

**THE STATE SCHOOL AID ACT OF 1979 (EXCERPT)**  
**Act 94 of 1979**

\*\*\*\*\* 388.1865.added THIS ADDED SECTION IS EFFECTIVE OCTOBER 1, 2011 \*\*\*\*\*

**388.1865.added Public university tuition restraint incentives; payment conditions.**

Sec. 265. (1) The amounts appropriated in section 236 for public university tuition restraint incentives shall only be paid to a public university that certifies to the state budget director by August 31, 2011 that its board did not adopt an increase in tuition and fee rates for resident undergraduate students after February 1, 2011 for the 2010-2011 academic year and that its board will not adopt an increase in tuition and fee rates for resident undergraduate students for the 2011-2012 academic year that is greater than the calculated average of annual statewide changes in tuition and fee rates for academic years 2006-2007 through 2010-2011, as determined by the state budget director. As used in this subsection:

(a) "Fee" means any board-authorized fee that will be paid by more than 1/2 of all resident undergraduate students at least once during their enrollment at a public university. A university increasing a fee that applies to a specific subset of students or courses shall provide sufficient information to prove that the increase applied to that subset will not cause the increase in the average amount of board-authorized total tuition and fees paid by resident undergraduate students in the 2011-2012 academic year to exceed the limit established in this subsection.

(b) "Tuition and fee rate" means the average of rates for all undergraduate classes, based on the highest board-authorized rate for any semester during the academic year.

(2) The state budget director shall implement uniform reporting requirements to ensure that a public university receiving an appropriation under section 236 has satisfied the tuition restraint requirements of this section. The state budget director shall have the sole authority to determine if a public university has met the requirements of this section. Information reported by a public university to the state budget director under this subsection shall also be reported to the house and senate appropriations subcommittees on higher education and the house and senate fiscal agencies.

(3) In conjunction with the uniform reporting requirements established under subsection (2), each public university shall also report the following information to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director by August 31, 2011:

(a) Actual fiscal year 2010-2011 and budgeted fiscal year 2011-2012 total general fund tuition and fee revenue.

(b) Actual fiscal year 2010-2011 and budgeted fiscal year 2011-2012 total general fund revenue.

(c) Actual fiscal year 2010-2011 and budgeted fiscal year 2011-2012 general fund expenditures for student financial aid.

(d) Actual fiscal year 2010-2011 and budgeted fiscal year 2011-2012 total general fund expenditures.

(e) Actual fiscal year 2010-2011 and budgeted fiscal year 2011-2012 total fiscal year equated student enrollment.

**History:** Add. 2011, Act 62, Eff. Oct. 1, 2011.