

**SUBSTITUTE FOR
HOUSE BILL NO. 5785**

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending sections 236, 236b, 236c, 236h, 237b, 241, 245a, 251,
252, 256, 259, 260, 263, 264, 265, 265a, 265b, 267, 268, 269, 270c,
274, 275, 275b, 275f, 275g, 275h, 276, 277, 278, 279, 280, 281, and
282 (MCL 388.1836, 388.1836b, 388.1836c, 388.1836h, 388.1837b,
388.1841, 388.1845a, 388.1851, 388.1852, 388.1856, 388.1859,
388.1860, 388.1863, 388.1864, 388.1865, 388.1865a, 388.1865b,
388.1867, 388.1868, 388.1869, 388.1870c, 388.1874, 388.1875,
388.1875b, 388.1875f, 388.1875g, 388.1875h, 388.1876, 388.1877,
388.1878, 388.1879, 388.1880, 388.1881, and 388.1882), sections
236, 236b, 236c, 241, 245a, 256, 259, 260, 263, 264, 265, 265b,
267, 268, 269, 270c, 274, 275f, 275g, 275h, 276, 277, 278, 279,

280, 281, and 282 as amended and section 236h as added by 2021 PA 86, sections 237b and 275 as amended by 2020 PA 165, sections 251 and 252 as amended by 2019 PA 162, section 265a as amended by 2019 PA 62, and section 275b as amended by 2018 PA 265, and by adding sections 236j, 236k, 265f, 265g, 265h, 274a, 275j, and 275k; 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, ~~2022,~~
4 **2023**, from the funds indicated in this section. The following is a
5 summary of the appropriations in this section: ~~and section 236h:~~

6 (a) The gross appropriation is ~~\$1,808,251,200.00.~~
7 **\$2,475,718,600.00**. After deducting total interdepartmental grants
8 and intradepartmental transfers in the amount of \$0.00, the
9 adjusted gross appropriation is
10 ~~\$1,808,251,200.00.~~ **\$2,475,718,600.00**.

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

13 (i) Total federal revenues, ~~\$128,526,400.00.~~ **\$391,726,400.00**.

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

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

16 (iv) Total other state restricted revenues,
17 ~~\$361,403,300.00.~~ **\$861,015,300.00**.

18 (v) State general fund/general purpose money,
19 ~~\$1,318,321,500.00.~~ **\$1,222,976,900.00**.

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

22 (a) The appropriation for Central Michigan University is

1 ~~\$90,440,500.00, \$87,600,000.00 for operations, \$876,000.00 for 1-~~
2 ~~time supplemental funding, and \$1,964,500.00 for costs incurred~~
3 ~~under the North American Indian tuition waiver.~~**\$89,393,100.00,**
4 **\$87,600,000.00 for operations and \$1,793,100.00 for costs incurred**
5 **under the North American Indian tuition waiver.**

6 (b) The appropriation for Eastern Michigan University is
7 ~~\$78,305,900.00, \$77,253,700.00 for operations, \$772,500.00 for 1-~~
8 ~~time supplemental funding, and \$279,700.00 for costs incurred under~~
9 ~~the North American Indian tuition waiver.~~**\$77,607,300.00,**
10 **\$77,253,700.00 for operations and \$353,600.00 for costs incurred**
11 **under the North American Indian tuition waiver.**

12 (c) The appropriation for Ferris State University is
13 ~~\$56,541,600.00, \$55,025,500.00 for operations, \$550,300.00 for 1-~~
14 ~~time supplemental funding, and \$965,800.00 for costs incurred under~~
15 ~~the North American Indian tuition waiver.~~**\$55,852,400.00,**
16 **\$55,025,500.00 for operations and \$826,900.00 for costs incurred**
17 **under the North American Indian tuition waiver.**

18 (d) The appropriation for Grand Valley State University is
19 ~~\$74,213,800.00, \$72,313,500.00 for operations, \$723,100.00 for 1-~~
20 ~~time supplemental funding, and \$1,177,200.00 for costs incurred~~
21 ~~under the North American Indian tuition waiver.~~**\$100,218,300.00,**
22 **\$72,313,500.00 for operations, \$26,625,500.00 for per-student floor**
23 **funding, and \$1,279,300.00 for costs incurred under the North**
24 **American Indian tuition waiver.**

25 (e) The appropriation for Lake Superior State University is
26 ~~\$14,366,600.00, \$13,307,000.00 for operations, \$133,100.00 for 1-~~
27 ~~time supplemental funding, and \$926,500.00 for costs incurred under~~
28 ~~the North American Indian tuition waiver.~~**\$14,095,800.00,**
29 **\$13,307,000.00 for operations and \$788,800.00 for costs incurred**

1 under the North American Indian tuition waiver.

2 (f) The appropriation for Michigan State University is
3 ~~\$357,862,000.00, \$287,331,700.00 for operations, \$2,873,300.00 for~~
4 ~~1-time supplemental funding, \$1,932,800.00 for costs incurred under~~
5 ~~the North American Indian tuition waiver, \$35,286,700.00 for MSU~~
6 ~~AgBioResearch, and \$30,437,500.00 for MSU~~
7 ~~Extension.~~**\$354,451,500.00, \$287,331,700.00 for operations,**
8 **\$2,046,400.00 for costs incurred under the North American Indian**
9 **tuition waiver, \$34,937,300.00 for MSU AgBioResearch, and**
10 **\$30,136,100.00 for MSU Extension.**

11 (g) The appropriation for Michigan Technological University is
12 ~~\$51,371,900.00, \$50,101,600.00 for operations, \$501,000.00 for 1-~~
13 ~~time supplemental funding, and \$769,300.00 for costs incurred under~~
14 ~~the North American Indian tuition waiver.~~**\$50,949,000.00,**
15 **\$50,101,600.00 for operations and \$847,400.00 for costs incurred**
16 **under the North American Indian tuition waiver.**

17 (h) The appropriation for Northern Michigan University is
18 ~~\$49,338,700.00, \$47,809,100.00 for operations, \$478,100.00 for 1-~~
19 ~~time supplemental funding, and \$1,051,500.00 for costs incurred~~
20 ~~under the North American Indian tuition waiver.~~**\$48,970,400.00,**
21 **\$47,809,100.00 for operations and \$1,161,300.00 for costs incurred**
22 **under the North American Indian tuition waiver.**

23 (i) The appropriation for Oakland University is
24 ~~\$54,012,900.00, \$53,147,400.00 for operations, \$531,500.00 for 1-~~
25 ~~time supplemental funding, and \$334,000.00 for costs incurred under~~
26 ~~the North American Indian tuition waiver.~~**\$78,144,100.00,**
27 **\$53,147,400.00 for operations, \$24,641,400.00 for per-student floor**
28 **funding, and \$355,300.00 for costs incurred under the North**
29 **American Indian tuition waiver.**

1 (j) The appropriation for Saginaw Valley State University is
 2 ~~\$31,043,500.00, \$30,583,800.00 for operations, \$305,800.00 for 1-~~
 3 ~~time supplemental funding, and \$153,900.00 for costs incurred under~~
 4 ~~the North American Indian tuition waiver.~~**\$32,355,000.00,**
 5 **\$30,583,800.00 for operations, \$1,582,900.00 for per-student floor**
 6 **funding, and \$188,300.00 for costs incurred under the North**
 7 **American Indian tuition waiver.**

8 (k) The appropriation for University of Michigan - Ann Arbor
 9 is ~~\$326,265,400.00, \$321,970,100.00 for operations, \$3,219,700.00~~
 10 ~~for 1-time supplemental funding, and \$1,075,600.00 for costs~~
 11 ~~incurred under the North American Indian tuition~~
 12 ~~waiver.~~**\$322,807,800.00, \$321,970,100.00 for operations and**
 13 **\$837,700.00 for costs incurred under the North American Indian**
 14 **tuition waiver.**

15 (l) The appropriation for University of Michigan - Dearborn is
 16 ~~\$26,593,700.00, \$26,167,000.00 for operations, \$261,700.00 for 1-~~
 17 ~~time supplemental funding, and \$165,000.00 for costs incurred under~~
 18 ~~the North American Indian tuition waiver.~~**\$32,716,600.00,**
 19 **\$26,167,000.00 for operations, \$6,303,400.00 for per-student floor**
 20 **funding, and \$246,200.00 for costs incurred under the North**
 21 **American Indian tuition waiver.**

22 (m) The appropriation for University of Michigan - Flint is
 23 ~~\$24,197,400.00, \$23,616,200.00 for operations, \$236,200.00 for 1-~~
 24 ~~time supplemental funding, and \$345,000.00 for costs incurred under~~
 25 ~~the North American Indian tuition waiver.~~**\$27,874,400.00,**
 26 **\$23,616,200.00 for operations, \$3,873,800.00 for per-student floor**
 27 **funding, and \$384,400.00 for costs incurred under the North**
 28 **American Indian tuition waiver.**

29 (n) The appropriation for Wayne State University is

1 ~~\$205,496,400.00, \$202,996,700.00 for operations, \$2,030,000.00 for~~
 2 ~~1-time supplemental funding, and \$469,700.00 for costs incurred~~
 3 ~~under the North American Indian tuition waiver.~~ **\$203,349,800.00,**
 4 **\$202,996,700.00 for operations and \$353,100.00 for costs incurred**
 5 **under the North American Indian tuition waiver.**

6 (o) The appropriation for Western Michigan University is
 7 ~~\$113,432,700.00, \$111,522,200.00 for operations, \$1,115,200.00 for~~
 8 ~~1-time supplemental funding, and \$795,300.00 for costs incurred~~
 9 ~~under the North American Indian tuition waiver.~~ **\$112,121,500.00,**
 10 **\$111,522,200.00 for operations and \$599,300.00 for costs incurred**
 11 **under the North American Indian tuition waiver.**

12 (3) The amount appropriated in subsection (2) for public
 13 universities is ~~\$1,553,483,000.00,~~ **\$1,600,907,000.00,** appropriated
 14 from the following:

15 (a) State school aid fund, ~~\$343,168,300.00.~~ **\$406,195,300.00.**

16 (b) State general fund/general purpose money,
 17 ~~\$1,210,314,700.00.~~ **\$1,194,711,700.00.**

18 (4) The amount appropriated for Michigan public school
 19 employees' retirement system reimbursement is ~~\$13,495,000.00,~~
 20 **\$70,000.00,** appropriated from the state school aid fund.

21 (5) The amount appropriated for state and regional programs is
 22 \$316,800.00, appropriated from general fund/general purpose money
 23 and allocated as follows:

24 (a) Higher education database modernization and conversion,
 25 \$200,000.00.

26 (b) Midwestern Higher Education Compact, \$116,800.00.

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

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

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

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

6 (7) Subject to subsection (8), the amount appropriated for
7 grants and financial aid is \$147,783,200.00, allocated as follows:

8 (a) State competitive scholarships, \$29,861,700.00.

9 (b) Tuition grants, \$42,021,500.00.

10 (c) Tuition incentive program, \$71,300,000.00.

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

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

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

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

19 (b) Federal revenues under the social security act, temporary
20 assistance for needy families, \$125,326,400.00.

21 (c) State general fund/general purpose money, \$19,256,800.00.

22 (9) For fiscal year ~~2021-2022~~**2022-2023** only, in addition to
23 the allocation under subsection (4), from the appropriations
24 described in subsection (1), there is allocated an amount not to
25 exceed ~~\$4,740,000.00~~**\$4,650,000.00** for payments to participating
26 public universities, appropriated from the state school aid fund. A
27 university that receives money under this subsection shall use that
28 money solely for the purpose of offsetting the normal cost
29 contribution rate. As used in this subsection, "participating

1 public universities" means public universities that are a reporting
2 unit of the Michigan public school employees' retirement system
3 under the public school employees retirement act of 1979, 1980 PA
4 300, MCL 38.1301 to 38.1437, and that pay contributions to the
5 Michigan public school employees' retirement system for the state
6 fiscal year.

7 ~~(11) The amount of one-time funding appropriated for the Japan~~
8 ~~Center for Michigan Universities is \$500,000.00, appropriated from~~
9 ~~the state general fund/general purpose money and allocated to~~
10 ~~support the operations of the Japan Center.~~

11 (10) From the appropriations described in subsection (1),
12 subject to section 274a, the amount appropriated for ethical stem
13 cell/fetal tissue research is \$5,000,000.00, appropriated from the
14 state general fund/general purpose money.

15 (11) The amount appropriated for pregnant and parenting
16 student services is \$500,000.00, appropriated from the state school
17 aid fund, and is subject to the conditions of the pregnant and
18 parenting student services act, 2004 PA 500, MCL 390.1591 to
19 390.1596.

20 (12) From the appropriations described in subsection (1),
21 there is appropriated \$4,700,000.00 from the coronavirus state
22 fiscal recovery funds under the American rescue plan act of 2021,
23 title IX, subtitle M of Public Law 117-2, for fiscal year 2022-2023
24 only, to the Michigan Health and Hospital Association, for creation
25 of the Michigan Healthcare Workforce Collaborative. The Michigan
26 Healthcare Workforce Collaborative shall provide information
27 regarding this state's health care workforce needs as identified by
28 hospitals and health systems and information regarding this state's
29 graduates in health fields. The Michigan Health and Hospital

1 Association, in addition to the Michigan Community College
2 Association, the Michigan Association of State Universities, and
3 the Michigan Independent Colleges and Universities, shall provide a
4 report to the house and senate appropriations subcommittees on
5 higher education, the house and senate appropriations subcommittees
6 on health and human services, the house and senate appropriations
7 subcommittees on general government, the house and senate fiscal
8 agencies, and the state budget director on aggregate data of total
9 health care graduates, health care jobs, and the emerging health
10 workforce talent needs by September 30, 2023.

11 (13) The amount of 1-time funding appropriated for the Detroit
12 Center for Innovation is \$100,000,000.00, appropriated from the
13 coronavirus state fiscal recovery funds under the American rescue
14 plan act of 2021, title IX, subtitle M of Public Law 117-2. The
15 developer and operator of the Detroit Center for Innovation shall
16 provide information on request to the house and senate
17 appropriations subcommittees on higher education, the house and
18 senate fiscal agencies, and the state budget director on the use of
19 these funds until the project is completed.

20 (14) The amount of 1-time funding appropriated for Wayne State
21 University's Karmanos Cancer Institute project is \$100,000,000.00,
22 appropriated from the coronavirus state fiscal recovery funds under
23 the American rescue plan act of 2021, title IX, subtitle M of
24 Public Law 117-2. Wayne State University shall provide information
25 on request to the house and senate appropriations subcommittees on
26 higher education, the house and senate fiscal agencies, and the
27 state budget director on the use of these funds until the project
28 is completed.

29 (15) The amount of 1-time funding appropriated for Michigan

1 State University's Dairy and Greenhouse renovation project is
2 \$53,000,000.00, appropriated from the coronavirus state fiscal
3 recovery funds under the American rescue plan act of 2021, title
4 IX, subtitle M of Public Law 117-2. Michigan State University shall
5 provide information on request to the house and senate
6 appropriations subcommittees on higher education, the house and
7 senate fiscal agencies, and the state budget director on the use of
8 these funds until the project is completed.

9 (16) The amount of 1-time funding appropriated for Ferris
10 State University's Jim Crow museum expansion project is
11 \$1,000,000.00, appropriated from state general fund/general purpose
12 money. Ferris State University shall provide information on request
13 to the house and senate appropriations subcommittees on higher
14 education, the house and senate fiscal agencies, and the state
15 budget director on the use of these funds until the project is
16 completed.

17 (17) The amount of 1-time funding appropriated for Grand
18 Valley State University's competency-based education incubator
19 project is \$5,500,000.00, appropriated from the coronavirus state
20 fiscal recovery funds under the American rescue plan act of 2021,
21 title IX, subtitle M of Public Law 117-2. Grand Valley State
22 University shall provide information on request to the house and
23 senate appropriations subcommittees on higher education, the house
24 and senate fiscal agencies, and the state budget director on the
25 use of these funds until the project is completed.

26 (18) The amount of 1-time funding appropriated for the
27 University of Michigan's electric vehicle teaching, training and
28 development center is \$100.00, appropriated from state general
29 fund/general purpose money. The University of Michigan shall submit

1 a report no later than September 30, 2023, to the house and senate
2 appropriations subcommittees on higher education, the house and
3 senate fiscal agencies and the state budget director information
4 that details how awarded funds were spent, a brief description of
5 projects undertaken by the center, a description of how awarded
6 funds increased educational opportunities specific to electric
7 vehicles, and associated timelines and milestones in the
8 development of an economic development strategy within this state
9 that addresses the emerging electric vehicle market through
10 research, development and manufacturing jobs.

11 Sec. 236b. In addition to the funds appropriated in section
12 236, there is appropriated for grants and financial aid in fiscal
13 year ~~2021-2022-2022-2023~~ an amount not to exceed \$6,000,000.00 for
14 federal contingency authorization. These funds are not available
15 for expenditure until they have been transferred under section
16 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393,
17 for another purpose under this article.

18 Sec. 236c. In addition to the funds appropriated for fiscal
19 year ~~2021-2022-2022-2023~~ in section 236, appropriations to the
20 department of technology, management, and budget in the act
21 providing general appropriations for fiscal year ~~2021-2022-2022-~~
22 **2023** for state building authority rent, totaling an estimated
23 ~~\$130,595,300.00~~ **\$132,295,300.00**, provide funding for the state
24 share of costs for previously constructed capital projects for
25 state universities. These appropriations for state building
26 authority rent represent additional state general fund support
27 provided to public universities, and the following is an estimate
28 of the amount of that support to each university:

29 (a) Central Michigan University,

1 ~~\$13,227,700.00.~~ **\$12,973,000.00.**

2 (b) Eastern Michigan University, ~~\$6,168,300.00.~~ **\$6,049,500.00.**

3 (c) Ferris State University, ~~\$8,104,200.00.~~ **\$8,392,700.00.**

4 (d) Grand Valley State University,

5 ~~\$7,380,000.00.~~ **\$8,653,400.00.**

6 (e) Lake Superior State University,

7 ~~\$1,842,700.00.~~ **\$2,340,600.00.**

8 (f) Michigan State University, ~~\$17,351,100.00.~~ **\$16,673,800.00.**

9 (g) Michigan Technological University,

10 ~~\$3,488,700.00.~~ **\$3,421,600.00.**

11 (h) Northern Michigan University, ~~\$7,486,500.00.~~ **\$7,342,400.00.**

12 (i) Oakland University, ~~\$9,059,800.00.~~ **\$9,488,200.00.**

13 (j) Saginaw Valley State University,

14 ~~\$8,009,900.00.~~ **\$7,855,700.00.**

15 (k) University of Michigan - Ann Arbor,

16 ~~\$10,459,000.00.~~ **\$12,065,900.00.**

17 (l) University of Michigan - Dearborn,

18 ~~\$11,336,800.00.~~ **\$10,774,000.00.**

19 (m) University of Michigan - Flint,

20 ~~\$6,546,200.00.~~ **\$6,084,700.00.**

21 (n) Wayne State University, ~~\$10,489,800.00.~~ **\$10,118,000.00.**

22 (o) Western Michigan University, ~~\$9,644,600.00.~~ **\$10,061,800.00.**

23 Sec. 236h. (1) For fiscal year ~~2021-2022~~ **2022-2023** only, in

24 addition to the allocations under section 236(4) and (9), there is

25 allocated an amount not to exceed ~~\$84,741,700.00~~ **\$449,600,000.00**

26 for payments to participating public universities, appropriated

27 from the state ~~general fund/general purpose money.~~ **school aid fund.**

28 A university that receives money under this subsection shall use

29 that money solely for the purpose of payments toward the pension

1 and other postemployment benefit unfunded actuarial accrued
 2 liabilities associated with members and pension recipients of those
 3 participating public universities. As used in this section,
 4 "participating public universities" means public universities that
 5 are reporting units of the Michigan public school employees'
 6 retirement system under the public school employees retirement act
 7 of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that pay
 8 contributions to the Michigan public school employees' retirement
 9 system for the state fiscal year.

10 (2) The amount allocated in subsection (1) ~~shall~~**must** be
 11 allocated to each participating public university based on each
 12 participating public university's percentage of the total combined
 13 payrolls of the universities' employees who are members of the
 14 retirement system and who were hired before January 1, 1996 and the
 15 universities' employees who would have been members of the
 16 retirement system on or after January 1, 1996, but for the
 17 enactment of 1995 PA 272 for all public universities that are
 18 participating public universities for the immediately preceding
 19 state fiscal year.

20 (3) Participating public universities receiving funds under
 21 this section shall forward an amount equal to the amount allocated
 22 under subsection (1) to the retirement system in a form, manner,
 23 and time frame determined by the retirement system.

24 (4) Amounts allocated in subsection (1) ~~shall~~**must** be paid to
 25 participating public universities in 1 ~~lump sum~~**lump-sum**
 26 installment no later than December 31, ~~2021~~**2022**.

27 **Sec. 236j. (1) For fiscal year 2021-2022 only, in addition to**
 28 **the allocations under section 236(4) and (9) and section 236h,**
 29 **there is allocated an amount not to exceed \$200,000,000.00 for**

1 payments to participating public universities, appropriated from
2 the state school aid fund. A university that receives money under
3 this subsection shall use that money solely for the purpose of
4 payments toward the pension and other postemployment benefit
5 unfunded actuarial accrued liabilities associated with members and
6 pension recipients of those participating public universities. As
7 used in this section, "participating public universities" means
8 public universities that are reporting units of the Michigan public
9 school employees' retirement system under the public school
10 employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to
11 38.1437, and that pay contributions to the Michigan public school
12 employees' retirement system for the state fiscal year.

13 (2) The amount allocated in subsection (1) must be allocated
14 to each participating public university based on each participating
15 public university's percentage of the total combined payrolls of
16 the universities' employees who are members of the retirement
17 system and who were hired before January 1, 1996 and the
18 universities' employees who would have been members of the
19 retirement system on or after January 1, 1996, but for the
20 enactment of 1995 PA 272 for all public universities that are
21 participating public universities for the immediately preceding
22 state fiscal year.

23 (3) Participating public universities receiving funds under
24 this section shall forward an amount equal to the amount allocated
25 under subsection (1) to the retirement system in a form, manner,
26 and time frame determined by the retirement system.

27 (4) Amounts allocated in subsection (1) must be paid to
28 participating public universities in 1 lump-sum installment no
29 later than September 30, 2022.

1 Sec. 236k. (1) The amounts appropriated in section 236 for
 2 per-student floor funding are distributed to those public
 3 universities whose annual state appropriations per fiscal year
 4 equated student is less than \$4,672.00 and are allocated to ensure
 5 a funding floor of \$4,672.00 is met.

6 (2) The amount of an eligible public university's per-student
 7 floor funding allocation for fiscal year 2022-2023 is determined by
 8 multiplying the university's fiscal year equated students for
 9 fiscal year 2020-2021 by the difference between \$4,672.00 and an
 10 amount calculated by dividing the university's operations payment
 11 for fiscal year 2021-2022 by the university's fiscal year equated
 12 students for fiscal year 2020-2021. If a university's calculation
 13 under this subsection results in an amount equal to or less than
 14 \$0.00, the university is not eligible for a per-student floor
 15 funding allocation.

16 (3) As used in this section:

17 (a) "Fiscal year equated students" means a public university's
 18 total fiscal year equated students as defined and reported in the
 19 higher education institutional data inventory for fiscal year
 20 ending September 30, 2021.

21 (b) "Operations payment" means only the amount specified as
 22 "for operations" for a public university in section 236(2)(a) to
 23 (o) for the fiscal year ending September 30, 2021.

24 Sec. 237b. As used in this article: ~~"center"~~

25 (a) "Center" means the center for educational performance and
 26 information created in section 94a.

27 (b) "College level equivalent credit examination" means an
 28 examination that is administered by an independent testing service
 29 and that is used by colleges and universities generally to award

1 postsecondary credit for achievement of a particular score, and
2 includes, but is not limited to, advanced placement examinations,
3 the DANTES Subject Standardized Test (DSST), and college-level
4 examination program (CLEP) examinations.

5 Sec. 241. (1) Subject to sections 244 and 265a, the funds
6 appropriated in section 236 to public universities ~~shall~~**must** be
7 paid out of the state treasury and distributed by the state
8 treasurer to the respective institutions in 11 equal monthly
9 installments on the sixteenth of each month, or the next succeeding
10 business day, beginning with October 16, ~~2021.~~**2022**. Except for
11 Wayne State University, each institution shall accrue its July and
12 August 2022 payments to its institutional fiscal year ending June
13 30, ~~2022.~~**2023**.

14 (2) All public universities shall submit higher education
15 institutional data inventory (HEIDI) data and associated financial
16 ~~and-aid~~ program information requested by and in a manner prescribed
17 by the state budget director. For public universities with fiscal
18 years ending June 30, these data ~~shall~~**must** be submitted to the
19 state budget director by October 15 of each fiscal year. Public
20 universities with a fiscal year ending September 30, ~~2021.~~**2022**
21 shall submit preliminary HEIDI data by November 15, ~~2021.~~**2022** and
22 final data by December 15, ~~2021.~~**2022**. If a public university fails
23 to submit HEIDI data and associated financial aid program
24 information in accordance with this reporting schedule, the state
25 treasurer may withhold the monthly installments under subsection
26 (1) to the public university until those data are submitted.

27 Sec. 245a. (1) A public university shall develop, maintain,
28 and update a "campus safety information and resources" link,
29 prominently displayed on the homepage of its website, to a section

1 of its website containing all of the information required under
2 subsection (2).

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

6 (a) Emergency contact numbers for police, fire, health, and
7 other services.

8 (b) Hours, locations, phone numbers, and email contacts for
9 campus public safety offices and title IX offices.

10 (c) A listing of safety and security services provided by the
11 university, including transportation, escort services, building
12 surveillance, anonymous tip lines, and other available security
13 services.

14 (d) ~~A public~~**The** university's policies applicable to minors on
15 university property.

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

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

21 (g) Campus security policies and crime statistics pursuant to
22 the student right-to-know and campus security act, Public Law 101-
23 542, 104 Stat 2381. Information ~~shall~~**must** include all material
24 prepared pursuant to the public information reporting requirements
25 under the crime awareness and campus security act of 1990, title II
26 of the student right-to-know and campus security act, Public Law
27 101-542, 104 Stat 2381.

28 (3) A public university shall certify to the state budget
29 director by October 1, ~~2021~~**2022** that it is in compliance with this

1 section. The state budget director may withhold a public
2 university's monthly installments described in section 241 until
3 the public university complies with this section.

4 Sec. 251. (1) Payments of the amounts included in section 236
5 for the state competitive scholarship program ~~shall~~**must** be
6 distributed pursuant to 1964 PA 208, MCL 390.971 to 390.981.

7 (2) Pursuant to section 6 of 1964 PA 208, MCL 390.976, the
8 department of treasury shall determine an actual state competitive
9 scholarship award per student, which ~~shall~~**must** be ~~\$1,000.00,~~
10 **\$1,500.00**, that ensures that the aggregate payments for the state
11 competitive scholarship program do not exceed the appropriation
12 contained in section 236 for the state competitive scholarship
13 program. If the department determines that insufficient funds are
14 available to establish an award amount equal to ~~\$1,000.00,~~
15 **\$1,500.00**, the department shall immediately report to the house and
16 senate appropriations subcommittees on higher education, the house
17 and senate fiscal agencies, and the state budget director regarding
18 the estimated amount of additional funds necessary to establish a
19 ~~\$1,000.00~~**\$1,500.00** award amount.

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

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

29 (5) If the department of treasury increases the award per

1 eligible student from that provided in the previous fiscal year, it
2 ~~shall~~**must** not have the effect of reducing the number of eligible
3 students receiving awards in relation to the total number of
4 eligible applicants. Any increase in the ~~grant shall~~**award must** be
5 proportional for all eligible students receiving awards.

6 (6) Veterans Administration benefits ~~shall~~**must** not be
7 considered in determining eligibility for the award of scholarships
8 under 1964 PA 208, MCL 390.971 to 390.981.

9 Sec. 252. (1) The amounts appropriated in section 236 for the
10 state tuition grant program ~~shall~~**must** be distributed pursuant to
11 1966 PA 313, MCL 390.991 to 390.997a.

12 (2) Tuition grant awards ~~shall~~**must** be made to all eligible
13 Michigan residents enrolled in undergraduate degree programs who
14 are qualified and who apply by March 1 of each year for the next
15 academic year.

16 (3) Pursuant to section 5 of 1966 PA 313, MCL 390.995, and
17 subject to subsections (6) and (7), the department of treasury
18 shall determine an actual tuition grant award per student, which
19 ~~shall~~**must** be ~~\$2,800.00,~~**\$3,000.00**, that ensures that the aggregate
20 payments for the tuition grant program do not exceed the
21 appropriation contained in section 236 for the state tuition grant
22 program. If the department determines that insufficient funds are
23 available to establish an award amount equal to ~~\$2,800.00,~~
24 **\$3,000.00**, the department shall immediately report to the house and
25 senate appropriations subcommittees on higher education, the house
26 and senate fiscal agencies, and the state budget director regarding
27 the estimated amount of additional funds necessary to establish a
28 ~~\$2,800.00~~**\$3,000.00** award amount. If the department determines that
29 sufficient funds are available to establish an award amount equal

1 to ~~\$2,800.00~~, **\$3,000.00**, the department shall immediately report to
 2 the house and senate appropriations subcommittees on higher
 3 education, the house and senate fiscal agencies, and the state
 4 budget director regarding the award amount established and the
 5 projected amount of any projected year-end appropriation balance
 6 based on that award amount. By February 18 of each fiscal year, the
 7 department shall analyze the status of award commitments, shall
 8 make any necessary adjustments, and shall confirm that those award
 9 commitments will not exceed the appropriation contained in section
 10 236 for the tuition grant program. The determination and actions
 11 ~~shall~~ **must** be reported to the state budget director and the house
 12 and senate fiscal agencies no later than the final day of February
 13 of each year. If award adjustments are necessary, the students
 14 ~~shall~~ **must** be notified of the adjustment by March 4 of each year.

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

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

25 (6) The department of treasury shall not award more than
 26 ~~\$4,800,000.00~~ **\$5,000,000.00** in tuition grants to eligible students
 27 enrolled in the same independent nonprofit college or university in
 28 this state. Any decrease in the grant ~~shall~~ **must** be proportional
 29 for all eligible students enrolled in that college or university,

1 as determined by the department. The limit described in this
2 subsection does not apply to any other student financial aid
3 program or in combination with any other student financial aid
4 program.

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

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

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

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

22 (8) By February 1 of each year, each independent college and
23 university participating in the tuition grant program shall report
24 to the ~~senate and house~~ **and senate** appropriations subcommittees on
25 higher education, the ~~senate and house~~ **and senate** fiscal agencies,
26 and the state budget director on its efforts to develop and
27 implement sexual assault response training for the institution's
28 title IX coordinator, campus law enforcement personnel, campus
29 public safety personnel, and any other campus personnel charged

1 with responding to on-campus incidents, including information on
2 sexual assault response training materials and the status of
3 implementing sexual assault response training for institutional
4 personnel.

5 **(9) It is the intent of the legislature that if a student is**
6 **eligible to receive a competitive scholarship under section 251 and**
7 **a tuition grant under this section, the student will receive both**
8 **awards to the fullest extent permitted by section 7 of 1966 PA 313,**
9 **MCL 390.997.**

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

14 (2) As used in this section:

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

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

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

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

28 (3) An individual must meet the following basic criteria and
29 financial thresholds to be eligible for tuition incentive program

1 benefits:

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

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

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

12 (iii) Be at least a half-time student, earning less than 80
13 semester or 120 term credits at a participating educational
14 institution within 4 years of high school graduation or achievement
15 of a high school equivalency certificate. All program eligibility
16 expires 10 years after initial enrollment at a participating
17 educational institution.

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

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

23 (i) Complete at least 56 transferable semester or 84
24 transferable term credits.

25 (ii) Obtain an associate degree or certificate at a
26 participating institution.

27 (c) To be eligible for phase I or phase II, an individual must
28 be financially eligible as determined by the department. An
29 individual is financially eligible for the tuition incentive

1 program if he or she was eligible for Medicaid from this state for
2 24 months within the 36 months ~~before application.~~ **prior to**
3 **completion of high school or achievement of a high school**
4 **equivalency certificate.** The department shall accept certification
5 of Medicaid eligibility only from the department of health and
6 human services for the purposes of verifying if a person is
7 Medicaid eligible for 24 months within the 36 months ~~before~~
8 ~~application.~~ **prior to completion of high school or achievement of a**
9 **high school equivalency certificate.** Certification of eligibility
10 may begin in the sixth grade.

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

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

17 (a) Payments for associate degree or certificate programs must
18 not be made for more than 80 semester or 120 term credits for any
19 individual student at any participating institution. **The department**
20 **shall not do either of the following:**

21 (i) **Adopt or apply any total semester- or term-credit maximum**
22 **that is less than the 80 semester- or 120 term-credit maximum**
23 **provided in this subdivision.**

24 (ii) **Adopt or apply any per-semester or per-term credit maximum**
25 **for a student whose semester or term credit load will not result in**
26 **exceeding the total 80 semester- or 120 term-credit maximum**
27 **provided in this subdivision.**

28 (b) For persons enrolled at a Michigan community college, the
29 department shall pay the current in-district tuition and mandatory

1 fees. For persons residing in an area that is not included in any
 2 community college district, the out-of-district tuition rate may be
 3 authorized. **The department shall apply a \$450.00 semester**
 4 **reimbursement maximum on community college mandatory fees per**
 5 **student.**

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

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

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

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

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

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

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

1 grade.

2 (9) Except as otherwise provided in section 3(d) of the
3 Michigan reconnect grant act, 2020 PA 84, MCL 390.1703, and section
4 17 of the Michigan reconnect grant recipient act, 2020 PA 68, MCL
5 390.1717, each institution shall ensure that all known available
6 restricted grants for tuition and fees are used before billing the
7 tuition incentive program for any portion of a student's tuition
8 and fees.

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

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

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

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

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

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

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

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

1 to help educate them about repayment options and to help them
2 access student loan programs or benefits for which they may be
3 eligible.

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

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

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

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

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

16 (i) A link to the federal Public Service Loan Forgiveness
17 Program.

18 (ii) Deciding how much to borrow.

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

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

22 (v) Evaluating financial aid offers.

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

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

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

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

29 (x) Student loan debt relief scams.

1 (g) ~~A list of student loan providers in this state.~~**Loan**
2 **amortization information.**

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

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

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

13 Sec. 263. (1) Included in the appropriation in section 236 for
14 fiscal year ~~2021-2022-2022-2023~~ for MSU AgBioResearch is
15 \$2,982,900.00 and included in the appropriation in section 236 for
16 MSU Extension is \$2,645,200.00 for Project GREEN. Project GREEN
17 is intended to address critical regulatory, food safety, economic,
18 and environmental problems faced by this state's plant-based
19 agriculture, forestry, and processing industries. "GREEN" is an
20 acronym for Generating Research and Extension to Meet Environmental
21 and Economic Needs.

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

26 Sec. 264. Included in the appropriation in section 236 for
27 fiscal year ~~2021-2022-2022-2023~~ for Michigan State University is
28 \$80,000.00 for the Michigan Future Farmers of America Association.
29 This \$80,000.00 allocation ~~shall~~**must** not supplant any existing

1 support that Michigan State University provides to the Michigan
2 Future Farmers of America Association.

3 Sec. 265. (1) Payments ~~under section 236 for 1-time~~
4 ~~supplemental funding for fiscal year 2021-2022, and payments under~~
5 ~~section 265a-236 for performance~~ **operations** funding for fiscal
6 ~~years~~ **year** 2022-2023 ~~and 2023-2024, shall~~ **must** only be made to a
7 public university that certifies to the state budget director by
8 October 1, ~~2021-2022~~ that its board did not adopt an increase in
9 tuition and fee rates for resident undergraduate students after
10 September 1, ~~2020-2021~~ **2021-2022** academic year
11 and that its board will not adopt an increase in tuition and fee
12 rates for resident undergraduate students for the ~~2021-2022-2022-~~
13 **2023** academic year that is greater than ~~4.2%~~ **4.4%** or ~~\$590.00,~~
14 **\$636.00**, whichever is greater. As used in this subsection:

15 (a) "Fee" means any board-authorized fee that will be paid by
16 more than 1/2 of all resident undergraduate students at least once
17 during their enrollment at a public university, as described in the
18 higher education institutional data inventory (HEIDI) user manual.
19 A university increasing a fee that applies to a specific subset of
20 students or courses shall provide sufficient information to prove
21 that the increase applied to that subset will not cause the
22 increase in the average amount of board-authorized total tuition
23 and fees paid by resident undergraduate students in the ~~2021-2022~~
24 **2022-2023** academic year to exceed the limit established in this
25 subsection.

26 (b) "Tuition and fee rate" means the average of full-time
27 rates paid by a majority of students in each undergraduate class,
28 based on an unweighted average of the rates authorized by the
29 university board and actually charged to students, deducting any

1 uniformly rebated or refunded amounts, for the 2 semesters with the
2 highest levels of full-time equated resident undergraduate
3 enrollment during the academic year, as described in the higher
4 education institutional data inventory (HEIDI) user manual.

5 (2) The state budget director shall implement uniform
6 reporting requirements to ensure that a public university receiving
7 ~~a payment under section 236 for 1-time supplemental funding or a~~
8 payment under section ~~265a-236~~ **236** for ~~performance~~ **operations** funding
9 has satisfied the tuition restraint requirements of this section.
10 The state budget director ~~shall have~~ **has** the sole authority to
11 determine if a public university has met the requirements of this
12 section. Information reported by a public university to the state
13 budget director under this subsection ~~shall~~ **must** also be reported
14 to the house and senate appropriations subcommittees on higher
15 education and the house and senate fiscal agencies.

16 (3) Universities that exceed the tuition and fee rate cap
17 described in subsection (1) ~~shall~~ **will** not receive a planning or
18 construction authorization for a state-funded capital outlay
19 project in fiscal year ~~2022-2023 or 2023-2024~~ **or 2024-2025**.

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

25 Sec. 265a. (1) Appropriations to public universities in
26 section 236 for fiscal years ~~2019-2020, 2020-2021, and 2021-2022~~
27 ~~for performance~~ **year 2022-2023 for operations** funding ~~shall~~ **must** be
28 paid only to a public university that complies with section 265 and
29 certifies to the state budget director, the house and senate

1 appropriations subcommittees on higher education, and the house and
2 senate fiscal agencies by October 1, ~~2019~~**2022** that it complies
3 with all of the following requirements:

4 (a) The university participates in reverse transfer agreements
5 described in section 286 with at least ~~3~~**4** Michigan community
6 colleges.

7 ~~The university does not and will not consider whether dual~~
8 ~~enrollment credits earned by an incoming student were utilized~~
9 ~~towards his or her high school graduation requirements when making~~
10 ~~a determination as to whether those credits may be used by the~~
11 ~~student toward completion of a university degree or certificate~~
12 ~~program.~~**The university does not and will not apply any of the**
13 **following criteria when determining whether credits earned outside**
14 **the university by a student count toward a degree or certificate**
15 **program offered by the university:**

16 (i) Whether the credits were earned in a dual enrollment
17 program that counted the credits toward high school graduation
18 requirements.

19 (ii) Whether the credits were earned in a course that was
20 delivered in a high school classroom, community college classroom
21 or campus, or another location.

22 (iii) Whether the credits were earned in a course that was
23 delivered online, in-person, or hybrid.

24 (iv) Whether other students enrolled in the course in which the
25 credits were earned were enrolled in high school or counted the
26 course toward high school graduation requirements.

27 (c) The university actively participates in and submits timely
28 updates to the Michigan Transfer Network created as part of the
29 Michigan Association of Collegiate Registrars and Admissions

1 Officers transfer agreement.

2 (2) Any ~~performance~~**operations** funding amounts under section
3 236 that are not paid to a public university because it did not
4 comply with 1 or more requirements under subsection (1) are
5 unappropriated and reappropriated for ~~performance~~**operations**
6 funding to those public universities that meet the requirements
7 under subsection (1), distributed in proportion to their
8 performance funding appropriation amounts under section 236.

9 (3) The state budget director shall report to the house and
10 senate appropriations subcommittees on higher education and the
11 house and senate fiscal agencies by October 15, ~~2019,~~**2022,**
12 regarding any ~~performance~~**operations** funding amounts that are not
13 paid to a public university because it did not comply with 1 or
14 more requirements under subsection (1) and any reappropriation of
15 funds under subsection (2).

16 (4) ~~Performance funding amounts described in section 236 are~~
17 **It is the intent of the legislature that performance funding, if**
18 **provided in section 236 in any fiscal year subsequent to the 2022-**
19 **2023 fiscal year, will be** distributed based on the following
20 formula:

21 (a) Proportional to each university's share of total
22 operations funding appropriated in fiscal year 2010 2011, 50%.

23 (b) Based on weighted undergraduate completions in critical
24 skills areas, 11.1%.

25 (c) Based on research and development expenditures, for
26 universities classified in Carnegie classifications as doctoral
27 universities: moderate research activity, doctoral universities:
28 higher research activity, or doctoral universities: highest
29 research activity only, 5.6%.

1 (d) Based on 6-year graduation rate, total degree completions,
2 and institutional support as a percentage of core expenditures, and
3 the percentage of students receiving Pell grants, scored against
4 national Carnegie classification peers and weighted by total
5 undergraduate fiscal year equated students, 33.3%.

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

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

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

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

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

18 **(6) It is the intent of the legislature to allocate future**
19 **operations funding using a formula based on fiscal year equated**
20 **students (FYES) that is similar in concept to the per-pupil model**
21 **described in section 20 and that accounts for the differences**
22 **between public universities classified under subsection (7) as**
23 **doctoral universities - very high research activity and public**
24 **universities that fall into the other Carnegie classification**
25 **categories.**

26 **(7) ~~(6)~~—As used in this section, "Carnegie classification"**
27 **means the basic classification of the university according to the**
28 **most recent version of the Carnegie classification of institutions**
29 **of higher education, published by the Carnegie Foundation for the**

1 Advancement of Teaching.

2 ~~(7) It is the intent of the legislature to allocate more~~
3 ~~funding based on an updated set of performance metrics in future~~
4 ~~years. Updated metrics will be based on the outcome of joint~~
5 ~~hearings between the house and senate appropriations subcommittees~~
6 ~~on higher education and community colleges intended to be held in~~
7 ~~the fall of 2019.~~

8 Sec. 265b. (1) Appropriations to public universities in
9 section 236 for the fiscal year ending September 30, ~~2022~~**2023** for
10 operations funding ~~shall~~**must** be reduced by 10% pursuant to the
11 procedures described in subdivision (a) for a public university
12 that fails to submit certification to the state budget director,
13 the house and senate appropriations subcommittees on higher
14 education, and the house and senate fiscal agencies by October 1,
15 ~~2021~~**2022** that the university complies with sections 274c and 274d
16 and that it complies with all of the requirements described in
17 subdivisions (b) to (i), as follows:

18 (a) If a university fails to submit certification, the state
19 budget director shall withhold 10% of that university's annual
20 operations funding until the university submits certification. If a
21 university fails to submit certification by the end of the fiscal
22 year, the 10% of its annual operations funding that is withheld
23 ~~shall~~**must** lapse to the general fund.

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

27 (c) For title IX investigations of alleged sexual misconduct,
28 the university prohibits the issuance of divergent reports to
29 complainants, respondents, and administration and instead requires

1 that identical reports be issued to them.

2 (d) Consistent with the university's obligations under 20 USC
3 1092(f), the university notifies each individual who reports having
4 experienced sexual assault by a student, faculty member, or staff
5 member of the university that the individual has the option to
6 report the matter to law enforcement, to the university, to both,
7 or to neither, as the individual may choose.

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

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

13 (ii) For all students not considered freshmen or incoming
14 transfer students, an online or electronic sexual misconduct
15 prevention presentation or course.

16 (f) The university prohibits seeking compensation from the
17 recipient of any medical procedure, treatment, or care provided by
18 a medical professional who has been convicted of a felony arising
19 out of the medical procedure, treatment, or care.

20 (g) The university had a third party review its title IX
21 compliance office and related policies and procedures by the end of
22 the 2018-2019 academic year. A copy of the third-party review ~~shall~~
23 **must** be transmitted to the state budget director, the house and
24 senate appropriations subcommittees on higher education, and the
25 house and senate fiscal agencies. Each university shall have a
26 third-party review once every three years and a copy of the third-
27 party review ~~shall~~ **must** be transmitted to the state budget
28 director, the house and senate appropriations subcommittees on
29 higher education, and the house and senate fiscal agencies.

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

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

25 (2) Each public university that receives an appropriation in
26 section 236 shall also certify that its president or chancellor and
27 a member of its governing board has reviewed all title IX reports
28 involving the alleged sexual misconduct of an employee of the
29 university, and shall send the certification to the house and

1 senate appropriations subcommittees on higher education, the house
2 and senate fiscal agencies, and the state budget director by
3 October 1, ~~2021~~-2022.

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

6 (a) Intimate partner violence.

7 (b) Nonconsensual sexual conduct.

8 (c) Sexual assault.

9 (d) Sexual exploitation.

10 (e) Sexual harassment.

11 (f) Stalking.

12 **Sec. 265f. (1) Each public university that receives an**
13 **appropriation in section 236 shall demonstrate the acceptance of**
14 **nationally recognized college level equivalent credit examination**
15 **opportunities by developing and implementing policies and**
16 **procedures for the awarding of academic credit through college**
17 **level equivalent credit examinations.**

18 (2) A public university shall not create policies or
19 procedures that prevent students from earning college credits
20 through college level equivalent credit examinations once enrolled
21 in the public university.

22 (3) Each public university shall make its credit policies and
23 opportunities for college level equivalent credit examinations
24 publicly available on the university's website.

25 (4) If a public university requires scores above those
26 recommended by the American Council on Education to earn college
27 credit through college level equivalent credit examinations, that
28 university shall submit to the house and senate appropriations
29 subcommittees on higher education, the house and senate fiscal

1 agencies, and the state budget director a report on the data and
2 justifications for that decision by February 1, 2023.

3 Sec. 265g. (1) Each public university that receives an
4 appropriation in section 236 shall provide all enrolled students
5 information on accelerated degree completion pathways and options
6 within the first semester of enrollment, and shall publicly post
7 this information on the university's website by October 1, 2022.

8 (2) Each public university shall work to create accelerated
9 degree completion pathways for enrolled students if such options do
10 not already exist.

11 (3) Independent colleges and universities are encouraged to
12 create accelerated degree completion pathways for enrolled students
13 if such options do not already exist.

14 Sec. 265h. Using data collected by university survey or by a
15 university-recognized alumni association, each public university
16 that receives an appropriation in section 236 shall, by October 1,
17 2022, submit to the house and senate appropriations subcommittees
18 on higher education, the house and senate fiscal agencies, and the
19 state budget director a written report on the percentage of
20 graduates from each of the university's graduating classes in the
21 immediately preceding 5 years who were residents of this state as
22 of the following times:

- 23 (a) Upon graduation.
24 (b) One year after graduation.
25 (c) Five years after graduation.

26 Sec. 267. All public universities shall submit the amount of
27 tuition and fees actually charged to a full-time resident
28 undergraduate student for academic year ~~2021-2022~~**2022-2023** as part
29 of their higher education institutional data inventory (HEIDI) data

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

6 Sec. 268. (1) For the fiscal year ending September 30, ~~2022,~~
 7 **2023**, it is the intent of the legislature that funds be allocated
 8 for unfunded North American Indian tuition waiver costs incurred by
 9 public universities under 1976 PA 174, MCL 390.1251 to 390.1253,
 10 from the general fund.

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

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

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

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

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

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

29 For purposes of this subparagraph, a withdrawal occurs when a

1 student who has been awarded the waiver withdraws from the
2 institution at any point during the term, regardless of enrollment
3 in subsequent terms.

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

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

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

23 Sec. 269. For fiscal year ~~2021-2022,~~ **2022-2023**, from the
24 amount appropriated in section 236 to Central Michigan University
25 for costs incurred under the North American Indian tuition waiver,
26 ~~\$82,400.00 shall~~ **\$31,000.00 must** be paid to Saginaw Chippewa Tribal
27 College for the costs of waiving tuition for North American Indians
28 under 1976 PA 174, MCL 390.1251 to 390.1253. It is the intent of
29 the legislature that Saginaw Chippewa Tribal College provide the

1 department of civil rights the necessary information for the
2 college to be included in the report required under section 268.

3 Sec. 270c. For fiscal year ~~2021-2022~~, **2022-2023**, from the
4 amount appropriated in section 236 to Northern Michigan University
5 for costs incurred under the North American Indian tuition waiver,
6 ~~\$50,000.00~~ **\$87,800.00** is to be paid to Keweenaw Bay Ojibwa
7 Community College for the costs of waiving tuition for North
8 American Indians under 1976 PA 174, MCL 390.1251 to 390.1253. It is
9 the intent of the legislature that Keweenaw Bay Ojibwa Community
10 College provide the department of civil rights the necessary
11 information for the community college to be included in the report
12 required under section 268.

13 Sec. 274. It is the intent of the legislature that public and
14 private organizations that conduct human embryonic stem cell
15 derivation subject to section 27 of article I of the state
16 constitution of 1963 will provide information to the director of
17 the department of health and human services by December 1, ~~2021~~
18 **2022** that includes all of the following:

19 (a) Documentation that the organization conducting human
20 embryonic stem cell derivation is conducting its activities in
21 compliance with the requirements of section 27 of article I of the
22 state constitution of 1963 and all relevant National Institutes of
23 Health guidelines pertaining to embryonic stem cell derivation.

24 (b) A list of all human embryonic stem cell lines submitted by
25 the organization to the National Institutes of Health for inclusion
26 in the Human Embryonic Stem Cell Registry before and during fiscal
27 year ~~2020-2021~~, **2021-2022**, and the status of each submission as
28 approved, pending approval, or review completed but not yet
29 accepted.

1 (c) Number of human embryonic stem cell lines derived and not
2 submitted for inclusion in the Human Embryonic Stem Cell Registry,
3 before and during fiscal year ~~2020-2021~~**2021-2022**.

4 **Sec. 274a. From the funds appropriated in section 236(10),**
5 **public universities classified as doctoral universities under the**
6 **Carnegie classification system may be awarded research grants up to**
7 **the full appropriated amount in section 236(10). As a condition to**
8 **receiving a grant under this section, a public university must**
9 **agree not to conduct any research on aborted fetal tissue. As used**
10 **in this section, "Carnegie classification" means that term as**
11 **defined in section 265a.**

12 Sec. 275. (1) Each public university that receives an
13 appropriation in section 236 shall do all of the following:

14 (a) Meet the provisions of section 5003 of the post-911
15 veterans educational assistance act of 2008, 38 USC 3301 to 3327,
16 including voluntary participation in the Yellow Ribbon GI Education
17 Enhancement Program established in that act in 38 USC 3317. By
18 October 1 of each year, each public university shall report to the
19 house and senate appropriations subcommittees on higher education,
20 the house and senate fiscal agencies, and the Michigan Association
21 of State Universities on whether or not it has chosen to
22 participate in the Yellow Ribbon GI Education Enhancement Program.
23 If at any time during the fiscal year a university participating in
24 the Yellow Ribbon Program chooses to leave the Yellow Ribbon
25 Program, it shall notify the house and senate appropriations
26 subcommittees on higher education, the house and senate fiscal
27 agencies, and the Michigan Association of State Universities.

28 (b) Establish an on-campus veterans' liaison to provide
29 information and assistance to all student veterans.

1 (c) Provide flexible enrollment application deadlines for all
2 veterans.

3 (d) Include in its admission application process a specific
4 question as to whether an applicant for admission is a veteran, an
5 active member of the military, a member of the National Guard or
6 military reserves, or the spouse or dependent of a veteran, active
7 member of the military, or member of the National Guard or military
8 reserves, in order to more quickly identify potential educational
9 assistance available to that applicant.

10 (e) Consider all veterans residents of this state for
11 determining their tuition rates and fees.

12 (f) Waive enrollment fees for all veterans.

13 (g) Provide reasonable programming and scheduling
14 accommodations necessary to facilitate a student's military,
15 national guard, or military reserves duties and training
16 obligations.

17 **(h) Provide college level equivalent credit examination**
18 **opportunities for veterans and active members of the military,**
19 **National Guard, or military reserves within the first semester of**
20 **enrollment.**

21 **(i) Grant college credit for, or create a structure that**
22 **evaluates granting college credit for, the service background and**
23 **experience of veterans and members of the military, National Guard,**
24 **or military reserves.**

25 (2) By October 1 of each year, each public university shall
26 report to the house and senate appropriations subcommittees on
27 higher education, the house and senate fiscal agencies, and the
28 department of military and veterans affairs regarding services
29 provided specifically to veterans and active military duty

1 personnel, including, but not limited to, the services described in
2 subsection (1).

3 (3) As used in this section, "veteran" means an honorably
4 discharged veteran entitled to educational assistance under ~~the~~
5 ~~provisions of~~ section 5003 of the post-911 veterans educational
6 assistance act of 2008, 38 USC 3301 to 3327.

7 Sec. 275b. (1) Each public university receiving ~~funds under an~~
8 **appropriation in** section 236 shall ensure that the public
9 university does all of the following in its admission application
10 process if it knows that an applicant for admission is currently
11 serving, or has ever served, as a member of the military, the
12 National Guard, or the military reserves:

13 (a) Inform the applicant that he or she may receive academic
14 credit for college-level training and education he or she received
15 while serving in the military.

16 (b) Inform the applicant that he or she may submit a
17 transcript of his or her college-level military training and
18 education to the public university.

19 (c) If the applicant submits a transcript described in
20 subdivision (b), evaluate that transcript and notify the applicant
21 of what transfer credits are available to the applicant from the
22 public university for his or her college-level military training
23 and education.

24 **(d) Inform the applicant of college level equivalent credit**
25 **examination opportunities.**

26 (2) As used in this section, "transcript" includes a joint
27 services transcript prepared for the applicant under the American
28 council on education registry of credit recommendations.

29 Sec. 275f. It is the intent of the legislature that by

1 February 1, ~~2022~~, **2023**, each public university receiving an
 2 appropriation in section 236 shall submit to the ~~senate and house~~
 3 **and senate** appropriations subcommittees on higher education, the
 4 ~~senate and house~~ **and senate** fiscal agencies, and the state budget
 5 director a report on activities related to strategic planning and
 6 internal assessment or reassessment to best provide for open and
 7 free expression and speech, while protecting students from hate-
 8 speech, violence, and discrimination.

9 Sec. 275g. By September 30, ~~2022~~, **2023**, each public university
 10 receiving an appropriation in section 236 shall do both of the
 11 following:

12 (a) Submit a report to the ~~senate and house~~ **and senate**
 13 appropriations subcommittees on higher education, the ~~senate and~~
 14 house **and senate** fiscal agencies, and the state budget director
 15 describing all federal funds the university received, including the
 16 amounts, related to the COVID-19 pandemic, including, but not
 17 limited to, any federal funds received from the coronavirus ~~relief~~
 18 ~~fund under the coronavirus aid, relief, and economic security act,~~
 19 ~~Public Law 116-136,~~ **response and relief supplemental appropriations**
 20 **act, the American rescue plan act of 2021**, and similar federal
 21 relief packages.

22 (b) Post the information contained in the report described in
 23 subdivision (a) on the public transparency website described in
 24 section 245.

25 Sec. 275h. (1) It is the intent of the legislature that each
 26 public university adopt an advocacy policy applicable to faculty,
 27 staff, students, student employees, visitors, and contractors by
 28 January 1, ~~2022~~**2023** and comply with all other requirements of this
 29 section.

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

10 **Sec. 275j. It is the goal of the governor and legislature to**
11 **ensure that 60% of Michigan's residents achieve a postsecondary**
12 **credential, high-quality industry certification, associate degree,**
13 **or bachelor's degree by 2030.**

14 **Sec. 275k. Each public university receiving an appropriation**
15 **in section 236 is encouraged to maintain an operations reserve or**
16 **rainy day fund that equals no less than 5% of the university's**
17 **general fund operating budget.**

18 Sec. 276. (1) Included in the appropriation for fiscal year
19 ~~2021-2022-2022-2023~~ for each public university in section 236 is
20 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
21 future faculty program that is intended to increase the pool of
22 academically or economically disadvantaged candidates pursuing
23 faculty teaching careers in postsecondary education in this state.
24 Preference may not be given to applicants on the basis of race,
25 color, ethnicity, gender, or national origin. Institutions should
26 encourage applications from applicants who would otherwise not
27 adequately be represented in the graduate student and faculty
28 populations. Each public university shall apply the percentage
29 change applicable to every public university in the calculation of

1 appropriations in section 236 to the amount of funds allocated to
2 the future faculty program.

3 (2) ~~The program shall be administered by each~~ **Each** public
4 university **shall administer the program** in a manner prescribed by
5 the department of labor and economic opportunity. The department of
6 labor and economic opportunity shall use a good faith effort
7 standard to evaluate whether a fellowship is in default. All of the
8 following apply to the program:

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

16 (b) Before August 1 ~~, 2022,~~ **of each year**, unexpended or
17 unencumbered funds may be transferred, under the direction of the
18 department of labor and economic opportunity, to a future faculty
19 program at another university to be awarded to an eligible
20 candidate at that university.

21 (c) Program allocations not expended or encumbered by
22 September 30, ~~2022~~ **2023** must be returned to the department of labor
23 and economic opportunity so that those funds may lapse to the state
24 general fund.

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

27 (e) **In addition to the appropriation for fiscal year 2022-**
28 **2023, any revenue received during prior fiscal years by the**
29 **department of labor and economic opportunity from defaulted**

1 **fellowship agreements is appropriated for the purposes originally**
 2 **intended.**

3 Sec. 277. (1) Included in the appropriation for fiscal year
 4 ~~2021-2022-2022-2023~~ for each public university in section 236 is
 5 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
 6 college day program that is intended to introduce academically or
 7 economically disadvantaged schoolchildren to the potential of a
 8 college education in this state. Preference may not be given to
 9 participants on the basis of race, color, ethnicity, gender, or
 10 national origin. Public universities should encourage participation
 11 from those who would otherwise not adequately be represented in the
 12 student population.

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

23 (3) ~~The program described in this section shall be~~
 24 ~~administered by each~~**Each** public university **shall administer the**
 25 **program described in this section** in a manner prescribed by the
 26 department of labor and economic opportunity.

27 Sec. 278. (1) Included in section 236 for fiscal year ~~2021-~~
 28 ~~2022-2022-2023~~ is funding for the Martin Luther King, Jr. - Cesar
 29 Chavez - Rosa Parks select student support services program for

1 developing academically or economically disadvantaged student
 2 retention programs for 4-year public and independent educational
 3 institutions in this state. Preference may not be given to
 4 participants on the basis of race, color, ethnicity, gender, or
 5 national origin. Institutions should encourage participation from
 6 those who would otherwise not adequately be represented in the
 7 student population.

8 (2) An award made under this program to any 1 institution
 9 ~~shall~~**must** not be greater than \$150,000.00, **must have an award**
 10 **period of no more than 2 years**, and ~~the amount awarded shall~~**must**
 11 be matched on a 70% state, 30% college or university basis.

12 (3) ~~The program described in this section shall be~~
 13 ~~administered by the~~**The** department of labor and economic
 14 opportunity **shall administer the program described in this section.**

15 Sec. 279. (1) Included in section 236 for fiscal year ~~2021-~~
 16 ~~2022-~~**2022-2023** is funding for the Martin Luther King, Jr. - Cesar
 17 Chavez - Rosa Parks college/university partnership program between
 18 4-year public and independent colleges and universities and public
 19 community colleges, which is intended to increase the number of
 20 academically or economically disadvantaged students who transfer
 21 from community colleges into baccalaureate programs in this state.
 22 Preference may not be given to participants on the basis of race,
 23 color, ethnicity, gender, or national origin. Institutions should
 24 encourage participation from those who would otherwise not
 25 adequately be represented in the transfer student population.

26 (2) The grants ~~shall~~**must** be made under the program described
 27 in this section to Michigan public and independent colleges and
 28 universities. An award to any 1 institution ~~shall~~**must** not be
 29 greater than \$150,000.00, **must have an award period of no more than**

1 **2 years**, and ~~the amount awarded shall **must**~~ be matched on a 70%
 2 state, 30% college or university basis.

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

6 Sec. 280. (1) Included in the appropriation for fiscal year
 7 ~~2021-2022-2022-2023~~ for each public university in section 236 is
 8 funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks
 9 visiting professors program, which is intended to increase the
 10 number of instructors in the classroom to provide role models for
 11 academically or economically disadvantaged students. Preference may
 12 not be given to participants on the basis of race, color,
 13 ethnicity, gender, or national origin. Public universities should
 14 encourage participation from those who would otherwise not
 15 adequately be represented in the student population.

16 ~~(2) The program described in this section shall be~~
 17 ~~administered by the **The**~~ department of labor and economic
 18 opportunity **shall administer the program described in this section.**

19 (3) The amount allocated to each university is \$9,994.00 **and**
 20 **is subject to an award period of no more than 2 years.** Each
 21 university receiving funds for fiscal year ~~2021-2022-2022-2023~~
 22 under this section shall report to the department of labor and
 23 economic opportunity by April 15, ~~2022-2023~~ the amount of its
 24 unobligated and unexpended funds as of March 31, ~~2022-2023~~ and a
 25 plan to expend the remaining funds by the end of the fiscal year.
 26 The amount of funding reported as not being expended may be
 27 transferred, under the direction of the department, to another
 28 university for use under this section.

29 Sec. 281. (1) Included in the appropriation for fiscal year

1 ~~2021-2022-2022-2023~~ in section 236 is funding under the Martin
 2 Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the
 3 Morris Hood, Jr. educator development program, which is intended to
 4 increase the number of academically or economically disadvantaged
 5 students who enroll in and complete K-12 teacher education programs
 6 at the baccalaureate level and teach in this state. Preference may
 7 not be given to participants on the basis of race, color,
 8 ethnicity, gender, or national origin. Institutions should
 9 encourage participation from those who would otherwise not
 10 adequately be represented in the teacher education student
 11 population.

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

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

20 Sec. 282. (1) Each institution receiving funds for fiscal year
 21 ~~2021-2022-2022-2023~~ under section 278, 279, or 281 shall provide to
 22 the department of labor and economic opportunity by April 15, ~~2022~~
 23 **2023** the unobligated and unexpended funds as of March 31, ~~2022-2023~~
 24 and a plan to expend the remaining funds by the end of the fiscal
 25 year. Notwithstanding the award limitations in sections 278 and
 26 279, the amount of funding reported as not being expended will be
 27 reallocated to the institutions that intend to expend all funding
 28 received under section 278, 279, or 281.

29 (2) Funds received for the purpose of administering programs

1 under sections 275j, 278, 279, and 281 ~~shall~~**must** not be used for
2 direct financial aid or indirect financial aid. However, a
3 university may provide academic incentives to motivate
4 participating students as approved by the department. As used in
5 this subsection:

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

8 (b) "Indirect financial aid" includes, but is not limited to,
9 transportation, textbook allowances, child care support, and
10 assistance with medical premiums or expenses.

11 Enacting section 1. In accordance with section 30 of article
12 IX of the state constitution of 1963, total state spending from
13 state sources for higher education for fiscal year 2021-2022 under
14 article III of the state school aid act of 1979, 1979 PA 94, MCL
15 388.1836 to 388.1891, as amended by 2021 PA 86, and this amendatory
16 act, is estimated at \$1,879,224,800.00 and the amount of that state
17 spending from state sources to be paid to local units of government
18 for fiscal year 2021-2022 is estimated at \$0.00. In accordance with
19 section 30 of article IX of the state constitution of 1963, total
20 state spending from state sources for higher education for fiscal
21 year 2022-2023 under article III of the state school aid act of
22 1979, 1979 PA 94, MCL 388.1836 to 388.1891, is estimated at
23 \$2,083,992,200.00 and the amount of that state spending from state
24 sources to be paid to local units of government for fiscal year
25 2022-2023 is estimated at \$0.00.

26 Enacting section 2. Section 236i of the state school aid act
27 of 1979, 1979 PA 94, MCL 388.1836i, is repealed effective October
28 1, 2022.

29 Enacting section 3. (1) Section 236j of the state school aid

1 act of 1979, 1979 PA 94, as added by this amendatory act, if
2 granted immediate effect pursuant to section 27 of article IV of
3 the state constitution of 1963, takes effect upon enactment of this
4 amendatory act.

5 (2) Except as otherwise provided for the section cited in
6 subsection (1), the remaining sections of this amendatory act take
7 effect October 1, 2022.