400.00 for operations, \$0.00 for~~
 25 ~~performance funding, and \$266,100.00 for costs incurred under the~~
 26 ~~North American Indian tuition waiver. \$53,476,400.00, \$53,142,400.00~~
 27 **for operations, \$0.00 for performance funding, and \$334,000.00 for**
 28 **costs incurred under the North American Indian tuition waiver.**

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

~~\$30,803,300.00, \$30,583,800.00 for operations, \$0.00 for performance funding, and \$219,500.00 for costs incurred under the North American Indian tuition waiver.~~
\$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

1 **\$469,700.00 for costs incurred under the North American Indian**
 2 **tuition waiver.**

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

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

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

14 (b) State general fund/general purpose money,
 15 ~~\$1,195,572,400.00.~~**\$1,194,981,400.00.**

16 (4) The amount appropriated for Michigan public school
 17 employees' retirement system reimbursement is ~~\$11,695,000.00,~~
 18 **\$13,495,000.00,** appropriated from the state school aid fund.

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

22 (a) Higher education database modernization and conversion,
 23 ~~\$200,000.00.~~**\$200,000.00.**

24 (b) Midwestern Higher Education Compact,
 25 ~~\$115,000.00.~~**\$116,800.00.**

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

1 (a) Select student support services,

2 ~~\$1,956,100.00.~~ **\$1,882,500.00.**

3 (b) Michigan college/university partnership program,

4 ~~\$586,800.00.~~ **\$586,800.00.**

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

6 ~~\$148,600.00.~~ **\$148,600.00.**

7 **(d) Pregnant and parenting student support services program,**

8 **\$148,600.00.**

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

12 (a) State competitive scholarships,

13 ~~\$29,861,700.00.~~ **\$29,861,700.00.**

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

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

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

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

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

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

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

26 (c) State general fund/general purpose money,
27 ~~\$19,256,800.00.~~ **\$19,256,800.00.**

28 (9) For fiscal year ~~2020-2021~~ **2021-2022** only, in addition to
29 the allocation under subsection (4), from the appropriations

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

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

(g) Michigan Technological University,
~~\$6,805,300.00.~~ **\$3,488,700.00.**

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

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

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

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

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

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

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

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

Sec. 236i. (1) In addition to the funds appropriated under section 236(2) for university operations, for the fiscal year ending September 30, 2022 only, there is appropriated an amount not to exceed \$29,214,700.00 from state general fund/general purpose money for operational support payments. These funds are intended to be used for the same purposes as the funds appropriated under section 201(2) for university operations.

(2) From the amount appropriated under subsection (1), each university is allocated the following:

(a) Central Michigan University, \$1,752,000.00.

(b) Eastern Michigan University, \$1,545,100.00.

(c) Ferris State University, \$1,100,500.00.

(d) Grand Valley State University, \$1,446,300.00.

(e) Lake Superior State University, \$266,100.00.

(f) Michigan State University, \$5,746,600.00.

(g) Michigan Technological University, \$1,002,000.00.

(h) Northern Michigan University, \$956,200.00.

(i) Oakland University, \$1,062,900.00.

(j) Saginaw Valley State University, \$611,700.00.

(k) University of Michigan - Ann Arbor, \$6,439,400.00.

(l) University of Michigan - Dearborn, \$523,300.00.

(m) University of Michigan - Flint, \$472,300.00.

(n) Wayne State University, \$4,059,900.00.

(o) Western Michigan University, \$2,230,400.00.

(3) In addition to the funds appropriated in section 236(2) for MSU AgBioResearch, for the fiscal year ending September 30, 2022 only, there is appropriated an amount not to exceed \$698,700.00 from the state general fund/general purpose money for MSU AgBioResearch.

(4) In addition to the funds appropriated in section 236(2) for MSU Extension, for the fiscal year ending September 30, 2022 only, there is appropriated an amount not to exceed \$602,700.00 from the state general fund/general purpose money for MSU Extension.

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

Sec. 241. (1) Subject to sections 244 and 265a, the funds

1 appropriated in section 236 **and section 236i** to public universities
2 shall be paid out of the state treasury and distributed by the
3 state treasurer to the respective institutions in 11 equal monthly
4 installments on the sixteenth of each month, or the next succeeding
5 business day, beginning with October 16, ~~2020.~~**2021**. Except for
6 Wayne State University, each institution shall accrue its July and
7 August ~~2021-2022~~ payments to its institutional fiscal year ending
8 June 30, ~~2021.~~**2022**.

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

23 Sec. 245. (1) A public university shall maintain a public
24 transparency website available through a link on its website
25 homepage. The public university shall update this website within 30
26 days after the university's governing board adopts its annual
27 operating budget for the next academic year, or after the governing
28 board adopts a subsequent revision to that budget.

29 (2) The website required under subsection (1) shall include

1 all of the following concerning the public university:

2 (a) The annual operating budget and subsequent budget
3 revisions.

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

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

9 (A) Earnings and wages.

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

13 (C) Retirement benefit costs.

14 (D) All other personnel costs.

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

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

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

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

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

29 (d) A list of all positions funded partially or wholly through

1 institutional general fund revenue that includes the position title
2 and annual salary or wage amount for each position.

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

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

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

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

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

18 (a) Enrollment.

19 (b) Student retention rate.

20 (c) Six-year graduation rates.

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

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

25 (f) Faculty to student ratios and total university employee to
26 student ratios.

27 (g) Teaching load by faculty classification.

28 (h) Graduation outcome rates, including employment and
29 continuing education.

(4) For statewide consistency and public visibility, public universities must use the icon badge provided by the department of technology, management, and budget consistent with the icon badge developed by the department of education for K-12 school districts. It must appear on the front of each public university's homepage. 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 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.~~

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

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

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

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

(a) Emergency contact numbers for police, fire, health, and

1 other services.

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

4 (c) A listing of safety and security services provided by the
5 university, including transportation, escort services, building
6 surveillance, anonymous tip lines, and other available security
7 services.

8 (d) A public university's policies applicable to minors on
9 university property.

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

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

15 (g) Campus security policies and crime statistics pursuant to
16 the student right-to-know and campus security act, Public Law 101-
17 542, 104 Stat 2381. Information shall include all material prepared
18 pursuant to the public information reporting requirements under the
19 crime awareness and campus security act of 1990, title II of the
20 student right-to-know and campus security act, Public Law 101-542,
21 104 Stat 2381.

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

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

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

5 (3) Pursuant to section 5 of 1966 PA 313, MCL 390.995, and
6 subject to ~~subsections (6) and (7)~~, **subsection (6)**, the department
7 of treasury shall determine an actual tuition grant award per
8 student, which shall be \$2,800.00, that ensures that the aggregate
9 payments for the tuition grant program do not exceed the
10 appropriation ~~contained~~ in section 236 for the state tuition grant
11 program. If the department determines that insufficient funds are
12 available to establish an award amount equal to \$2,800.00, the
13 department shall immediately report to the house and senate
14 appropriations subcommittees on higher education, the house and
15 senate fiscal agencies, and the state budget director regarding the
16 estimated amount of additional funds necessary to establish a
17 \$2,800.00 award amount. If the department determines that
18 sufficient funds are available to establish an award amount equal
19 to \$2,800.00, the department shall immediately report to the house
20 and senate appropriations subcommittees on higher education, the
21 house and senate fiscal agencies, and the state budget director
22 regarding the award amount established and the projected amount of
23 any projected year-end appropriation balance based on that award
24 amount. By February 18 of each fiscal year, the department shall
25 analyze the status of award commitments, shall make any necessary
26 adjustments, and shall confirm that those award commitments will
27 not exceed the appropriation ~~contained~~ in section 236 for the
28 tuition grant program. The determination and actions shall be
29 reported to the state budget director and the house and senate

1 fiscal agencies no later than the final day of February of each
2 year. If award adjustments are necessary, the students shall be
3 notified of the adjustment by March 4 of each year.

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

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

14 (6) The department of treasury shall not award more than
15 ~~\$4,800,000.00~~ **\$5,000,000.00** in tuition grants to eligible students
16 enrolled in the same independent nonprofit college or university in
17 this state. Any decrease in the grant shall be proportional for all
18 eligible students enrolled in that college or university, as
19 determined by the department. The limit described in this
20 subsection does not apply to any other student financial aid
21 program or in combination with any other student financial aid
22 program.

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

28 ~~(a) The number of students in the most recently completed~~
29 ~~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.

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

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

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

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

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

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

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

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

24 (iii) Be at least a half-time student, earning less than 80
25 semester or 120 term credits at a participating educational
26 institution within 4 years of high school graduation or achievement
27 of a high school equivalency certificate. All program eligibility
28 expires 10 years after initial enrollment at a participating
29 educational institution.

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

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

6 (i) Complete at least 56 transferable semester or 84
7 transferable term credits.

8 (ii) Obtain an associate degree or certificate at a
9 participating institution.

10 (c) To be eligible for phase I or phase II, an individual must
11 be financially eligible as determined by the department. An
12 individual is financially eligible for the tuition incentive
13 program if he or she was eligible for Medicaid from this state for
14 24 months within the 36 ~~consecutive~~ months before application. The
15 department shall accept certification of Medicaid eligibility only
16 from the department of health and human services for the purposes
17 of verifying if a person is Medicaid eligible for 24 months within
18 the 36 ~~consecutive~~ months before application. Certification of
19 eligibility may begin in the sixth grade.

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

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

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

29 (b) For persons enrolled at a Michigan community college, the

1 department shall pay the current in-district tuition and mandatory
2 fees. For persons residing in an area that is not included in any
3 community college district, the out-of-district tuition rate may be
4 authorized.

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

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

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

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

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

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

26 (8) The department shall notify students of their financial
27 eligibility for the program any time after the student begins sixth
28 grade.

29 (9) Except as otherwise provided in section 3(d) of the

1 Michigan reconnect grant act, 2020 PA 84, MCL 390.1703, and section
2 17 of the Michigan reconnect grant recipient act, 2020 PA 68, MCL
3 390.1717, each institution shall ensure that all known available
4 restricted grants for tuition and fees are used ~~prior to~~**before**
5 billing the tuition incentive program for any portion of a
6 student's tuition and fees.

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

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

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

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

28 (12) ~~Beginning in fiscal year 2020-2021, if~~**If** a qualified
29 postsecondary institution does not report the data necessary to

1 complete the reporting in subsection (11) to the P-20 longitudinal
2 data system by October 15 for the prior academic year, the
3 department of treasury shall not award phase I tuition incentive
4 program funding to otherwise eligible students enrolled in that
5 institution until the data are submitted.

6 Sec. 259. It is the intent of the legislature that the
7 department of treasury ~~launch~~**continue** an aggressive campaign to
8 inform high school students about the financial aid programs
9 offered by this state and the eligibility requirements for
10 participation in those financial aid programs, **including free or**
11 **reduced tuition programs provided by community colleges and**
12 **universities in this state.**

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

25 (a) A list of public and private community support centers,
26 student debt clinics, and other organizations and their contact
27 information submitted by Michigan College Access Network that
28 provides free information and services for student loan borrowers
29 to help educate them about repayment options and to help them

1 access student loan programs or benefits for which they may be
2 eligible.

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

5 **(c) Links to each promise zone website and the financial aid**
6 **website to each community college, public university, and**
7 **independent college and university in this state.**

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

10 **(e)** ~~(d)~~ Links to net price calculators for community colleges
11 receiving an appropriation in section 201 and universities
12 receiving an appropriation in section 236, if available.

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

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

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

23 (ii) Deciding how much to borrow.

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

25 (iv) Estimating how much borrowing is needed for a given school
26 year.

27 (v) Evaluating financial aid offers.

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

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

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

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

(x) Student loan debt relief scams.

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

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

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

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

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

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

1 Sec. 264. Included in the appropriation in section 236 for
 2 fiscal year ~~2020-2021~~**2021-2022** for Michigan State University is
 3 \$80,000.00 for the Michigan Future Farmers of America Association.
 4 This \$80,000.00 allocation shall not supplant any existing support
 5 that Michigan State University provides to the Michigan Future
 6 Farmers of America Association.

7 Sec. 265. (1) Payments under section 265a for performance
 8 funding for fiscal years ~~2020-2021~~, ~~2021-2022~~, ~~and 2022-2023~~, **and**
 9 **2023-2024** shall only be made to a public university that certifies
 10 to the state budget director by ~~October 1, 2020~~ **the last business**
 11 **day of August** that its board did not adopt an increase in tuition
 12 and fee rates for resident undergraduate students after September
 13 1, ~~2019-2020~~ for the ~~2019-2020~~**2020-2021** academic year and that its
 14 board will not adopt an increase in tuition and fee rates for
 15 resident undergraduate students for the ~~2020-2021~~**2021-2022**
 16 academic year that is greater than ~~4.25% or \$586.00~~, **4.2% or**
 17 **\$590.00**, whichever is greater. As used in this subsection:

18 (a) "Fee" means any board-authorized fee that will be paid by
 19 more than 1/2 of all resident undergraduate students at least once
 20 during their enrollment at a public university, as described in the
 21 higher education institutional data inventory (HEIDI) user manual.
 22 A university increasing a fee that applies to a specific subset of
 23 students or courses shall provide sufficient information to prove
 24 that the increase applied to that subset will not cause the
 25 increase in the average amount of board-authorized total tuition
 26 and fees paid by resident undergraduate students in the ~~2020-2021~~
 27 **2021-2022** academic year to exceed the limit established in this
 28 subsection.

29 (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 ~~years 2021-2022,~~ **year** 2022-2023 ~~, or~~ 2023-2024.

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

27 Sec. 265b. (1) Appropriations to public universities in
 28 section 236 for the fiscal year ending September 30, ~~2021-2022~~ for
 29 operations funding shall be reduced by 10% pursuant to the

1 procedures described in subdivision (a) for a public university
2 that fails to submit certification to the state budget director,
3 the house and senate appropriations subcommittees on higher
4 education, and the house and senate fiscal agencies by October 1,
5 ~~2020~~**2021** that the university complies with sections 274c and 274d
6 and that it complies with all of the requirements described in
7 subdivisions (b) to (i), as follows:

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

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

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

21 (d) Consistent with the university's obligations under 20 USC
22 1092(f), the university notifies each individual who reports having
23 experienced sexual assault by a student, faculty member, or staff
24 member of the university that the individual has the option to
25 report the matter to law enforcement, to the university, to both,
26 or to neither, as the individual may choose.

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

28 (i) For all freshmen and incoming transfer students enrolled,
29 an in-person sexual misconduct prevention presentation or course,

1 which must include contact information for the title IX office of
2 the university.

3 (ii) For all students not considered freshmen or incoming
4 transfer students, an online or electronic sexual misconduct
5 prevention presentation or course.

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

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

21 (h) The university requires that the governing board and the
22 president or chancellor of the university receive not less than
23 quarterly reports from their title IX coordinator or title IX
24 office. The report shall contain aggregated data of the number of
25 sexual misconduct reports that the office received for the academic
26 year, the types of reports received, including reports received
27 against employees, and a summary of the general outcomes of the
28 reports and investigations. A member of the governing board may
29 request to review a title IX investigation report involving a

1 complaint against an employee, and the university shall provide the
2 report in a manner it considers appropriate. The university shall
3 protect the complainant's anonymity, and the report shall not
4 contain specific identifying information.

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

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

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

- 26 (a) Intimate partner violence.
- 27 (b) Nonconsensual sexual conduct.
- 28 (c) Sexual assault.
- 29 (d) Sexual exploitation.

1 (e) Sexual harassment.

2 (f) Stalking.

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

11 Sec. 268. (1) For the fiscal year ending September 30, ~~2021,~~
12 **2022**, it is the intent of the legislature that funds be allocated
13 for unfunded North American Indian tuition waiver costs incurred by
14 public universities under 1976 PA 174, MCL 390.1251 to 390.1253,
15 from the general fund.

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

22 (a) The number of waiver applications received and the number
23 of waiver applications approved.

24 (b) For each university submitting information under
25 subsection (3), all of the following:

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

28 (ii) The number of North American Indian waivers granted each
29 term, including to continuing education students, and the monetary

1 value of the waivers for the previous academic year.

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

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

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

23 (4) The department of civil rights may consolidate the report
24 required under this section with the report required under section
25 223, but a consolidated report must separately identify data for
26 universities and data for community colleges.

27 Sec. 269. For fiscal year ~~2020-2021,~~**2021-2022**, from the
28 amount appropriated in section 236 to Central Michigan University
29 for costs incurred under the North American Indian tuition waiver,

1 ~~\$79,700.00~~**\$82,380.00** shall be paid to Saginaw Chippewa Tribal
 2 College for the costs of waiving tuition for North American Indians
 3 under 1976 PA 174, MCL 390.1251 to 390.1253. It is the intent of
 4 the legislature that Saginaw Chippewa Tribal College provide the
 5 department of civil rights the necessary information for the
 6 college to be included in the report required under section 268.

7 Sec. 270c. For fiscal year ~~2020-2021~~**,2021-2022**, from the
 8 amount appropriated in section 236 to Northern Michigan University
 9 for costs incurred under the North American Indian tuition waiver,
 10 \$50,000.00 is to be paid to Keweenaw Bay Ojibwa Community College
 11 for the costs of waiving tuition for North American Indians under
 12 1976 PA 174, MCL 390.1251 to 390.1253. It is the intent of the
 13 legislature that Keweenaw Bay Ojibwa Community College provide the
 14 department of civil rights the necessary information for the
 15 community college to be included in the report required under
 16 section 268.

17 Sec. 274d. (1) By October 31 **of each year**, each university
 18 receiving funds under section 236 shall report to the senate and
 19 house appropriations subcommittees on higher education, the senate
 20 and house fiscal agencies, the state budget director, and the
 21 attorney general its annual ~~title IX~~**security** report, also known as
 22 the ~~student sexual misconduct report, issued by the title IX~~
 23 ~~coordinator~~**, Clery Act Report**, as required under ~~the federal campus~~
 24 ~~save act of 2013, Public Law 113-4, section 304, 127 Stat 54, 89-92~~
 25 ~~(2013).~~**20 USC 1092(f)**.

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

29 (a) The amounts and descriptions of all fees incurred in title

1 IX-related civil and criminal litigation.

2 (b) The number of title IX complaints.

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

5 (d) The aggregate number of title IX cases, investigations,
6 and complaints for each of the categories described in
7 subparagraphs (i) to ~~(iii)~~, ~~(v)~~, subject to subparagraph ~~(iv)~~, ~~(vi)~~, as
8 follows:

9 (i) Cases investigated for less than 15 days.

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

12 **(iii)** ~~(ii)~~ Cases investigated for at least 30 days and less than
13 60 days.

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

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

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

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

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

26 Sec. 275f. **(1)** ~~By February 1, 2021, each public university~~
27 ~~receiving an appropriation in section 236 shall submit to the~~
28 ~~senate and house appropriations subcommittees on higher education,~~
29 ~~the senate and house fiscal agencies, and the state budget director~~

1 ~~a report on activities related to strategic planning and internal~~
2 ~~assessment or reassessment to best provide for open and free~~
3 ~~expression and speech, while protecting students from hate speech,~~
4 ~~violence, and discrimination.~~ **It is the intent of the legislature**
5 **that each public university adopt an advocacy policy applicable to**
6 **faculty, staff, students, student employees, visitors, and**
7 **contractors by January 1, 2022 and comply with all other**
8 **requirements of this section.**

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

18 **(3) Each public university shall report to the senate and**
19 **house appropriations subcommittees on higher education, the senate**
20 **and house fiscal agencies, and the state budget director the number**
21 **of complaints, the number of substantiated violations, and the**
22 **consequences or actions taken by the university in response to**
23 **substantiated violations by August 31, 2022.**

24 **Sec. 275j. (1) Appropriations in section 236 for the Martin**
25 **Luther King, Jr. - Cesar Chavez - Rosa Parks pregnant and parenting**
26 **student support services program are for developing academically or**
27 **economically disadvantaged student retention programs for 4-year**
28 **public and independent educational institutions in this state.**
29 **Preference may not be given to participants on the basis of race,**

1 color, ethnicity, gender, or national origin. Institutions should
2 encourage participation from those who would otherwise not
3 adequately be represented in the student population.

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

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

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

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

16 (i) Comprehensive student health care.

17 (ii) Family housing.

18 (iii) Child care.

19 (iv) Flexible or alternative academic scheduling.

20 (v) Education concerning responsible parenting for mothers and
21 fathers.

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

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

29 (e) If appropriate, the institution shall provide referrals on

1 prenatal care and delivery, infant or foster care, adoption, and
 2 family planning to individual students who request that
 3 information. An approved program shall not provide referrals for
 4 abortion services.

5 (4) By December 1, 2022, institutions that establish a
 6 pregnant and parenting student support services program shall
 7 report to the house and senate subcommittees on higher education,
 8 the house and senate fiscal agencies, and the state budget director
 9 all of the following:

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

12 (b) The number of students served.

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

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

28 (2) The program shall be administered by each public
 29 university in a manner prescribed by the department of labor and

1 economic opportunity. The department of labor and economic
 2 opportunity shall use a good faith effort standard to evaluate
 3 whether a fellowship is in default. **All of the following apply to**
 4 **the program:**

5 (a) By April 15 of each year, public universities shall report
 6 any anticipated unexpended or unencumbered program funds to the
 7 department of labor and economic opportunity. Encumbered funds are
 8 those funds that were committed by a fellowship agreement that is
 9 signed during the current fiscal year or administrative expenses
 10 that have been approved by the department of labor and economic
 11 opportunity.

12 (b) Before August 1, 2022, unexpended or unencumbered funds
 13 may be transferred, under the direction of the department of labor
 14 and economic opportunity, to a future faculty program at another
 15 university to be awarded to an eligible candidate at that
 16 university.

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

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

23 Sec. 277. (1) Included in the appropriation for fiscal year
 24 ~~2020-2021~~ **2021-2022** for each public university in section 236 is
 25 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
 26 college day program that is intended to introduce academically or
 27 economically disadvantaged schoolchildren to the potential of a
 28 college education **in this state**. Preference may not be given to
 29 participants on the basis of race, color, ethnicity, gender, or

1 national origin. Public universities should encourage participation
2 from those who would otherwise not adequately be represented in the
3 student population.

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

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

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

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

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

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

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

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

21 Sec. 280. (1) Included in the appropriation for fiscal year
22 ~~2020-2021-2021-2022~~ for each public university in section 236 is
23 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
24 visiting professors program which is intended to increase the
25 number of instructors in the classroom to provide role models for
26 academically or economically disadvantaged students. Preference may
27 not be given to participants on the basis of race, color,
28 ethnicity, gender, or national origin. Public universities should
29 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 2021-2022 under this section shall report to the department of labor and economic opportunity by April 15, 2022 the amount of its unobligated and unexpended funds as of March 31, 2022 and a plan to expend the remaining funds by the end of the fiscal year. The amount of funding reported as not being expended may be transferred, under the direction of the department, to another university for use under this section.**

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

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

(3) Approved teacher education institutions may and are

1 encouraged to use **select** student support services funding in
2 coordination with the Morris Hood, Jr. funding to achieve the goals
3 of the program described in this section.

4 Sec. 281a. (1) ~~Each public university that receives an amount~~
5 ~~of the appropriations in section 236 for the Martin Luther King,~~
6 ~~Jr. - Cesar Chavez - Rosa Parks initiatives shall submit a report~~
7 ~~to the department of labor and economic opportunity by December 15~~
8 ~~of each year containing, at a minimum, all of the following~~
9 ~~information from the immediately preceding academic year:~~

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

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

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

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

25 ~~(e) For the visiting professors program detailed in section~~
26 ~~280, the number of students who took a class taught by an~~
27 ~~instructor hired using program funds, the number of instructors~~
28 ~~hired using program funds, the number of class sections taught by~~
29 ~~instructors hired using program funds, and the amount of any~~

1 ~~university matching funds for the program.~~

2 ~~(f) For the educator development program detailed in section~~
 3 ~~281, the number of students participating in the program and the~~
 4 ~~number of education-related bachelor's degrees conferred to~~
 5 ~~participants in the program.~~

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

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

19 (i) The number of program applications received.

20 (ii) The number of fellowships awarded.

21 (iii) The total amount of fellowship funding awarded.

22 (iv) The number of degrees conferred to fellowship recipients.

23 (v) The number of fellowship recipients still pursuing a
 24 degree.

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

27 (i) The number of students served.

28 (ii) The amount of grant funding received for the program and
 29 the amount of matching funds from each source.

1 (iii) The number of participating school districts.

2 (iv) College enrollment data of students served.

3 (v) A summary of progress toward meeting the goals and
4 objectives of the program.

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

7 (i) The number of students served.

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

10 (iii) The number and percentage of program participants who
11 graduated.

12 (iv) A summary of progress toward meeting the goals and
13 objectives of the program.

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

16 (i) The number of students served.

17 (ii) The number of bachelor degrees conferred to program
18 participants.

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

20 (iv) The amount of any university matching funds for the
21 program.

22 (v) A summary of progress toward meeting the goals and
23 objectives of the program.

24 (e) For the visiting professors program detailed in section
25 280, all of the following:

26 (i) The number of students served.

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

28 (iii) The number of classes taught by instructors hired using

1 program funds.

2 (iv) The amount of any university matching funds for the
3 program.

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

6 (f) For the educator development program detailed in section
7 281, all of the following:

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

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

11 (iii) A summary of progress toward meeting the goals and
12 objectives of the program.

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

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

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

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

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

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

29 (C) The default rate for the program.

1 (D) The number of delinquent program accounts and outstanding
2 loan balance of those accounts.

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

6 (F) The total amount of defaulted program funds that were
7 recovered and returned to the state general fund.

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

10 (H) A summary of progress toward meeting the goals and
11 objectives of the program.

12 (I) The number of fellows in the process of fulfilling the
13 teaching requirement.

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

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

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

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

24 (A) The number of on-site or virtual monitoring visits, a list
25 of where those visits occurred, the reason each visit occurred, the
26 results of the on-site or virtual review, and the dates of any
27 follow-up visits.

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

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

Sec. 282. (1) Each institution receiving funds for fiscal year ~~2020-2021~~ **2021-2022** under section 278, 279, or 281 shall provide to the department of labor and economic opportunity by April 15, ~~2021~~ **2022** the unobligated and unexpended funds as of March 31, ~~2021-2022~~ and a plan to expend the remaining funds by the end of the fiscal year. Notwithstanding the award limitations in sections 278 and 279, the amount of funding reported as not being expended will be reallocated to the institutions that intend to expend all funding received under section 278, 279, or 281.

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

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

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

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

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

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

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

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

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

6 Sec. 291. ~~The~~ **To the extent allowable under section 53 of**
7 **article IV of the state constitution of 1963, the** auditor general
8 may conduct performance audits of public universities receiving
9 funds in section 236 as the auditor general considers necessary.

10 Enacting section 1. In accordance with section 30 of article
11 IX of the state constitution of 1963, total state spending from
12 state sources for higher education for fiscal year 2021-2022 under
13 article III of the state school aid act of 1979, 1979 PA 94, MCL
14 388.1836 to 388.1891, is estimated at **\$1,607,939,500.00** and the
15 amount of that state spending from state sources to be paid to
16 local units of government for fiscal year 2021-2022 is estimated at
17 \$0.00.

18 Enacting section 2. Sections 236b, 270, 270b, 275g, 275h, and
19 275i of the state school aid act of 1979, 1979 PA 94, MCL
20 388.1836b, 388.1870, 388.1870b, 388.1875g, 388.1875h, and
21 388.1875i, are repealed effective October 1, 2021.

22 Enacting section 3. This amendatory act takes effect October
23 1, 2021.