

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2021**

Introduced by Reps. Huizenga and Albert

ENROLLED HOUSE BILL No. 4400

AN ACT to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 201, 206, 207a, 207b, 207c, 209, 209a, 210b, 220, 222, 223, 226b, 226d, 229, 229a, 230, 236, 236b, 236c, 241, 245, 245a, 256, 259, 260, 263, 264, 265, 265b, 267, 268, 269, 270c, 274, 274d, 275d, 275f, 275g, 275h, 275i, 276, 277, 278, 279, 280, 281, 281a, 282, 285, 286, and 291 (MCL 388.1801, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1809a, 388.1810b, 388.1820, 388.1822, 388.1823, 388.1826b, 388.1826d, 388.1829, 388.1829a, 388.1830, 388.1836, 388.1836b, 388.1836c, 388.1841, 388.1845, 388.1845a, 388.1856, 388.1859, 388.1860, 388.1863, 388.1864, 388.1865, 388.1865b, 388.1867, 388.1868, 388.1869, 388.1870c, 388.1874, 388.1874d, 388.1875d, 388.1875f, 388.1875g, 388.1875h, 388.1875i, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1881a, 388.1882, 388.1885, 388.1886, and 388.1891), sections 201, 206, 207a, 207b, 207c, 209, 209a, 222, 223, 229, 229a, 230, 236, 236b, 236c, 241, 245, 245a, 256, 263, 264, 265, 265b, 267, 268, 269, 276, 277, 278, 279, 280, 281, and 282 as amended and sections 226b, 226d, 259, 260, 270c, 275f, 275g, 275h, 275i, and 281a as added by 2020 PA 165, section 210b as amended by 2019 PA 52, section 220 as amended by 2016 PA 249, section 274 as amended and section 275d as added by 2019 PA 62, section 274d as amended by 2018 PA 265, sections 285 and 291 as amended by 2012 PA 201, and section 286 as amended by 2015 PA 85, and by adding sections 201e, 210g, 210h, 226f, 226g, 236h, 236i, 275j, and 286b; and to repeal acts and parts of acts.

The People of the State of Michigan enact:

Sec. 201. (1) Subject to the conditions set forth in this article, the amounts listed in this section are appropriated for community colleges for the fiscal year ending September 30, 2022, from the funds indicated in this section. The following is a summary of the appropriations in this section:

(a) The gross appropriation is \$431,917,000.00. After deducting total interdepartmental grants and intradepartmental transfers in the amount of \$0.00, the adjusted gross appropriation is \$431,917,000.00.

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

(i) Total federal revenues, \$0.00.

(ii) Total local revenues, \$0.00.

(iii) Total private revenues, \$0.00.

(iv) Total other state restricted revenues, \$431,917,000.00.

(v) State general fund/general purpose money, \$0.00.

(2) Subject to subsection (3), the amount appropriated for community college operations is \$328,583,400.00, allocated as follows:

(a) The appropriation for Alpena Community College is \$5,830,600.00, \$5,753,300.00 for operations, \$53,400.00 for 1-time performance funding, and \$23,900.00 for costs incurred under the North American Indian tuition waiver.

(b) The appropriation for Bay de Noc Community College is \$5,772,400.00, \$5,602,800.00 for operations, \$58,000.00 for 1-time performance funding, and \$111,600.00 for costs incurred under the North American Indian tuition waiver.

(c) The appropriation for Delta College is \$15,364,000.00, \$15,160,500.00 for operations, \$143,400.00 for 1-time performance funding, and \$60,100.00 for costs incurred under the North American Indian tuition waiver.

(d) The appropriation for Glen Oaks Community College is \$2,684,500.00, \$2,651,200.00 for operations, \$33,300.00 for 1-time performance funding, and \$0.00 for costs incurred under the North American Indian tuition waiver.

(e) The appropriation for Gogebic Community College is \$4,968,100.00, \$4,873,700.00 for operations, \$42,400.00 for 1-time performance funding, and \$52,000.00 for costs incurred under the North American Indian tuition waiver.

(f) The appropriation for Grand Rapids Community College is \$19,193,200.00, \$18,773,100.00 for operations, \$221,500.00 for 1-time performance funding, and \$198,600.00 for costs incurred under the North American Indian tuition waiver.

(g) The appropriation for Henry Ford College is \$22,753,900.00, \$22,533,100.00 for operations, \$205,800.00 for 1-time performance funding, and \$15,000.00 for costs incurred under the North American Indian tuition waiver.

(h) The appropriation for Jackson College is \$12,912,300.00, \$12,756,200.00 for operations, \$109,900.00 for 1-time performance funding, and \$46,200.00 for costs incurred under the North American Indian tuition waiver.

(i) The appropriation for Kalamazoo Valley Community College is \$13,320,400.00, \$13,099,900.00 for operations, \$134,400.00 for 1-time performance funding, and \$86,100.00 for costs incurred under the North American Indian tuition waiver.

(j) The appropriation for Kellogg Community College is \$10,419,200.00, \$10,267,100.00 for operations, \$100,800.00 for 1-time performance funding, and \$51,300.00 for costs incurred under the North American Indian tuition waiver.

(k) The appropriation for Kirtland Community College is \$3,404,000.00, \$3,358,400.00 for operations, \$39,100.00 for 1-time performance funding, and \$6,500.00 for costs incurred under the North American Indian tuition waiver.

(l) The appropriation for Lake Michigan College is \$5,768,200.00, \$5,702,700.00 for operations, \$52,400.00 for 1-time performance funding, and \$13,100.00 for costs incurred under the North American Indian tuition waiver.

(m) The appropriation for Lansing Community College is \$33,255,300.00, \$32,852,000.00 for operations, \$280,600.00 for 1-time performance funding, and \$122,700.00 for costs incurred under the North American Indian tuition waiver.

(n) The appropriation for Macomb Community College is \$34,629,700.00, \$34,276,100.00 for operations, \$330,300.00 for 1-time performance funding, and \$23,300.00 for costs incurred under the North American Indian tuition waiver.

(o) The appropriation for Mid Michigan Community College is \$5,396,300.00, \$5,184,400.00 for operations, \$58,000.00 for 1-time performance funding, and \$153,900.00 for costs incurred under the North American Indian tuition waiver.

(p) The appropriation for Monroe County Community College is \$4,798,100.00, \$4,746,200.00 for operations, \$51,200.00 for 1-time performance funding, and \$700.00 for costs incurred under the North American Indian tuition waiver.

(q) The appropriation for Montcalm Community College is \$3,612,600.00, \$3,570,600.00 for operations, \$37,200.00 for 1-time performance funding, and \$4,800.00 for costs incurred under the North American Indian tuition waiver.

(r) The appropriation for C.S. Mott Community College is \$16,623,500.00, \$16,440,000.00 for operations, \$142,500.00 for 1-time performance funding, and \$41,000.00 for costs incurred under the North American Indian tuition waiver.

(s) The appropriation for Muskegon Community College is \$9,431,700.00, \$9,289,100.00 for operations, \$85,100.00 for 1-time performance funding, and \$57,500.00 for costs incurred under the North American Indian tuition waiver.

(t) The appropriation for North Central Michigan College is \$3,612,700.00, \$3,389,300.00 for operations, \$42,200.00 for 1-time performance funding, and \$181,200.00 for costs incurred under the North American Indian tuition waiver.

(u) The appropriation for Northwestern Michigan College is \$9,906,900.00, \$9,567,100.00 for operations, \$88,600.00 for 1-time performance funding, and \$251,200.00 for costs incurred under the North American Indian tuition waiver.

(v) The appropriation for Oakland Community College is \$22,485,200.00, \$22,211,700.00 for operations, \$240,000.00 for 1-time performance funding, and \$33,500.00 for costs incurred under the North American Indian tuition waiver.

(w) The appropriation for Schoolcraft College is \$13,386,700.00, \$13,196,200.00 for operations, \$151,700.00 for 1-time performance funding, and \$38,800.00 for costs incurred under the North American Indian tuition waiver.

(x) The appropriation for Southwestern Michigan College is \$7,081,900.00, \$6,979,400.00 for operations, \$68,400.00 for 1-time performance funding, and \$34,100.00 for costs incurred under the North American Indian tuition waiver.

(y) The appropriation for St. Clair County Community College is \$7,478,700.00, \$7,385,200.00 for operations, \$78,400.00 for 1-time performance funding, and \$15,100.00 for costs incurred under the North American Indian tuition waiver.

(z) The appropriation for Washtenaw Community College is \$14,080,600.00, \$13,855,900.00 for operations, \$189,400.00 for 1-time performance funding, and \$35,300.00 for costs incurred under the North American Indian tuition waiver.

(aa) The appropriation for Wayne County Community College is \$17,782,100.00, \$17,593,400.00 for operations, \$173,700.00 for 1-time performance funding, and \$15,000.00 for costs incurred under the North American Indian tuition waiver.

(bb) The appropriation for West Shore Community College is \$2,630,600.00, \$2,585,600.00 for operations, \$24,800.00 for 1-time performance funding, and \$20,200.00 for costs incurred under the North American Indian tuition waiver.

(3) The amount appropriated in subsection (2) for community college operations is \$328,583,400.00 and is appropriated from the state school aid fund.

(4) From the appropriations described in subsection (1), both of the following apply:

(a) Subject to section 207a, the amount appropriated for fiscal year 2021-2022 to offset certain fiscal year 2021-2022 retirement contributions is \$1,733,600.00, appropriated from the state school aid fund.

(b) For fiscal year 2021-2022, there is allocated an amount not to exceed \$11,700,000.00 for payments to participating community colleges, appropriated from the state school aid fund. A community college that receives money under this subdivision shall use that money solely for the purpose of offsetting the normal cost contribution rate.

(5) From the appropriations described in subsection (1), subject to section 207b, the amount appropriated for payments to community colleges that are participating entities of the retirement system is \$87,200,000.00 appropriated from the state school aid fund.

(6) From the appropriations described in subsection (1), subject to section 207c, the amount appropriated for renaissance zone tax reimbursements is \$2,200,000.00, appropriated from the state school aid fund. Each community college receiving funds in this subsection shall accrue these payments to its institutional fiscal year ending June 30, 2022.

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

Sec. 201e. (1) In addition to the funds appropriated under section 201(2) for community college operations, for the fiscal year ending September 30, 2021 only, there is appropriated an amount not to exceed \$12,696,000.00 from the state school aid fund for operational support payments. These funds are intended to be used for the same purposes as the funds appropriated under section 201(2) for community college operations.

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

(a) Alpena Community College, \$225,700.00.

- (b) Bay de Noc Community College, \$219,800.00.
- (c) Delta College, \$594,700.00.
- (d) Glen Oaks Community College, \$104,000.00.
- (e) Gogebic Community College, \$191,100.00.
- (f) Grand Rapids Community College, \$736,400.00.
- (g) Henry Ford College, \$883,900.00.
- (h) Jackson College, \$500,400.00.
- (i) Kalamazoo Valley Community College, \$513,900.00.
- (j) Kellogg Community College, \$402,700.00.
- (k) Kirtland Community College, \$131,700.00.
- (l) Lake Michigan College, \$223,700.00.
- (m) Lansing Community College, \$1,288,700.00.
- (n) Macomb Community College, \$1,344,500.00.
- (o) Mid Michigan Community College, \$203,400.00.
- (p) Monroe County Community College, \$186,200.00.
- (q) Montcalm Community College, \$140,100.00.
- (r) C.S. Mott Community College, \$644,900.00.
- (s) Muskegon Community College, \$364,400.00.
- (t) North Central Michigan College, \$133,000.00.
- (u) Northwestern Michigan College, \$375,300.00.
- (v) Oakland Community College, \$871,300.00.
- (w) Schoolcraft College, \$517,700.00.
- (x) Southwestern Michigan College, \$273,800.00.
- (y) St. Clair County Community College, \$289,700.00.
- (z) Washtenaw Community College, \$543,500.00.
- (aa) Wayne County Community College, \$690,100.00.
- (bb) West Shore Community College, \$101,400.00.

Sec. 206. (1) Except for the funds appropriated in section 201(4)(b), the funds appropriated in section 201 are appropriated for community colleges with fiscal years ending June 30, 2022 and shall be paid out of the state treasury and distributed by the state treasurer to the respective community colleges in 11 monthly installments on the sixteenth of each month, or the next succeeding business day, beginning with October 16, 2021. Each community college shall accrue its July and August 2022 payments to its institutional fiscal year ending June 30, 2022.

(2) The funds appropriated in section 201(4)(b) are appropriated for community colleges with fiscal years ending June 30, 2022 and shall be distributed to the respective community colleges in quarterly installments on the sixteenth of each November, February, May, and August. Each community college shall accrue its August 2022 payments to its institutional fiscal year ending June 30, 2022.

(3) If the state budget director determines that a community college failed to submit any of the following information in the form and manner specified by the center, the state treasurer shall, subject to subsection (4), withhold the monthly installments from that community college until those data are submitted:

- (a) The Michigan community colleges verified data inventory data for the preceding academic year to the center by the first business day of November of each year as specified in section 217.
- (b) The college credit opportunity data set as specified in section 209.
- (c) The longitudinal data set for the preceding academic year to the center as specified in section 219.
- (d) The annual independent audit as specified in section 222.
- (e) Tuition and mandatory fees information for the current academic year as specified in section 225.
- (f) The number and type of associate degrees and other certificates awarded during the previous academic year as specified in section 226.

(4) The state budget director shall notify the chairs of the house and senate appropriations subcommittees on community colleges at least 10 days before withholding funds from any community college under subsection (3).

Sec. 207a. The following apply to the allocation of the fiscal year 2021-2022 appropriations described in section 201(4):

(a) A community college that receives money under section 201(4) shall use that money solely for the purpose of offsetting a portion of the retirement contributions owed by the college for that fiscal year.

(b) The amount allocated to each participating community college under section 201(4)(a) shall be based on each college's percentage of the total covered payroll for all community colleges that are participating colleges in the immediately preceding fiscal year.

(c) The amount allocated to each participating community college under section 201(4)(b) shall be based on each college's reported quarterly payroll for members for the current fiscal year.

Sec. 207b. All of the following apply to the allocation of the fiscal year 2021-2022 appropriations described in section 201(5) for payments to community colleges that are participating entities of the retirement system:

(a) The amount of a payment under section 201(5) shall be the difference between the unfunded actuarial accrued liability contribution rate as calculated under section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341, as calculated without taking into account the maximum employer rate of 20.96% included in section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341, and the maximum employer rate of 20.96% under section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341.

(b) The amount allocated to each community college under section 201(5) shall be based on each community college's percentage of the total covered payroll for all community colleges that are participating colleges in the immediately preceding fiscal year. A community college that receives funds under this subdivision shall use the funds solely for the purpose of retirement contributions under section 201(5).

(c) Each participating college that receives funds under section 201(5) shall forward an amount equal to the amount allocated under subdivision (b) to the retirement system in a form and manner determined by the retirement system.

Sec. 207c. All of the following apply to the allocation of the appropriations described in section 201(6) to community colleges described in section 12(3) of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692:

(a) The amount allocated to each community college under section 201(6) for fiscal year 2021-2022 shall be based on that community college's proportion of total revenue lost by community colleges as a result of the exemption of property taxes levied in 2021 under the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696.

(b) The appropriations described in section 201(6) shall be made to each eligible community college within 60 days after the department of treasury certifies to the state budget director that it has received all necessary information to properly determine the amounts payable to each eligible community college under section 12 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692.

Sec. 209. (1) Within 30 days after the board of a community college adopts its annual operating budget for the following fiscal year, or after the board adopts a subsequent revision to that budget, the community college shall make all of the following information available through a link on its website homepage, and shall also submit this information, and the information described in subsections (4) and (5), to the state budget director, who will compile the information it receives into a single report for all community colleges and will submit the report to the house and senate appropriations subcommittees on community colleges and the house and senate fiscal agencies:

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

(b) A link to the most recent "Michigan Community College Data Inventory Report".

(c) General fund revenue and expenditure projections for the current fiscal year and the next fiscal year.

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

(e) Links to all of the following for the community college:

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

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

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

(iv) A copy of the board of trustees resolution regarding compliance with best practices for the local strategic value component described in section 230(2).

(f) A map that includes the boundaries of the community college district.

(2) For statewide consistency and public visibility, community colleges must use the icon badge provided by the department of technology, management, and budget consistent with the icon badge developed by the department of education for K-12 school districts. It must appear on the front of each community college's homepage. The size of the icon may be reduced to 150 x 150 pixels.

(3) The state budget director shall determine whether a community college has complied with this section. The state budget director may withhold a community college's monthly installments described in section 206 until the community college complies with this section. The state budget director shall notify the chairs of the house and senate appropriations subcommittee on community colleges at least 10 days before withholding funds from any community college.

(4) Each community college shall report the following information to the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget office by November 15 and post that information on its website as required under subsection (1):

(a) Budgeted current fiscal year general fund revenue from tuition and fees.

(b) Budgeted current fiscal year general fund revenue from state appropriations.

(c) Budgeted current fiscal year general fund revenue from property taxes.

(d) Budgeted current fiscal year total general fund revenue.

(e) Budgeted current fiscal year total general fund expenditures.

(5) By the first business day of November of each year, a community college shall post the following information on its website under the budget transparency icon badge:

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

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

(ii) Direct college credit or concurrent enrollment.

(iii) Dual enrollment.

(iv) An early college/middle college program.

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

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

(ii) The number of school districts that participate in the program with the community college.

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

(iv) The total cost to the community college to operate the program.

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

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

(vii) Instructional resources offered to the program instructors.

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

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

Sec. 209a. (1) A public community college shall develop, maintain, and update a "campus safety information and resources" link, prominently displayed on the homepage of its website, to a section of its website containing all of the information required under subsection (2).

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

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

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

(c) A list of safety and security services provided by the community college, including transportation, escort services, building surveillance, anonymous tip lines, and other available security services.

(d) A public community college's policies applicable to minors on community college property.

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

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

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

(3) A community college shall certify to the state budget director by October 1, 2021 that it is in compliance with this section. The state budget director may withhold a public community college's monthly installments described in section 206 until the public community college complies with this section.

Sec. 210b. By March 1 of each year, the Michigan Community College Association and the Michigan Association of State Universities shall submit a report to the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director on the activities and programs focused on improving transfer student outcomes since March 1 of the previous year, including all of the following:

(a) The direct transferability of mathematics gateway courses between and among community colleges and universities.

(b) The implementation of MiTransfer pathways.

(c) The progress on increasing participation in MiTransfer pathways among community colleges and public universities.

(d) The implementation of the Michigan Transfer Network at mitransfer.org.

(e) A progress report on the implementation of the Michigan transfer agreement.

Sec. 210g. By November 1 of each year, each community college seeking an articulation agreement with a university for a bachelor of science in nursing program shall produce a summary of efforts made to establish an articulation agreement with any public or independent university in this state, including, but not limited to, the number of universities contacted, the number of articulation agreements confirmed, and limitations to confirming an articulation agreement if they exist. Each community college shall submit this summary to the house and senate appropriations subcommittees on community colleges, the house and senate fiscal agencies, and the state budget director, as applicable.

Sec. 210h. (1) If a community college that receives an appropriation in section 201 establishes a mandatory COVID-19 vaccine policy, it shall provide exemptions to that policy to the following students:

(a) Any student for whom a physician certifies that a COVID-19 vaccine is or may be detrimental to the student's health or is not appropriate.

(b) Any student who provides a written statement to the effect that the requirements of the COVID-19 vaccine policy cannot be met because of religious convictions or other consistently held objection to immunization.

(2) It must be presumed that a student who requests an exemption under subsection (1) is entitled to that exemption. The community college shall grant that student's request unless it determines by clear and convincing evidence that the student is not entitled to that exemption.

(3) A community college shall not deny a student's request for an exemption until it has exhausted every reasonable accommodation.

(4) If a community college denies a student's request for an exemption, the community college shall issue a report fully explaining its reasons for the denial. That report must describe all reasonable accommodations the community college offered the student and the student's response.

(5) Every community college shall submit a written report regarding its actions taken under this section no later than March 15 of each year to the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director. This annual report must include the following information, which may be obtained from any reliable source that complies with applicable laws regarding student privacy:

(a) The number of students who have requested an exemption from the community college's COVID-19 vaccine policy.

(b) The number of students who have been granted an exemption.

Sec. 220. (1) As provided for under section 1 of 2003 PA 1, MCL 13.101, pursuant to section 53 of article IV of the state constitution of 1963, the auditor general or a certified public accountant appointed by the auditor general may conduct performance audits of community colleges as the auditor general considers necessary.

(2) Within 60 days after an audit report is released by the office of the auditor general, the principal executive officer of the community college that was audited shall submit to the house and senate appropriations committees, the house and senate fiscal agencies, the auditor general, and the state budget director a plan to comply with audit recommendations. The plan shall contain projected dates and resources required, if any, to achieve compliance with the audit recommendations, or a documented explanation of the college's noncompliance with the audit recommendations concerning the matters on which the audited community college and office of the auditor general disagree.

Sec. 222. Each community college shall have an annual audit of all income and expenditures performed by an independent auditor and shall furnish the independent auditor's management letter and an annual audited accounting of all general and current funds income and expenditures including audits of college foundations to the center before November 15 of each year. The center shall provide this information to members of the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, the auditor general, the department of labor and economic opportunity, and the state budget director. If a community college fails to furnish the audit materials, the monthly state aid installments shall be withheld from that college until the information is submitted. All reporting shall conform to the requirements set forth in the "2001 Manual for Uniform Financial Reporting, Michigan Public Community Colleges". A community college shall make the information the community college is required to provide under this section available to the public on its website.

Sec. 223. (1) By January 15 of each year, the department of civil rights shall submit to the state budget director, the house and senate appropriations subcommittees on community colleges, and the house and senate fiscal agencies a report on North American Indian tuition waivers for the preceding academic year that includes, but is not limited to, all of the following information:

- (a) The number of waiver applications received and the number of waiver applications approved.
- (b) For each community college submitting information under subsection (2), all of the following:
 - (i) The number of North American Indian students enrolled each term for the previous academic year.
 - (ii) The number of North American Indian waivers granted each term, including continuing education students, and the monetary value of the waivers for the previous academic year.
 - (iii) The number of students attending under a North American Indian tuition waiver who withdrew from the college each term during the previous academic year. For purposes of this subparagraph, a withdrawal occurs when a student who has been awarded the waiver withdraws from the institution at any point during the term, regardless of enrollment in subsequent terms.
 - (iv) The number of students attending under a North American Indian tuition waiver who successfully complete a degree or certificate program, separated by degree or certificate level, and the graduation rate for students attending under a North American Indian tuition waiver who complete a degree or certificate within 150% of the normal time to complete, separated by the level of the degree or certificate.

(2) By January 1 of each year, a community college that receives funds under section 201 or a tribal institution that receives funding for the North American Indian tuition waiver shall provide to the department of civil rights any information necessary for preparing the report described in subsection (1), using guidelines and procedures developed by the department of civil rights.

(3) The department of civil rights may consolidate the report required under this section with the report required under section 268, but a consolidated report must separately identify data for universities and data for community colleges.

Sec. 226b. By September 30, 2022, each community college receiving an appropriation in section 201 shall do both of the following:

- (a) Submit a report to the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director describing all federal funds the community college received, including the amounts, related to the COVID-19 pandemic, including, but not limited to, any federal funds received from the coronavirus relief fund under the coronavirus aid, relief, and economic security act, Public Law 116-136, and similar federal relief packages.

(b) Post the information contained in the report described in subdivision (a) on the public transparency website described in section 209.

Sec. 226d. It is the intent of the legislature that by February 1, 2022, each community college shall submit to the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director a report on activities related to strategic planning and internal assessment or reassessment to best provide for open and free expression and speech, while protecting students from hate-speech, violence, and discrimination.

Sec. 226f. (1) From the funds appropriated for pregnant and parenting student services in section 201, a community college may establish and operate a pregnant and parenting student services office. If established, an office shall meet all of the following:

(a) Be located on the campus of the community college.

(b) Annually assess the performance of the community college and the office in meeting all of the following needs of students on campus who are pregnant or who are a custodial parent or legal guardian of a minor:

(i) Comprehensive student health care.

(ii) Family housing.

(iii) Child care.

(iv) Flexible or alternative academic scheduling.

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

(c) Identify public and private service providers qualified to meet the needs described in subdivision (b), both on campus and within the local community, and establish programs with qualified providers it selects to meet those needs.

(d) Assist students in locating and obtaining services that meet 1 or more of the needs described in subdivision (b).

(e) If appropriate, provide referrals on prenatal care and delivery, infant or foster care, adoption, and family planning, to individual students who request that information. An office shall not provide referrals for abortion services.

(2) By December 1, 2022, a community college that establishes a pregnant and parenting student services office shall report to the house and senate appropriations subcommittees on community colleges, the house and senate fiscal agencies, and the state budget director all of the following:

(a) An itemized list of office expenditures during the preceding fiscal year.

(b) A review and evaluation of the performance of the office in fulfilling its obligations under this section.

(c) The number of students served by the office.

Sec. 226g. (1) It is the intent of the legislature that each community college adopt an advocacy policy applicable to faculty, staff, students, student employees, visitors, and contractors by January 1, 2022 and comply with all other requirements of this section.

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

Sec. 229. (1) Each community college that receives an appropriation in section 201 is expected to include in its admission application process a specific question as to whether an applicant for admission has ever served or is currently serving in the United States Armed Forces or is the spouse or dependent of an individual who has served or is currently serving in the United States Armed Forces, in order to more quickly identify potential educational assistance available to that applicant.

(2) It is expected that each community college that receives an appropriation in section 201 shall work with the house and senate community college subcommittees, the Michigan Community College Association, and veterans groups to review the issue of in-district tuition for veterans of this state when determining tuition rates and fees.

(3) Each community college that receives an appropriation in section 201 is expected to provide reasonable programming and scheduling accommodations necessary to facilitate a student's military, national guard, or military reserves duties and training obligations.

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

Sec. 229a. Included in the fiscal year 2021-2022 appropriations for the department of technology, management, and budget are appropriations totaling \$32,681,600.00 to provide funding for the state share of costs for previously constructed capital projects for community colleges. Those appropriations for state building authority rent represent additional state general fund support for community colleges, and the following is an estimate of the amount of that support to each community college:

- (a) Alpena Community College, \$933,000.00.
- (b) Bay de Noc Community College, \$538,000.00.
- (c) Delta College, \$2,706,700.00.
- (d) Glen Oaks Community College, \$128,500.00.
- (e) Gogebic Community College, \$58,500.00.
- (f) Grand Rapids Community College, \$1,210,000.00.
- (g) Henry Ford College, \$1,073,900.00.
- (h) Jackson College, \$2,260,600.00.
- (i) Kalamazoo Valley Community College, \$2,028,700.00.
- (j) Kellogg Community College, \$709,300.00.
- (k) Kirtland Community College, \$235,000.00.
- (l) Lake Michigan College, \$1,009,100.00.
- (m) Lansing Community College, \$1,191,900.00.
- (n) Macomb Community College, \$1,722,600.00.
- (o) Mid Michigan Community College, \$1,687,100.00.
- (p) Monroe County Community College, \$1,608,700.00.
- (q) Montcalm Community College, \$465,900.00.
- (r) C.S. Mott Community College, \$2,196,900.00.
- (s) Muskegon Community College, \$1,025,800.00.
- (t) North Central Michigan College, \$502,500.00.
- (u) Northwestern Michigan College, \$1,866,800.00.
- (v) Oakland Community College, \$0.00.
- (w) Schoolcraft College, \$1,824,000.00.
- (x) Southwestern Michigan College, \$859,200.00.
- (y) St. Clair County Community College, \$750,100.00.
- (z) Washtenaw Community College, \$1,792,600.00.
- (aa) Wayne County Community College, \$1,527,300.00.
- (bb) West Shore Community College, \$768,900.00.

Sec. 230. (1) With the exception of fiscal year 2020-2021, and subject to subsection (4), money included in the appropriations for community college operations under section 201(2) for performance funding is distributed based on the following formula:

- (a) Allocated proportionate to fiscal year 2020-2021 base appropriations, 30%.
- (b) Based on a weighted student contact hour formula as provided for in the 2016 recommendations of the performance indicators task force, 30%.
- (c) Based on the performance improvement as provided for in the 2016 recommendations of the performance indicators task force and based on data provided by the center, 10%.
- (d) Based on the performance completion number as provided for in the 2016 recommendations of the performance indicators task force, 10%.

(e) Based on the performance completion rate as provided for in the 2016 recommendations of the performance indicators task force and based on data provided by the center, 10%.

(f) Based on administrative costs, 5%.

(g) Based on the local strategic value component, as developed in cooperation with the Michigan Community College Association and described in subsection (2), 5%.

(2) Money included in the appropriations for community college operations under section 201(2) for local strategic value shall be allocated to each community college that certifies to the state budget director, through a board of trustees resolution on or before October 15, 2021, that the college has met 4 out of 5 best practices listed in each category described in subsection (3). The resolution shall provide specifics as to how the community college meets each best practice measure within each category. One-third of funding available under the strategic value component shall be allocated to each category described in subsection (3). Amounts distributed under local strategic value shall be on a proportionate basis to each college's fiscal year 2020-2021 operations funding. Payments to community colleges that qualify for local strategic value funding shall be distributed with the November installment payment described in section 206.

(3) For purposes of subsection (2), the following categories of best practices reflect functional activities of community colleges that have strategic value to the local communities and regional economies:

(a) For Category A, economic development and business or industry partnerships, the following:

(i) The community college has active partnerships with local employers including hospitals and health care providers.

(ii) The community college provides customized on-site training for area companies, employees, or both.

(iii) The community college supports entrepreneurship through a small business assistance center or other training or consulting activities targeted toward small businesses.

(iv) The community college supports technological advancement through industry partnerships, incubation activities, or operation of a Michigan technical education center or other advanced technology center.

(v) The community college has active partnerships with local or regional workforce and economic development agencies.

(b) For Category B, educational partnerships, the following:

(i) The community college has active partnerships with regional high schools, intermediate school districts, and career-tech centers to provide instruction through dual enrollment, concurrent enrollment, direct credit, middle college, or academy programs.

(ii) The community college hosts, sponsors, or participates in enrichment programs for area K-12 students, such as college days, summer or after-school programming, or Science Olympiad.

(iii) The community college provides, supports, or participates in programming to promote successful transitions to college for traditional age students, including grant programs such as talent search, upward bound, or other activities to promote college readiness in area high schools and community centers.

(iv) The community college provides, supports, or participates in programming to promote successful transitions to college for new or reentering adult students, such as adult basic education, a high school equivalency test preparation program and testing, or recruiting, advising, or orientation activities specific to adults. As used in this subparagraph, "high school equivalency test preparation program" means that term as defined in section 4.

(v) The community college has active partnerships with regional 4-year colleges and universities to promote successful transfer, such as articulation, 2+2, or reverse transfer agreements or operation of a university center.

(c) For Category C, community services, the following:

(i) The community college provides continuing education programming for leisure, wellness, personal enrichment, or professional development.

(ii) The community college operates or sponsors opportunities for community members to engage in activities that promote leisure, wellness, cultural or personal enrichment such as community sports teams, theater or musical ensembles, or artist guilds.

(iii) The community college operates public facilities to promote cultural, educational, or personal enrichment for community members, such as libraries, computer labs, performing arts centers, museums, art galleries, or television or radio stations.

(iv) The community college operates public facilities to promote leisure or wellness activities for community members, including gymnasiums, athletic fields, tennis courts, fitness centers, hiking or biking trails, or natural areas.

(v) The community college promotes, sponsors, or hosts community service activities for students, staff, or community members.

(4) Payments for performance funding under section 201(2) shall be made to a community college only if that community college actively participates in the Michigan Transfer Network sponsored by the Michigan Association of Collegiate Registrars and Admissions Officers and submits timely updates, including updated course equivalencies at least every 6 months, to the Michigan transfer network. The state budget director shall determine if a community college has not satisfied this requirement. The state budget director may withhold payments for performance funding until a community college is in compliance with this subsection.

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

(a) The gross appropriation is \$1,808,251,200.00. After deducting total interdepartmental grants and intradepartmental transfers in the amount of \$0.00, the adjusted gross appropriation is \$1,808,251,200.00.

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

(i) Total federal revenues, \$128,526,400.00.

(ii) Total local revenues, \$0.00.

(iii) Total private revenues, \$0.00.

(iv) Total other state restricted revenues, \$361,403,300.00.

(v) State general fund/general purpose money, \$1,318,321,500.00.

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

(a) The appropriation for Central Michigan University is \$90,440,500.00, \$87,600,000.00 for operations, \$876,000.00 for 1-time supplemental funding, and \$1,964,500.00 for costs incurred under the North American Indian tuition waiver.

(b) The appropriation for Eastern Michigan University is \$78,305,900.00, \$77,253,700.00 for operations, \$772,500.00 for 1-time supplemental funding, and \$279,700.00 for costs incurred under the North American Indian tuition waiver.

(c) The appropriation for Ferris State University is \$56,541,600.00, \$55,025,500.00 for operations, \$550,300.00 for 1-time supplemental funding, and \$965,800.00 for costs incurred under the North American Indian tuition waiver.

(d) The appropriation for Grand Valley State University is \$74,213,800.00, \$72,313,500.00 for operations, \$723,100.00 for 1-time supplemental funding, and \$1,177,200.00 for costs incurred under the North American Indian tuition waiver.

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

(f) The appropriation for Michigan State University is \$357,862,000.00, \$287,331,700.00 for operations, \$2,873,300.00 for 1-time supplemental funding, \$1,932,800.00 for costs incurred under the North American Indian tuition waiver, \$35,286,700.00 for MSU AgBioResearch, and \$30,437,500.00 for MSU Extension.

(g) The appropriation for Michigan Technological University is \$51,371,900.00, \$50,101,600.00 for operations, \$501,000.00 for 1-time supplemental funding, and \$769,300.00 for costs incurred under the North American Indian tuition waiver.

(h) The appropriation for Northern Michigan University is \$49,338,700.00, \$47,809,100.00 for operations, \$478,100.00 for 1-time supplemental funding, and \$1,051,500.00 for costs incurred under the North American Indian tuition waiver.

(i) The appropriation for Oakland University is \$54,012,900.00, \$53,147,400.00 for operations, \$531,500.00 for 1-time supplemental funding, and \$334,000.00 for costs incurred under the North American Indian tuition waiver.

(j) The appropriation for Saginaw Valley State University is \$31,043,500.00, \$30,583,800.00 for operations, \$305,800.00 for 1-time supplemental funding, and \$153,900.00 for costs incurred under the North American Indian tuition waiver.

(k) The appropriation for University of Michigan – Ann Arbor is \$326,265,400.00, \$321,970,100.00 for operations, \$3,219,700.00 for 1-time supplemental funding, and \$1,075,600.00 for costs incurred under the North American Indian tuition waiver.

(l) The appropriation for University of Michigan – Dearborn is \$26,593,700.00, \$26,167,000.00 for operations, \$261,700.00 for 1-time supplemental funding, and \$165,000.00 for costs incurred under the North American Indian tuition waiver.

(m) The appropriation for University of Michigan – Flint is \$24,197,400.00, \$23,616,200.00 for operations, \$236,200.00 for 1-time supplemental funding, and \$345,000.00 for costs incurred under the North American Indian tuition waiver.

(n) The appropriation for Wayne State University is \$205,496,400.00, \$202,996,700.00 for operations, \$2,030,000.00 for 1-time supplemental funding, and \$469,700.00 for costs incurred under the North American Indian tuition waiver.

(o) The appropriation for Western Michigan University is \$113,432,700.00, \$111,522,200.00 for operations, \$1,115,200.00 for 1-time supplemental funding, and \$795,300.00 for costs incurred under the North American Indian tuition waiver.

(3) The amount appropriated in subsection (2) for public universities is \$1,553,483,000.00, appropriated from the following:

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

(b) State general fund/general purpose money, \$1,210,314,700.00.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(9) For fiscal year 2021-2022 only, in addition to the allocation under subsection (4), from the appropriations described in subsection (1), there is allocated an amount not to exceed \$4,740,000.00 for payments to participating public universities, appropriated from the state school aid fund. A university that receives money under this subsection shall use that money solely for the purpose of offsetting the normal cost contribution rate. As used in this subsection, "participating public universities" means public universities that are a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that pay contributions to the Michigan public school employees' retirement system for the state fiscal year.

(10) The amount appropriated for pregnant and parenting student services is \$500,000.00, appropriated from the state general fund/general purpose money, and subject to the conditions of the pregnant and parenting student services act, 2004 PA 500, MCL 390.1591 to 390.1596.

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

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

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

- (a) Central Michigan University, \$13,227,700.00.
- (b) Eastern Michigan University, \$6,168,300.00.
- (c) Ferris State University, \$8,104,200.00.
- (d) Grand Valley State University, \$7,380,000.00.
- (e) Lake Superior State University, \$1,842,700.00.
- (f) Michigan State University, \$17,351,100.00.
- (g) Michigan Technological University, \$3,488,700.00.
- (h) Northern Michigan University, \$7,486,500.00.
- (i) Oakland University, \$9,059,800.00.
- (j) Saginaw Valley State University, \$8,009,900.00.
- (k) University of Michigan - Ann Arbor, \$10,459,000.00.
- (l) University of Michigan - Dearborn, \$11,336,800.00.
- (m) University of Michigan - Flint, \$6,546,200.00.
- (n) Wayne State University, \$10,489,800.00.
- (o) Western Michigan University, \$9,644,600.00.

Sec. 236h. (1) For fiscal year 2021-2022 only, in addition to the allocations under section 236(4) and (9), there is allocated an amount not to exceed \$84,741,700.00 for payments to participating public universities, appropriated from the state general fund/general purpose money. A university that receives money under this subsection shall use that money solely for the purpose of payments toward the pension and other postemployment benefit unfunded actuarial accrued liabilities associated with members and pension recipients of those participating public universities. As used in this section, "participating public universities" means public universities that are reporting units of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that pay contributions to the Michigan public school employees' retirement system for the state fiscal year.

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

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

(4) Amounts allocated in subsection (1) shall be paid to participating public universities in 1 lump sum installment no later than December 31, 2021.

Sec. 236i. (1) In addition to the funds appropriated under section 236(2) for university operations, for the fiscal year ending September 30, 2021 only, there is appropriated an amount not to exceed \$57,304,000.00 from the state general fund/general purpose money for operational support payments. These funds are intended to be used for the same purposes as the funds appropriated under section 201(2) for university operations.

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

- (a) Central Michigan University, \$3,437,300.00.

- (b) Eastern Michigan University, \$3,030,400.00.
- (c) Ferris State University, \$2,158,400.00.
- (d) Grand Valley State University, \$2,836,600.00.
- (e) Lake Superior State University, \$525,900.00.
- (f) Michigan State University, \$11,270,800.00.
- (g) Michigan Technological University, \$1,965,300.00.
- (h) Northern Michigan University, \$1,875,400.00.
- (i) Oakland University, \$2,084,800.00.
- (j) Saginaw Valley State University, \$1,199,700.00.
- (k) University of Michigan – Ann Arbor, \$12,629,500.00.
- (l) University of Michigan – Dearborn, \$1,026,400.00.
- (m) University of Michigan – Flint, \$926,400.00.
- (n) Wayne State University, \$7,962,600.00.
- (o) Western Michigan University, \$4,374,500.00.

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

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

Sec. 245. (1) A public university shall maintain a public transparency website available through a link on its website homepage. The public university shall update this website within 30 days after the university's governing board adopts its annual operating budget for the next academic year, or after the governing board adopts a subsequent revision to that budget. In addition, each public university shall submit the information described in subsections (2), (3), (6), and (7) to the state budget director, who will compile the information into a single report for all public universities and will submit the report to the house and senate appropriations subcommittees on higher education and the house and senate fiscal agencies.

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

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

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

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

(A) Earnings and wages.

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

(C) Retirement benefit costs.

(D) All other personnel costs.

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

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

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

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

- (iii) Audits and financial reports for the most recent fiscal year for which they are available.
 - (d) A list of all positions funded partially or wholly through institutional general fund revenue that includes the position title and annual salary or wage amount for each position.
 - (e) General fund revenue and expenditure projections for the current fiscal year and the next fiscal year.
 - (f) A listing of all debt service obligations, detailed by project, anticipated fiscal year payment for each project, and total outstanding debt for the current fiscal year.
 - (g) The institution's policy regarding the transferability of core college courses between community colleges and the university.
 - (h) A listing of all community colleges that have entered into reverse transfer agreements with the university.
- (3) On the website required under subsection (1), a public university shall provide a dashboard or report card demonstrating the university's performance in several "best practice" measures. The dashboard or report card shall include at least all of the following for the 3 most recent academic years for which the data are available:
- (a) Enrollment.
 - (b) Student retention rate.
 - (c) Six-year graduation rates.
 - (d) Number of Pell grant recipients and graduating Pell grant recipients.
 - (e) Geographic origination of students, categorized as in-state, out-of-state, and international.
 - (f) Faculty to student ratios and total university employee to student ratios.
 - (g) Teaching load by faculty classification.
 - (h) Graduation outcome rates, including employment and continuing education.
- (4) For statewide consistency and public visibility, public universities must use the icon badge provided by the department of technology, management, and budget consistent with the icon badge developed by the department of education for K-12 school districts. It must appear on the front of each public university's homepage. The size of the icon may be reduced to 150 x 150 pixels. The font size and style for this reporting must be consistent with other documents on each university's website.
- (5) The state budget director shall determine whether a public university has complied with this section. The state budget director may withhold a public university's monthly installments described in section 241 until the public university complies with this section.
- (6) By the first business day of November of each year, a public university shall post the following information on its website under the budget transparency icon badge:
- (a) Opportunities for earning college credit through the following programs:
 - (i) State approved career and technical education or a tech prep articulated program of study.
 - (ii) Direct college credit or concurrent enrollment.
 - (iii) Dual enrollment.
 - (iv) An early college/middle college program.
 - (b) For each program described in subdivision (a) that the public university offers, all of the following information:
 - (i) The number of high school students participating in the program.
 - (ii) The number of school districts that participate in the program with the public university.
 - (iii) Whether a university professor, qualified local school district employee, or other individual teaches the course or courses in the program.
 - (iv) The total cost to the public university to operate the program.
 - (v) The cost per credit hour for the course or courses in the program.
 - (vi) The location where the course or courses in the program are held.
 - (vii) Instructional resources offered to the program instructors.
 - (viii) Resources offered to the student in the program.
 - (ix) Transportation services provided to students in the program.
- (7) A public university shall collect and report the number and percentage of all enrolled students who complete the Free Application for Federal Student Aid, broken out by undergraduate and graduate/professional classifications, to the center and post the information on its website under the budget transparency icon badge.

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

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

- (a) Emergency contact numbers for police, fire, health, and other services.
- (b) Hours, locations, phone numbers, and email contacts for campus public safety offices and title IX offices.
- (c) A listing of safety and security services provided by the university, including transportation, escort services, building surveillance, anonymous tip lines, and other available security services.
- (d) A public university’s policies applicable to minors on university property.
- (e) A directory of resources available at the university or surrounding community for students or employees who are survivors of sexual assault or sexual abuse.
- (f) An electronic copy of “A Resource Handbook for Campus Sexual Assault Survivors, Friends and Family”, published in 2018.
- (g) Campus security policies and crime statistics pursuant to the student right-to-know and campus security act, Public Law 101-542, 104 Stat 2381. Information shall include all material prepared pursuant to the public information reporting requirements under the crime awareness and campus security act of 1990, title II of the student right-to-know and campus security act, Public Law 101-542, 104 Stat 2381.

(3) A public university shall certify to the state budget director by October 1, 2021 that it is in compliance with this section. The state budget director may withhold a public university’s monthly installments described in section 241 until the public university complies with this section.

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

(2) As used in this section:

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

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

(c) “Department” means the department of treasury.

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

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

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

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

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

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

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

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

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

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

(c) To be eligible for phase I or phase II, an individual must be financially eligible as determined by the department. An individual is financially eligible for the tuition incentive program if he or she was eligible for

Medicaid from this state for 24 months within the 36 months before application. The department shall accept certification of Medicaid eligibility only from the department of health and human services for the purposes of verifying if a person is Medicaid eligible for 24 months within the 36 months before application. Certification of eligibility may begin in the sixth grade.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) Deciding how much to borrow.

(iii) Creating a plan for borrowing and repayment.

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

(v) Evaluating financial aid offers.

(vi) Factors that affect total student loan costs.

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

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

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

(x) Student loan debt relief scams.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) The university provides both of the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 269. For fiscal year 2021-2022, from the amount appropriated in section 236 to Central Michigan University for costs incurred under the North American Indian tuition waiver, \$82,400.00 shall be paid to Saginaw Chippewa Tribal College for the costs of waiving tuition for North American Indians under 1976 PA 174, MCL 390.1251 to 390.1253. It is the intent of the legislature that Saginaw Chippewa Tribal College provide the department of civil rights the necessary information for the college to be included in the report required under section 268.

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

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

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

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

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

Sec. 274d. (1) By October 31 of each year, each university receiving funds under section 236 shall report to the senate and house appropriations subcommittees on higher education, the senate and house fiscal agencies, the state budget director, and the attorney general its annual security report, also known as the Clery Act Report, as required under 20 USC 1092(f).

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

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

(b) The number of title IX complaints.

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

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

(i) Cases investigated for less than 15 days.

- (ii) Cases investigated for at least 15 days and less than 30 days.
- (iii) Cases investigated for at least 30 days and less than 60 days.
- (iv) Cases investigated for at least 60 days and less than 90 days.
- (v) Cases investigated for 90 days or more.

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

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

Sec. 275d. A public university receiving an appropriation in section 236 shall not take disciplinary action against an employee for communicating with a member of the legislature or a legislator's staff.

Sec. 275f. It is the intent of the legislature that by February 1, 2022, each public university receiving an appropriation in section 236 shall submit to the senate and house appropriations subcommittees on higher education, the senate and house fiscal agencies, and the state budget director a report on activities related to strategic planning and internal assessment or reassessment to best provide for open and free expression and speech, while protecting students from hate-speech, violence, and discrimination.

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

- (a) Submit a report to the senate and house appropriations subcommittees on higher education, the senate and house fiscal agencies, and the state budget director describing all federal funds the university received, including the amounts, related to the COVID-19 pandemic, including, but not limited to, any federal funds received from the coronavirus relief fund under the coronavirus aid, relief, and economic security act, Public Law 116-136, and similar federal relief packages.
- (b) Post the information contained in the report described in subdivision (a) on the public transparency website described in section 245.

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

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

Sec. 275i. (1) If a public university that receives an appropriation in section 236 establishes a mandatory COVID-19 vaccine policy, it shall provide exemptions to that policy to the following students:

- (a) Any student for whom a physician certifies that a COVID-19 vaccine is or may be detrimental to the student's health or is not appropriate.
 - (b) Any student who provides a written statement to the effect that the requirements of the COVID-19 vaccine policy cannot be met because of religious convictions or other consistently held objection to immunization.
- (2) It must be presumed that a student who requests an exemption under subsection (1) is entitled to that exemption. The public university shall grant that student's request unless it determines by clear and convincing evidence that the student is not entitled to that exemption.
- (3) A public university shall not deny a student's request for an exemption until it has exhausted every reasonable accommodation.
- (4) If a public university denies a student's request for an exemption, the public university shall issue a report fully explaining its reasons for the denial. That report must describe all reasonable accommodations the public university offered the student and the student's response.

(5) Every public university shall submit a written report regarding its actions taken under this section no later than March 15 of each year to the senate and house appropriations subcommittees on higher education, the senate and house fiscal agencies, and the state budget director. This annual report must include the following information, which may be obtained from any reliable source that complies with applicable laws regarding student privacy:

(a) The number of students who have requested an exemption from the public university's COVID-19 vaccine policy.

(b) The number of students who have been granted an exemption.

Sec. 275j. (1) Subject to section 282, appropriations in section 236 for the pregnant and parenting student support services program are for developing academically or economically disadvantaged student retention programs for 4-year public and independent educational institutions in this state. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Institutions should encourage participation from those who would otherwise not adequately be represented in the student population.

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

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

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

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

(i) Comprehensive student health care.

(ii) Family housing.

(iii) Child care.

(iv) Flexible or alternative academic scheduling.

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

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

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

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

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

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

(b) The number of students served.

(c) The number and percentage of program graduates.

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

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

(a) By April 15 of each year, public universities shall report any anticipated unexpended or unencumbered

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) The amount allocated to each university is \$9,994.00. Each university receiving funds for fiscal year 2021-2022 under this section shall report to the department of labor and economic opportunity by April 15, 2022 the amount of its unobligated and unexpended funds as of March 31, 2022 and a plan to expend the remaining funds by the end of the fiscal year. The amount of funding reported as not being expended may be transferred, under the direction of the department, to another university for use under this section.

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

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

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

Sec. 281a. (1) By not later than December 15 of each year, each public university that receives an amount of the appropriations in section 236 for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks initiatives shall submit a report to the department of labor and economic opportunity containing, at a minimum, all of the following information for the preceding academic year:

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

(i) The number of program applications received.

(ii) The number of fellowships awarded.

(iii) The total amount of fellowship funding awarded.

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

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

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

(i) The number of students served.

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

(iii) The number of participating school districts.

(iv) College enrollment data of students served.

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

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

(i) The number of students served.

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

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

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

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

(i) The number of students served.

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

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

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

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

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

(i) The number of students served.

- (ii) The number of instructors hired using program funds.
- (iii) The number of classes taught by instructors hired using program funds.
- (iv) The amount of any university matching funds for the program.
- (v) A summary of progress toward meeting the goals and objectives of the program.
- (f) For the educator development program detailed in section 281, all of the following:
 - (i) The number of students participating in the program.
 - (ii) The number of education-related bachelor degrees conferred to participants in the program.
 - (iii) A summary of progress toward meeting the goals and objectives of the program.

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

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

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

- (i) For the future faculty program detailed in section 276, all of the following:
 - (A) The number of fellowship recipients who had not received their degrees and were in default.
 - (B) The number of fellowship recipients who had received their degrees and were in default.
 - (C) The default rate for the program.
 - (D) The number of delinquent program accounts and outstanding loan balance of those accounts.
 - (E) The number of delinquent program loan accounts transferred to the department of treasury for collection, and the total applicable interest and collection fees for those accounts.
 - (F) The total amount of defaulted program funds that were recovered and returned to the state general fund.
 - (G) The amount of lapsed program funds that were unused and returned to the state general fund.
 - (H) A summary of progress toward meeting the goals and objectives of the program.
 - (I) The number of fellows in the process of fulfilling the teaching requirement.
- (ii) For the select student support services program detailed in section 278, all of the following:
 - (A) The number of on-site or virtual monitoring visits, a list of where those visits occurred, the reason each visit occurred, the results of the on-site or virtual review, and the dates of any follow-up visits.
 - (B) The amount of any unexpended program funds returned to the state general fund.
- (iii) For the college/university partnership program detailed in section 279, all of the following:
 - (A) The number of on-site or virtual monitoring visits, a list of where those visits occurred, the reason each visit occurred, the results of the on-site or virtual review, and the dates of any follow-up visits.
 - (B) The amount of any unexpended program funds returned to the state general fund.
- (iv) For the educator development program detailed in section 281, the number of on-site or virtual monitoring visits, a list of where those visits occurred, the reason each visit occurred, the results of the on-site or virtual review, and the dates of any follow-up visits.

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

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

- (a) "Direct financial aid" includes, but is not limited to, scholarships, payment of tuition, stipends, and work-studies.
- (b) "Indirect financial aid" includes, but is not limited to, transportation, textbook allowances, child care support, and assistance with medical premiums or expenses.

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

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

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

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

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

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

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

Enacting section 1. (1) In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources for community colleges for fiscal year 2020-2021 under article II of the state school aid act of 1979, 1979 PA 94, MCL 388.1801 to 388.1830, as amended by 2020 PA 165 and this amendatory act is estimated at \$438,363,600.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2020-2021 is estimated at \$438,363,600.00. In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources for community colleges for fiscal year 2021-2022 under article II of the state school aid act of 1979, 1979 PA 94, MCL 388.1801 to 388.1830, is estimated at \$431,917,000.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2021-2022 is estimated at \$431,917,000.00.

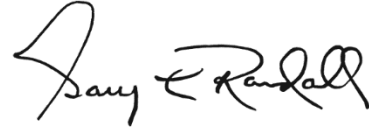
(2) In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources for higher education for fiscal year 2020-2021 under article III of the state school aid act of 1979, 1979 PA 94, MCL 388.1836 to 388.1891, as amended by 2020 PA 165 and this amendatory act is estimated at \$1,631,203,000.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2020-2021 is estimated at \$0.00. In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources for higher education for fiscal year 2021-2022 under article III of the state school aid act of 1979, 1979 PA 94, MCL 388.1836 to 388.1891, is estimated at \$1,679,724,800.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2021-2022 is estimated at \$0.00.

Enacting section 2. Sections 226e, 270, and 270b of the state school aid act of 1979, 1979 PA 94, MCL 388.1826e, 388.1870, and 388.1870b, are repealed effective October 1, 2021.

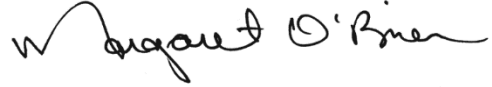
Enacting section 3. (1) Sections 201e and 236i of the state school aid act of 1979, 1979 PA 94, as added by this amendatory act, if granted immediate effect pursuant to section 27 of article IV of the state constitution of 1963, shall take effect upon enactment of this amendatory act.

(2) Except as otherwise provided for the sections listed in subsection (1), the remaining sections of this amendatory act take effect October 1, 2021.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor