

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 178, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2012; to provide for the expenditures of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

Recommends:

First: That the House recede from the Substitute of the House as passed by the House.

Second: That the Senate and House agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

(attached)

Third: That the Senate and House agree to the title of the bill to read as follows:

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2012; to provide for the expenditures of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; and

to prescribe the powers and duties of certain state departments,
institutions, agencies, employees, and officers.

Tonya Schuitmaker

Bob Genetski

Roger Kahn

Kevin Cotter

Morris W. Hood III

Joan Bauer

Conferees for the Senate

Conferees for the House

**SUBSTITUTE FOR
SENATE BILL NO. 178**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2012; to provide for the expenditures of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS
FOR FISCAL YEAR 2011-2012

Sec. 101. Subject to the conditions set forth in this act, the

amounts listed in this part are appropriated for higher education for the fiscal year ending September 30, 2012, from the funds indicated in this part. The following is a summary of the appropriations in this part:

HIGHER EDUCATION

APPROPRIATION SUMMARY

GROSS APPROPRIATION.....	\$ 1,362,278,400
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Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental transfers	0
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ADJUSTED GROSS APPROPRIATION.....	\$ 1,362,278,400
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Federal revenues:

Total federal revenues.....	98,326,400
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Special revenue funds:

Total local revenues.....	0
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Total private revenues.....	0
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Total other state restricted revenues.....	200,219,500
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State general fund/general purpose.....	\$ 1,063,732,500
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Sec. 102. CENTRAL MICHIGAN UNIVERSITY

Operations.....	\$ 61,431,100
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Tuition restraint incentive.....	<u>6,677,800</u>
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GROSS APPROPRIATION.....	\$ 68,108,900
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Appropriated from:

Special revenue funds:

State school aid fund.....	11,284,600
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State general fund/general purpose.....	\$ 56,824,300
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Sec. 103. EASTERN MICHIGAN UNIVERSITY

1	Operations.....	\$	61,319,900
2	Tuition restraint incentive.....		<u>3,299,200</u>
3	GROSS APPROPRIATION.....	\$	64,619,100
4	Appropriated from:		
5	Special revenue funds:		
6	State school aid fund.....		10,706,400
7	State general fund/general purpose.....	\$	53,912,700
8	Sec. 104. FERRIS STATE UNIVERSITY		
9	Operations.....	\$	37,971,600
10	Tuition restraint incentive.....		<u>3,352,700</u>
11	GROSS APPROPRIATION.....	\$	41,324,300
12	Appropriated from:		
13	Special revenue funds:		
14	State school aid fund.....		6,846,800
15	State general fund/general purpose.....	\$	34,477,500
16	Sec. 105. GRAND VALLEY STATE UNIVERSITY		
17	Operations.....	\$	48,431,500
18	Tuition restraint incentive.....		<u>4,245,900</u>
19	GROSS APPROPRIATION.....	\$	52,677,400
20	Appropriated from:		
21	Special revenue funds:		
22	State school aid fund.....		8,727,800
23	State general fund/general purpose.....	\$	43,949,600
24	Sec. 106. LAKE SUPERIOR STATE UNIVERSITY		
25	Operations.....	\$	10,055,100
26	Tuition restraint incentive.....		<u>734,400</u>
27	GROSS APPROPRIATION.....	\$	10,789,500

1	Appropriated from:		
2	Special revenue funds:		
3	State school aid fund.....		1,787,600
4	State general fund/general purpose.....	\$	9,001,900
5	Sec. 107. MICHIGAN STATE UNIVERSITY		
6	Operations.....	\$	222,796,200
7	Tuition restraint incentive.....		18,324,600
8	Agriculture experiment and cooperative extension		
9	activities		<u>52,625,800</u>
10	GROSS APPROPRIATION.....	\$	293,746,600
11	Appropriated from:		
12	Special revenue funds:		
13	State school aid fund.....		39,949,900
14	State general fund/general purpose.....	\$	253,796,700
15	Sec. 108. MICHIGAN TECHNOLOGICAL UNIVERSITY		
16	Operations.....	\$	37,409,700
17	Tuition restraint incentive.....		<u>3,323,900</u>
18	GROSS APPROPRIATION.....	\$	40,733,600
19	Appropriated from:		
20	Special revenue funds:		
21	State school aid fund.....		6,748,900
22	State general fund/general purpose.....	\$	33,984,700
23	Sec. 109. NORTHERN MICHIGAN UNIVERSITY		
24	Operations.....	\$	36,225,200
25	Tuition restraint incentive.....		<u>2,142,200</u>
26	GROSS APPROPRIATION.....	\$	38,367,400
27	Appropriated from:		

1	Special revenue funds:		
2	State school aid fund.....		6,356,900
3	State general fund/general purpose.....	\$	32,010,500
4	Sec. 110. OAKLAND UNIVERSITY		
5	Operations.....	\$	39,313,500
6	Tuition restraint incentive.....		<u>3,831,500</u>
7	GROSS APPROPRIATION.....	\$	43,145,000
8	Appropriated from:		
9	Special revenue funds:		
10	State school aid fund.....		7,148,400
11	State general fund/general purpose.....	\$	35,996,600
12	Sec. 111. SAGINAW VALLEY STATE UNIVERSITY		
13	Operations.....	\$	21,969,300
14	Tuition restraint incentive.....		<u>1,592,200</u>
15	GROSS APPROPRIATION.....	\$	23,561,500
16	Appropriated from:		
17	Special revenue funds:		
18	State school aid fund.....		3,903,800
19	State general fund/general purpose.....	\$	19,657,700
20	Sec. 112. UNIVERSITY OF MICHIGAN - ANN ARBOR		
21	Operations.....	\$	254,931,800
22	Tuition restraint incentive.....		<u>13,871,500</u>
23	GROSS APPROPRIATION.....	\$	268,803,300
24	Appropriated from:		
25	Special revenue funds:		
26	State school aid fund.....		44,536,300
27	State general fund/general purpose.....	\$	224,267,000

1	Sec. 113. UNIVERSITY OF MICHIGAN - DEARBORN		
2	Operations.....	\$	19,627,400
3	Tuition restraint incentive.....		<u>1,388,900</u>
4	GROSS APPROPRIATION.....	\$	21,016,300
5	Appropriated from:		
6	Special revenue funds:		
7	State school aid fund.....		3,482,100
8	State general fund/general purpose.....	\$	17,534,200
9	Sec. 114. UNIVERSITY OF MICHIGAN - FLINT		
10	Operations.....	\$	16,679,400
11	Tuition restraint incentive.....		<u>1,083,000</u>
12	GROSS APPROPRIATION.....	\$	17,762,400
13	Appropriated from:		
14	Special revenue funds:		
15	State school aid fund.....		2,942,900
16	State general fund/general purpose.....	\$	14,819,500
17	Sec. 115. WAYNE STATE UNIVERSITY		
18	Operations.....	\$	169,209,400
19	Tuition restraint incentive.....		<u>12,827,500</u>
20	GROSS APPROPRIATION.....	\$	182,036,900
21	Appropriated from:		
22	Special revenue funds:		
23	State school aid fund.....		30,160,600
24	State general fund/general purpose.....	\$	151,876,300
25	Sec. 116. WESTERN MICHIGAN UNIVERSITY		
26	Operations.....	\$	86,866,700
27	Tuition restraint incentive.....		<u>6,301,600</u>

1	GROSS APPROPRIATION.....	\$	93,168,300
2	Appropriated from:		
3	Special revenue funds:		
4	State school aid fund.....		15,436,500
5	State general fund/general purpose.....	\$	77,731,800
6	Sec. 117. STATE AND REGIONAL PROGRAMS		
7	Higher education database modernization and conversion	\$	105,000
8	Midwestern higher education compact.....		<u>95,000</u>
9	GROSS APPROPRIATION.....	\$	200,000
10	Appropriated from:		
11	State general fund/general purpose.....	\$	200,000
12	Sec. 118. MARTIN LUTHER KING, JR. - CESAR CHAVEZ -		
13	ROSA PARKS PROGRAM		
14	Select student supportive services.....	\$	1,956,100
15	Michigan college/university partnership program.....		586,800
16	Morris Hood, Jr. educator development program.....		<u>148,600</u>
17	GROSS APPROPRIATION.....	\$	2,691,500
18	Appropriated from:		
19	State general fund/general purpose.....	\$	2,691,500
20	Sec. 119. GRANTS AND FINANCIAL AID		
21	State competitive scholarships.....	\$	19,861,700
22	Tuition grants.....		31,664,700
23	Tuition incentive program.....		43,800,000
24	Robert C. Byrd honors scholarship program.....		1,500,000
25	Children of veterans and officer's survivor tuition		
26	grant programs		1,200,000
27	Project GEAR-UP.....		<u>1,500,000</u>

1	GROSS APPROPRIATION.....	\$	99,526,400
2	Appropriated from:		
3	Federal revenues:		
4	Higher education act of 1965, title IV, 20 USC.....		1,500,000
5	Higher education act of 1965, title IV, part A.....		1,500,000
6	United States department of education, office of		
7	elementary and secondary education, GEAR-UP.....		1,500,000
8	Social security act, temporary assistance for needy		
9	families		93,826,400
10	Special revenue funds:		
11	Contributions to children of veterans tuition grant		
12	program		200,000
13	State general fund/general purpose.....	\$	1,000,000

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under this act for fiscal year 2011-2012 is \$1,263,952,000.00 and state spending from state resources to be paid to local units of government for fiscal year 2011-2012 is \$0.

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

1 Sec. 203. As used in this act, "research university" means a
2 public university classified as a "doctoral/research university," a
3 "research university (high research activity)," or a "research
4 university (very high research activity)" under the classification
5 of institutions of higher education conducted by the Carnegie
6 foundation.

7 Sec. 208. Unless otherwise specified, public universities
8 receiving appropriations in part 1 shall use the Internet to
9 fulfill the reporting requirements of this act. This requirement
10 may include transmission of reports via electronic mail to the
11 recipients identified for each reporting requirement, or it may
12 include placement of reports on an Internet or Intranet site.

13 Sec. 209. Funds appropriated in part 1 shall not be used for
14 the purchase of foreign goods or services, or both, if
15 competitively priced and of comparable quality American goods and
16 services, or both, are available. Preference shall be given to
17 goods or services, or both, manufactured or provided by Michigan
18 businesses if they are competitively priced and of comparable
19 value. In addition, preference shall be given to goods or services,
20 or both, that are manufactured or provided by Michigan businesses
21 owned and operated by veterans if they are competitively priced and
22 of comparable quality.

23 Sec. 210. It is the intent of the legislature that the funds
24 appropriated in part 1 to state institutions of higher education
25 shall not be used to enter into a lease or to purchase a vehicle
26 assembled or manufactured outside of the United States, and that
27 preference be given to vehicles assembled or manufactured in

1 Michigan.

2 Sec. 211. The principal executive officer of each public
3 university receiving appropriations in part 1 shall take all
4 reasonable steps to ensure that businesses in deprived and
5 depressed communities compete for and perform contracts to provide
6 services, supplies, or both. Each principal executive officer shall
7 strongly encourage firms with which the university contracts to
8 subcontract with businesses in depressed and deprived communities
9 for services, supplies, or both.

10 Sec. 212. (1) The funds appropriated in part 1 to public
11 universities shall be paid out of the state treasury and
12 distributed by the state treasurer to the respective institutions
13 in 11 equal monthly installments on the sixteenth of each month, or
14 the next succeeding business day, beginning with October 16, 2011.
15 Except for Wayne State University, each institution shall accrue
16 its July and August 2012 payments to its institutional fiscal year
17 ending June 30, 2012.

18 (2) All public universities shall submit higher education
19 institutional data inventory (HEIDI) data and associated financial
20 and program information requested by and in a manner prescribed by
21 the state budget director. For public universities with fiscal
22 years ending June 30, 2011, these data shall be submitted to the
23 state budget director by October 15, 2011. Public universities with
24 a fiscal year ending September 30, 2011 shall submit preliminary
25 HEIDI data by November 15, 2011 and final data by December 15,
26 2011. If a public university fails to submit HEIDI data and
27 associated financial aid program information in accordance with

1 this reporting schedule, the state treasurer shall withhold the
2 monthly installments under subsection (1) to the public university
3 until those data are submitted.

4 Sec. 213. Funds received by the state from the federal
5 government or private sources for the use of a college or
6 university are appropriated for the purposes for which they are
7 provided. The acceptance and use of federal or private funds do not
8 place an obligation upon the legislature to continue the purposes
9 for which the funds are made available.

10 Sec. 215. A public university that receives funds under this
11 act shall furnish all program and financial information that is
12 required by and in a manner prescribed by the state budget director
13 or the house or senate appropriations committee.

14 Sec. 216. A public university receiving funds in part 1 shall
15 cooperate with all measures taken by the state to establish a
16 statewide P-20 education longitudinal data system to comply with
17 the state fiscal stabilization fund provisions of the American
18 recovery and reinvestment act of 2009, Public Law 111-5.

19 Sec. 218. From the funds appropriated in part 1, each public
20 university shall develop, post, and maintain, on a user-friendly
21 and publicly accessible Internet site, a comprehensive report
22 categorizing all institutional general fund expenditures made by
23 the university within a fiscal year. The report shall include
24 institutional general fund expenditure amounts categorized both by
25 each academic unit, administrative unit, or external initiative
26 within the university and by major expenditure category, including
27 faculty and staff salaries and fringe benefits, facility-related

1 costs, supplies and equipment, contracts, and transfers to and from
2 other university funds. The report shall also include a list of all
3 employee positions funded partially or wholly through institutional
4 general fund revenue that includes the position title, name, and
5 annual salary or wage amount for each position. The university
6 shall not provide financial information on its website under this
7 section if doing so would violate a federal or state law, rule,
8 regulation, or guideline that establishes privacy or security
9 standards applicable to that financial information.

10 **GRANTS AND FINANCIAL AID**

11 Sec. 301. (1) Payments of the amounts included in part 1 for
12 the state competitive scholarship program shall be distributed
13 pursuant to 1964 PA 208, MCL 390.971 to 390.981.

14 (2) Pursuant to section 6 of 1964 PA 208, MCL 390.976, the
15 department of treasury shall determine an actual maximum state
16 competitive scholarship award per student, which shall be no less
17 than \$600.00, that ensures that the aggregate payments for the
18 state competitive scholarship program do not exceed the
19 appropriation contained in part 1 for the state competitive
20 scholarship program. If the department determines that insufficient
21 funds are available to establish a maximum award amount equal to at
22 least \$600.00, the department shall immediately report to the house
23 and senate appropriations subcommittees on higher education, the
24 house and senate fiscal agencies, and the state budget director
25 regarding the estimated amount of additional funds necessary to
26 establish a \$600.00 maximum award amount.

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

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

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

16 (6) Veterans administration benefits shall not be considered
17 in determining eligibility for the award of scholarships under 1964
18 PA 208, MCL 390.971 to 390.981.

19 Sec. 302. (1) The amounts appropriated in part 1 for the state
20 tuition grant program shall be distributed pursuant to 1966 PA 313,
21 MCL 390.991 to 390.997a.

22 (2) Tuition grant awards shall be made to all eligible
23 Michigan residents enrolled in undergraduate degree programs who
24 apply before July 1, 2011 and who are qualified.

25 (3) Pursuant to section 5 of 1966 PA 313, MCL 390.995, and
26 subject to subsection (7), the department of treasury shall
27 determine an actual maximum tuition grant award per student, which

1 shall be no less than \$1,512.00, that ensures that the aggregate
2 payments for the tuition grant program do not exceed the
3 appropriation contained in part 1 for the state tuition grant
4 program. If the department determines that insufficient funds are
5 available to establish a maximum award amount equal to at least
6 \$1,512.00, the department shall immediately report to the house and
7 senate appropriations subcommittees on higher education, the house
8 and senate fiscal agencies, and the state budget director regarding
9 the estimated amount of additional funds necessary to establish a
10 \$1,512.00 maximum award amount. By December 15, 2011, and again by
11 February 1, 2012, the department shall analyze the status of award
12 commitments, shall make any necessary adjustments, and shall
13 confirm that those award commitments will not exceed the
14 appropriation contained in part 1 for the tuition grant program.
15 The determination and actions shall be reported to the state budget
16 director and the house and senate fiscal agencies no later than
17 February 15, 2012. If award adjustments are necessary, the students
18 shall be notified of the adjustment by the third Monday in
19 February.

20 (4) Any unexpended and unencumbered funds remaining on
21 September 30, 2012 from the amounts appropriated in part 1 for the
22 tuition grant program shall not lapse on September 30, 2012, but
23 shall continue to be available for expenditure for tuition grants
24 provided in the 2012-2013 fiscal year under a work project account.
25 The use of these unexpended fiscal year 2011-2012 funds shall
26 terminate at the end of the 2012-2013 fiscal year.

27 (5) The department of treasury shall continue a proportional

1 tuition grant maximum award level for recipients enrolled less than
2 full-time in a given semester or term.

3 (6) If the department of treasury increases the maximum award
4 per eligible student from that provided in the previous fiscal
5 year, it shall not have the effect of reducing the number of
6 eligible students receiving awards in relation to the total number
7 of eligible applicants. Any increase in the maximum grant shall be
8 proportional for all eligible students receiving awards for fiscal
9 year 2011-2012.

10 (7) The department of treasury shall not award more than
11 \$3,000,000.00 in tuition grants to eligible students enrolled in
12 the same independent nonprofit college or university in this state.
13 Any decrease in the maximum grant shall be proportional for all
14 eligible students enrolled in that college or university, as
15 determined by the department.

16 Sec. 307. The auditor general may audit selected enrollments,
17 degrees, and awards at selected independent colleges and
18 universities receiving awards administered by the department of
19 treasury. The audits shall be based upon definitions and
20 requirements established by the department of treasury, the state
21 budget director, and the senate and house fiscal agencies. The
22 auditor general shall accept the Free Application for Federal
23 Student Aid (FAFSA) form as the standard of residency
24 documentation.

25 Sec. 308. The sums appropriated in part 1 for the state
26 competitive scholarship, tuition incentive, tuition grant, and the
27 Robert C. Byrd honors scholarship programs shall be paid out of the

1 state treasury and shall be distributed to the respective
2 institutions under a quarterly payment system as follows: 50% shall
3 be paid at the beginning of the state's first fiscal quarter and
4 50% at the beginning of the state's second fiscal quarter.

5 Sec. 309. The department of treasury shall determine the needs
6 analysis criteria for students to qualify for the state competitive
7 scholarship program and tuition grant program. To be consistent
8 with federal requirements, student wages may be taken into
9 consideration when determining the amount of the award.

10 Sec. 310. (1) The funds appropriated in part 1 for the tuition
11 incentive program shall be distributed as provided in this section
12 and pursuant to the administrative procedures for the tuition
13 incentive program of the department of treasury.

14 (2) As used in this section:

15 (a) "Phase I" means the first part of the tuition incentive
16 assistance program defined as the academic period of 80 semester or
17 120 term credits, or less, leading to an associate degree or
18 certificate.

19 (b) "Phase II" means the second part of the tuition incentive
20 assistance program which provides assistance in the third and
21 fourth year of 4-year degree programs.

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

23 (3) A person shall meet the following basic criteria and
24 financial thresholds to be eligible for tuition incentive benefits:

25 (a) To be eligible for phase I, a person shall meet all of the
26 following criteria:

27 (i) Apply for certification to the department before graduating

1 from high school or completing the general education development
2 (GED) certificate.

3 (ii) Be less than 20 years of age at the time of high school
4 graduation or GED completion.

5 (iii) Be a United States citizen and a resident of Michigan
6 according to institutional criteria.

7 (iv) Be at least a half-time student, earning less than 80
8 semester or 120 term credits at a participating educational
9 institution within 4 years of high school graduation or GED
10 certificate completion.

11 (v) Request information on filing a FAFSA.

12 (b) To be eligible for phase II, a person shall meet either of
13 the following criteria in addition to the criteria in subdivision
14 (a):

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

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

19 (c) To be eligible for phase I or phase II, a person must not
20 be incarcerated and must be financially eligible as determined by
21 the department. A person is financially eligible for the tuition
22 incentive program if that person was Medicaid eligible for 24
23 months within the 36 months before application. Certification of
24 eligibility may begin in the sixth grade.

25 (4) For phase I, the department shall provide payment on
26 behalf of a person eligible under subsection (3). The department
27 shall reject billings that are excessive or outside the guidelines

1 for the type of educational institution.

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

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

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

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

14 (d) For persons enrolled at a Michigan independent, nonprofit
15 degree-granting college or university, or a Michigan federal
16 tribally controlled community college, or Focus: HOPE, the
17 department shall pay mandatory fees for the current year and a per-
18 credit payment that does not exceed the average community college
19 in-district per-credit tuition rate as reported on August 1, for
20 the immediately preceding academic year.

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

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

27 (b) The tuition reimbursement is for coursework completed

1 within 30 months of completion of the phase I requirements.

2 (7) The department shall work closely with participating
3 institutions to develop an application and eligibility
4 determination process that will provide the highest level of
5 participation and ensure that all requirements of the program are
6 met.

7 (8) Applications for the tuition incentive program may be
8 approved at any time after the student begins the sixth grade. If a
9 determination of financial eligibility is made, that determination
10 is valid as long as the student meets all other program
11 requirements and conditions.

12 (9) Each institution shall ensure that all known available
13 restricted grants for tuition and fees are used prior to billing
14 the tuition incentive program for any portion of a student's
15 tuition and fees.

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

20 Sec. 311. To enable the legislature and the state budget
21 director to evaluate the appropriation needs of higher education,
22 each independent college and university shall make available to the
23 legislature or state budget director, upon request, data regarding
24 grants for the preceding, current, and ensuing fiscal years.

25 Sec. 315. By February 15 of each year, the department of
26 treasury shall submit a report to the state budget director, the
27 house and senate appropriations subcommittees on higher education,

1 and the house and senate fiscal agencies for the preceding fiscal
2 year on all student financial aid programs for which funds are
3 appropriated in part 1. For each student financial aid program, the
4 report shall include, but is not limited to, the total number of
5 awards paid in the preceding fiscal year, the total dollar amount
6 of those awards, and the number of students receiving awards and
7 the total amount of those awards at each eligible postsecondary
8 institution. To the extent information is available, the report
9 shall also include information on the average exam performance,
10 household income, and other demographic characteristics of students
11 receiving awards under each program and historical information on
12 the number of awards and total award amounts for each program.

13 UNIVERSITY OPERATIONS

14 Sec. 402. The University of Michigan biological station at
15 Douglas Lake in Cheboygan County is regarded as a unique resource
16 and is designated as a special research reserve. It is the intent
17 of the legislature to protect and preserve the unique long-term
18 research value and capabilities of the biological station area and
19 Douglas Lake. The legislature further intends that no state
20 programs or policies be developed that would have a deleterious
21 impact on the research value of Douglas Lake.

22 Sec. 426. (1) It is the intent of the legislature that each
23 public university shall develop policies for minimizing the cost of
24 textbooks and course materials used at the university while
25 maintaining quality of education and academic freedom. These
26 policies should require all of the following:

1 (a) That faculty members submit lists of required textbooks
2 and course materials for university review.

3 (b) That faculty members consider the least costly practices
4 in assigning textbooks and course materials, such as adopting the
5 least expensive edition of a textbook available when educational
6 content is comparable to a more costly edition.

7 (c) That the university review any potential financial
8 conflict of interest that may occur if a faculty member requires
9 the purchase of any textbooks or course materials he or she has
10 written.

11 (2) By February 1, 2012, each public university shall submit a
12 report to the house and senate appropriations subcommittees on
13 higher education and the house and senate fiscal agencies on the
14 policies developed pursuant to this section.

15 Sec. 433. (1) Included in the appropriation in part 1 for
16 agricultural experiment and cooperative extension activities is
17 \$5,628,100.00 for project GREEN. Project GREEN is intended to
18 address critical regulatory, food safety, economic, and
19 environmental problems faced by this state's plant-based
20 agriculture, forestry, and processing industries. "GREEN" is an
21 acronym for generating research and extension to meet environmental
22 and economic needs.

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

27 (3) By September 30, 2012, Michigan State University shall

1 submit a report to the house and senate appropriations
2 subcommittees on agriculture and on higher education, the house and
3 senate standing committees on agriculture, the house and senate
4 fiscal agencies, and the state budget director for the preceding
5 school fiscal year regarding expenditures and programmatic outcomes
6 of the agricultural experiment station and cooperative extension
7 service. The report shall include, but is not limited to:

8 (a) Total funds expended by the agricultural experiment
9 station and cooperative extension service identified by state,
10 local, private, federal, and university fund sources.

11 (b) The dollar amount of each project GREEN project and a
12 review of each project's performance and accomplishments.

13 (c) The dollar amount of each bioeconomy research and
14 development project and a review of each project's performance and
15 accomplishments.

16 (d) The dollar amount and description of all other individual
17 programs and services provided by the agricultural experiment
18 station and cooperative extension service and a review of each
19 project's performance and accomplishments.

20 (e) The number of businesses created or that had increased
21 employment and the number of patents generated as a result of work
22 conducted by the agricultural experiment station and cooperative
23 extension service.

24 Sec. 433a. (1) Annually, in partnership with stakeholders of
25 the agricultural experiment station and cooperative extension
26 service, Michigan State University shall develop a set of research
27 and extension priorities. As a part of this effort, Michigan State

1 University and the department of agriculture and rural development,
2 in partnership with the agriculture industry, shall convene a
3 summit to set priorities for research and extension regarding
4 production agriculture.

5 (2) Not later than September 30, 2012, Michigan State
6 University shall submit a report to the house and senate
7 appropriations subcommittees on agriculture and on higher
8 education, the house and senate standing committees on agriculture,
9 the house and senate fiscal agencies, and the state budget director
10 for the preceding school fiscal year detailing, but not limited to:

11 (a) Total funds expended by the agricultural experiment
12 station and by the cooperative extension service identified by
13 state, local, private, federal, and university fund sources.

14 (b) A review of major programs within both the agricultural
15 experiment station and the cooperative extension service with
16 specific reference to accomplishments and impacts.

17 Sec. 434. Included in the appropriation in part 1 for Michigan
18 State University is \$80,000.00 for the Michigan future farmers of
19 America association. This \$80,000.00 appropriation shall not
20 supplant any existing support that Michigan State University
21 provides to the Michigan future farmers of America association.

22 Sec. 436. (1) The amounts appropriated in part 1 for public
23 university tuition restraint incentives shall only be paid to a
24 public university that certifies to the state budget director by
25 August 31, 2011 that its board did not adopt an increase in tuition
26 and fee rates for resident undergraduate students after February 1,
27 2011 for the 2010-2011 academic year and that its board will not

1 adopt an increase in tuition and fee rates for resident
2 undergraduate students for the 2011-2012 academic year that is
3 greater than the calculated average of annual statewide changes in
4 tuition and fee rates for academic years 2006-2007 through 2010-
5 2011, as determined by the state budget director. As used in this
6 subsection:

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

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

19 (2) The state budget director shall implement uniform
20 reporting requirements to ensure that a public university receiving
21 an appropriation under part 1 has satisfied the tuition restraint
22 requirements of this section. The state budget director shall have
23 the sole authority to determine if a state university has met the
24 requirements of this section. Information reported by a public
25 university to the state budget director under this subsection shall
26 also be reported to the house and senate appropriations
27 subcommittees on higher education and the house and senate fiscal

1 agencies.

2 (3) In conjunction with the uniform reporting requirements
3 established under subsection (2), each public university shall also
4 report the following information to the house and senate
5 appropriations subcommittees on higher education, the house and
6 senate fiscal agencies, and the state budget director by August 31,
7 2011:

8 (a) Actual fiscal year 2010-2011 and budgeted fiscal year
9 2011-2012 total general fund tuition and fee revenue.

10 (b) Actual fiscal year 2010-2011 and budgeted fiscal year
11 2011-2012 total general fund revenue.

12 (c) Actual fiscal year 2010-2011 and budgeted fiscal year
13 2011-2012 general fund expenditures for student financial aid.

14 (d) Actual fiscal year 2010-2011 and budgeted fiscal year
15 2011-2012 total general fund expenditures.

16 (e) Actual fiscal year 2010-2011 and budgeted fiscal year
17 2011-2012 total fiscal year equated student enrollment.

18 Sec. 437. It is the intent of the legislature that, in
19 subsequent budget years, public university operations funding
20 appropriated by the legislature shall be allocated to each
21 university using a formula developed and enacted by the
22 legislature. Such a formula shall incent universities to provide,
23 in a cost-effective and timely manner, postsecondary opportunities
24 for students that are both accessible and affordable and that
25 result in a highly skilled workforce.

26 Sec. 440. All public universities shall submit the amount of
27 tuition and fees actually charged to a full-time resident

1 undergraduate student for academic year 2011-2012 as part of their
2 higher education institutional data inventory (HEIDI) data by
3 August 31, 2011. A public university shall report any revisions for
4 any semester of the reported academic year 2011-2012 tuition and
5 fee charges to HEIDI within 15 days of being adopted.

6 Sec. 451. For the fiscal year ending September 30, 2012, it is
7 the intent of the legislature that funds be allocated for unfunded
8 North American Indian tuition waiver costs incurred by public
9 universities under 1976 PA 174, MCL 390.1251 to 390.1253, from the
10 general fund/general purpose.

11 Sec. 460. From the amount appropriated in part 1 to Central
12 Michigan University for operations, \$29,700.00 shall be paid to
13 Saginaw Chippewa Tribal College for the costs of waiving tuition
14 for North American Indians under 1976 PA 174, MCL 390.1251 to
15 390.1253.

16 Sec. 461. From the amount appropriated in part 1 to Lake
17 Superior State University for operations, \$100,000.00 shall be paid
18 to Bay Mills Community College for the costs of waiving tuition for
19 North American Indians under 1976 PA 174, MCL 390.1251 to 390.1253.

20 Sec. 466. Public universities shall coordinate their purchases
21 of goods and services whenever possible. This may include, but is
22 not limited to, group purchases for vehicles, utilities, supplies,
23 electronic equipment, maintenance equipment, books, and contractual
24 services. To the extent possible, the public universities shall use
25 both the "Michigan delivering extended agreements locally" (MiDEAL)
26 purchasing services of the state department of technology,
27 management, and budget that makes state contracts available to

1 local units of government, colleges, and universities and the
2 purchasing services available through the state's membership in the
3 Midwestern Higher Education Compact (MHEC). Not later than January
4 1 of each year, the presidents council, state universities of
5 Michigan shall submit to the members of the house and senate
6 appropriations subcommittees on higher education, the house and
7 senate fiscal agencies, and the state budget director a report on
8 group or pooled purchases and the savings achieved by the public
9 universities in the previous fiscal year.

10 Sec. 470. By February 15, 2012, each public university
11 receiving funds in part 1 shall submit a report to the house and
12 senate appropriations subcommittees on higher education, the house
13 and senate fiscal agencies, and the state budget director regarding
14 academic program accreditation. The report shall include a list of
15 all individually accredited academic programs at the university,
16 the associated accrediting bodies, and the time periods for which
17 each accreditation is valid, as well as an accounting of all fees,
18 dues, and other direct expenditures made by the university for each
19 program accreditation process conducted in the prior year.
20 Expenditure data may be reported on either a calendar year or
21 fiscal year basis.

22 Sec. 471. By February 15, 2012, each public university
23 receiving funds in part 1 shall submit a report to the house and
24 senate appropriations subcommittees on higher education, the house
25 and senate fiscal agencies, and the state budget director regarding
26 the rejection of transfer credits by the university in the prior
27 year. The report shall include information on the number of credits

1 earned by incoming students at other postsecondary institutions,
2 with the equivalent of a letter grade of C or higher, that were
3 rejected by the university for transfer, reported by both academic
4 program area and prior institution, along with explanatory
5 information regarding the rationale for the rejection of the
6 credits. Data may be reported on either an academic or calendar
7 year basis.

8 Sec. 472. It is the intent of the legislature that each public
9 university shall submit a report to the house and senate
10 appropriations committees, the house and senate fiscal agencies,
11 and the state budget director by October 15, 2011, on the
12 university's efforts to accommodate the sincerely held religious
13 beliefs of students enrolled in accredited counseling degree
14 programs at the university.

15 Sec. 473. It is the intent of the legislature that each public
16 university that has received a donation of human embryos that is
17 subject to section 27 of article I of the state constitution of
18 1963, or that is conducting ongoing research using human embryonic
19 stem cells derived from donated human embryos pursuant to section
20 27 of article I of the state constitution of 1963, shall submit a
21 report to the director of the department of community health by
22 December 1, 2011 that includes all of the following:

23 (a) The number of human embryos and the number of human embryo
24 stem cell lines received by the university during fiscal year 2010-
25 2011.

26 (b) The number of human embryos utilized for research purposes
27 during fiscal year 2010-2011.

1 (c) The number of human embryo stem cell lines created from
2 the embryos received during fiscal year 2010-2011.

3 (d) The number of donated human embryos being held in storage
4 by the university as of September 30, 2011.

5 (e) The number of research projects using human embryonic stem
6 cells derived from donated embryos being conducted by the
7 university.

8 Sec. 474. (1) It is the intent of the legislature that a
9 public university receiving funds in part 1 not provide health
10 insurance or other fringe benefits for any adult coresident of an
11 employee of the university who is not married to or a dependent of
12 that employee or for any dependent of such an adult coresident.

13 (2) It is the intent of the legislature that each public
14 university receiving funds in part 1 submit a report by December 1,
15 2011 to the house and senate appropriations subcommittees on higher
16 education, the house and senate fiscal agencies, and the state
17 budget director containing the number of individuals described in
18 subsection (1) who received health insurance or other fringe
19 benefits provided by the university in fiscal year 2010-2011 and
20 the cost to the university of providing those benefits.

21 Sec. 480. (1) It is the intent of the legislature that each
22 public university receiving an appropriation in part 1 do all of
23 the following:

24 (a) Meet the provisions of section 5003 of the post-911
25 veterans educational assistance act of 2008, title V of Public Law
26 110-252, 38 USC 3301 to 3324, including voluntary participation in
27 the yellow ribbon GI education enhancement program established in

1 that act in 38 USC 3317. By October 1 of each year, each public
2 university shall report to the house and senate appropriations
3 subcommittees on higher education, the house and senate fiscal
4 agencies, and the presidents council, state universities of
5 Michigan on whether or not it has chosen to participate in the
6 yellow ribbon GI education enhancement program. If at any time
7 during the fiscal year a university participating in the yellow
8 ribbon program chooses to leave the yellow ribbon program, it shall
9 notify the house and senate appropriations subcommittees on higher
10 education, the house and senate fiscal agencies, and the presidents
11 council, state universities of Michigan.

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

14 (c) Provide flexible enrollment application deadlines for all
15 veterans.

16 (d) Include in its admission application process a specific
17 question as to whether an applicant for admission is a veteran, an
18 active member of the military, a member of the national guard or
19 military reserves, or the spouse or dependent of a veteran, active
20 member of the military, or member of the national guard or military
21 reserves, in order to more quickly identify potential educational
22 assistance available to that applicant.

23 (2) As used in this section, "veteran" means an honorably
24 discharged veteran entitled to educational assistance under the
25 provisions of section 5003 of the post-911 veterans educational
26 assistance act of 2008, title V of Public Law 110-252, 38 USC 3301
27 to 3324.

1 Sec. 482. Funds appropriated in part 1 shall not be used to
2 pay for the construction or maintenance of a self-liquidating
3 project. A public university shall comply with the current use and
4 finance requirements of the joint capital outlay subcommittee
5 (JCOS) for any construction, renovation, or other capital outlay
6 projects pursuant to JCOS policy. The appropriation in part 1 for a
7 public university that fails to comply with JCOS reporting
8 requirements shall be reduced by 1% for each violation.

9 Sec. 483. (1) If the combined total of the maximum amount
10 appropriated under this act from the state school aid fund for
11 fiscal year 2011-2012 and the maximum amounts appropriated under
12 the public acts making appropriations for K-12 state school aid and
13 community colleges for that fiscal year exceeds the amount
14 available for expenditure from the state school aid fund for that
15 fiscal year, payments under this act are subject to the proration
16 provided under this subsection and subsection (2). If proration is
17 necessary, state payments under this act from the state school aid
18 fund shall be prorated in the manner prescribed in subsection (2)
19 as necessary to reflect the amount available for expenditure from
20 the state school aid fund for fiscal year 2011-2012. However, if
21 the department of treasury determines that proration will be
22 required under this section, or if the department of treasury
23 determines that further proration is required under this section
24 after an initial proration has already been made for a fiscal year,
25 the department of treasury shall notify the state budget director,
26 and the state budget director shall notify the legislature in the
27 manner provided for proration under section 11 of the state school

1 aid act of 1979, 1979 PA 94, MCL 388.1611, and the legislature may
2 take action to prevent the proration as described in that section.

3 (2) If proration is necessary under subsection (1), the
4 department of treasury shall calculate the proration in payments
5 under this act that is required under subsection (1) as follows:

6 (a) The department of treasury shall calculate the percentage
7 of total state school aid allocated under this act and the public
8 acts making appropriations for K-12 state school aid and community
9 colleges for the affected fiscal year that is used for payments for
10 higher education under this act.

11 (b) The department of treasury shall recover a percentage of
12 the total proration amount required under subsection (1) that is
13 equal to the percentage calculated under subdivision (a) by
14 reducing payments to public universities under this act on an equal
15 percentage basis.

16 **MARTIN LUTHER KING, JR. - CESAR CHAVEZ - ROSA PARKS PROGRAMS**

17 Sec. 501. (1) Included in the appropriation for each public
18 university in part 1 is funding for the Martin Luther King, Jr. -
19 Cesar Chavez - Rosa Parks future faculty program that is intended
20 to increase the pool of academically or economically disadvantaged
21 candidates pursuing faculty teaching careers in postsecondary
22 education. Preference may not be given to applicants on the basis
23 of race, color, ethnicity, gender, or national origin. Institutions
24 should encourage applications from applicants who would otherwise
25 not adequately be represented in the graduate student and faculty
26 populations. Each public university shall apply the percentage

1 change applicable to every public university in the calculation of
2 appropriations in part 1 to the amount of funds allocated to the
3 future faculty program.

4 (2) The program shall be administered by each public
5 university in a manner prescribed by the workforce development
6 agency. The workforce development agency shall use a good-faith
7 effort standard to evaluate whether a fellowship is in default.

8 Sec. 502. (1) Included in the appropriation for each public
9 university in part 1 is funding for the Martin Luther King, Jr. -
10 Cesar Chavez - Rosa Parks college day program that is intended to
11 introduce academically or economically disadvantaged schoolchildren
12 to the potential of a college education. Preference may not be
13 given to participants on the basis of race, color, ethnicity,
14 gender, or national origin. Public universities should encourage
15 participation from those who would otherwise not adequately be
16 represented in the student population.

17 (2) Individual program plans of each public university shall
18 include a budget of equal contributions from this program, the
19 participating public university, the participating school district,
20 and the participating independent degree-granting college. College
21 day funds shall not be expended to cover indirect costs. Not more
22 than 20% of the university match shall be attributable to indirect
23 costs. Each public university shall apply the percentage change
24 applicable to every public university in the calculation of
25 appropriations in part 1 to the amount of funds allocated to the
26 college day program.

27 (3) The program described in this section shall be

1 administered by each public university in a manner prescribed by
2 the workforce development agency.

3 Sec. 503. (1) Included in part 1 is funding for the Martin
4 Luther King, Jr. - Cesar Chavez - Rosa Parks select student support
5 services program for developing academically or economically
6 disadvantaged student retention programs for 4-year public and
7 independent educational institutions in this state. Preference may
8 not be given to participants on the basis of race, color,
9 ethnicity, gender, or national origin. Institutions should
10 encourage participation from those who would otherwise not
11 adequately be represented in the student population.

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

15 (3) The program described in this section shall be
16 administered by the workforce development agency.

17 Sec. 504. (1) Included in part 1 is funding for the Martin
18 Luther King, Jr. - Cesar Chavez - Rosa Parks college/university
19 partnership program between 4-year public and independent colleges
20 and universities and public community colleges, which is intended
21 to increase the number of academically or economically
22 disadvantaged students who transfer from community colleges into
23 baccalaureate programs. Preference may not be given to participants
24 on the basis of race, color, ethnicity, gender, or national origin.
25 Institutions should encourage participation from those who would
26 otherwise not adequately be represented in the transfer student
27 population.

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

6 (3) The program described in this section shall be
7 administered by the workforce development agency.

8 Sec. 505. (1) Included in the appropriation for each public
9 university in part 1 is funding for the Martin Luther King, Jr. -
10 Cesar Chavez - Rosa Parks visiting professors program which is
11 intended to increase the number of instructors in the classroom to
12 provide role models for academically or economically disadvantaged
13 students. Preference may not be given to participants on the basis
14 of race, color, ethnicity, gender, or national origin. Public
15 universities should encourage participation from those who would
16 otherwise not adequately be represented in the student population.

17 (2) The program described in this section shall be
18 administered by the workforce development agency.

19 Sec. 506. (1) Included in the appropriation in part 1 is
20 funding under the Martin Luther King, Jr. - Cesar Chavez - Rosa
21 Parks initiative for the Morris Hood, Jr. educator development
22 program which is intended to increase the number of academically or
23 economically disadvantaged students who enroll in and complete K-12
24 teacher education programs at the baccalaureate level. Preference
25 may not be given to participants on the basis of race, color,
26 ethnicity, gender, or national origin. Institutions should
27 encourage participation from those who would otherwise not

1 adequately be represented in the teacher education student
2 population.

3 (2) The program described in this section shall be
4 administered by each state-approved teacher education institution
5 in a manner prescribed by the workforce development agency.

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

10 Sec. 507. Each institution receiving funds under section 503,
11 504, or 506 shall notify the workforce development agency by April
12 15, 2012 as to whether it will expend by the end of its fiscal year
13 the funds received under section 503, 504, or 506. Notwithstanding
14 the award limitations in sections 503 and 504, the amount of
15 funding reported as not being expended will be reallocated to the
16 institutions that intend to expend all funding received under
17 section 503, 504, or 506.

18 **STUDENT PERFORMANCE REPORTING**

19 Sec. 601. (1) From the amount appropriated in part 1, the
20 public universities shall systematically inform Michigan high
21 schools regarding the academic status of students from each high
22 school in a manner prescribed by the presidents council, state
23 universities of Michigan in cooperation with the Michigan
24 association of secondary school principals.

25 (2) The Michigan high schools shall systematically inform the
26 public universities about the use of information received under

1 this section in a manner prescribed by the Michigan association of
2 secondary school principals in cooperation with the presidents
3 council, state universities of Michigan.

4 Sec. 602. From the amount appropriated in part 1, the public
5 universities shall inform Michigan community colleges regarding the
6 academic status of community college transfer students in a manner
7 prescribed by the presidents council, state universities of
8 Michigan in cooperation with the Michigan community college
9 association.

10 Sec. 603. Public universities shall work with the state
11 community colleges to encourage the transfer of students from the
12 community colleges to the public universities and to facilitate the
13 transfer of credits from the community colleges to the public
14 universities.

15 Sec. 604. It is the intent of the legislature that public
16 universities work with community colleges in the state to implement
17 statewide reverse transfer agreements to increase the number of
18 students that are awarded credentials of value upon completion of
19 the necessary credits. In doing so, the institutions should work
20 collaboratively and cooperatively to remove administrative barriers
21 that result in understating the academic attainment of Michigan's
22 citizens. It is the intent of the legislature that by August 1,
23 2012, statewide agreements are in place between community colleges
24 and public universities that enable students who have earned a
25 significant number of credits at a community college and transfer
26 to a baccalaureate granting institution before completing a degree
27 to transfer the credits earned at the baccalaureate institution

1 back to the community college in order to be awarded a credential
2 of value.

3 **GENERAL REPORTS AND AUDITS**

4 Sec. 701. (1) The auditor general shall review higher
5 education institutional data inventory (HEIDI) enrollment data
6 submitted by all public universities and may perform audits of
7 selected public universities if determined necessary. The review
8 and audits shall be based upon the definitions, requirements, and
9 uniform reporting categories established by the state budget
10 director in consultation with the HEIDI advisory committee. The
11 auditor general shall submit a report of findings to the house and
12 senate appropriations committees and the state budget director no
13 later than July 1, 2012.

14 (2) Student credit hours reports shall not include the
15 following:

16 (a) Student credit hours generated through instructional
17 activity by faculty or staff in classrooms located outside
18 Michigan, with the exception of instructional activity related to
19 study-abroad programs or field programs.

20 (b) Student credit hours generated through distance learning
21 instruction for students not eligible for the public university's
22 in-state main campus resident tuition rate. However, in instances
23 where a student is enrolled in distance education and non-distance
24 education credit hours in a given term and the student's non-
25 distance education enrollment is at a campus or site located within
26 Michigan, student credit hours per the student's eligibility for

1 in-state or out-of-state tuition rates may be reported.

2 (c) Student credit hours generated through credit by
3 examination.

4 (d) Student credit hours generated through inmate prison
5 programs regardless of teaching location.

6 (e) Student credit hours generated in new degree programs
7 after January 1, 1975, that have not been specifically authorized
8 for funding by the legislature, except spin-off programs converted
9 from existing core programs that do all of the following:

10 (i) Represent new options, fields, or concentrations within
11 existing programs.

12 (ii) Are consistent with the current institutional role and
13 mission.

14 (iii) Are accommodated within the continuing funding base of the
15 public university.

16 (iv) Do not require a new degree level beyond that which the
17 public university is currently authorized to grant within that
18 discipline or field.

19 (v) Do not require funding from the state other than that
20 provided by the student credit hours generated within the program,
21 either before program initiation or within the first 3 years of
22 program operation.

23 (3) The auditor general shall periodically audit higher
24 education institutional data inventory (HEIDI) data as submitted by
25 the public universities for compliance with the definitions
26 established by the state budget director in consultation with the
27 HEIDI advisory committee for the HEIDI database.

1 (4) "Distance learning instruction" as used in subsection (2)
2 means instruction that occurs solely in other than a traditional
3 classroom setting where the student and instructor are in the same
4 physical location and for which a student receives course credits
5 and is charged tuition and fees. Examples of distance learning
6 instruction are instruction delivered solely through the Internet,
7 cable television, teleconference, or mail.

8 Sec. 701a. (1) Pursuant to section 701(2)(e), public
9 universities may establish the following degree programs:

10 (a) Bachelor's degree programs:

11 Central Michigan University, Athletic Training, B.S.A.T.
12 Grand Valley State University, Comprehensive Science and Arts for
13 Teaching (CSAT), B.A./B.S.
14 Northern Michigan University, Fisheries and Wildlife Management,
15 B.S.
16 Northern Michigan University, German Studies, Baccalaureate
17 Oakland University, Bachelor of Liberal Studies, B.A.
18 University of Michigan-Dearborn, Bio-Engineering, B.S.E.
19 University of Michigan-Dearborn, Integrated Science, B.S.
20 University of Michigan-Flint, Economics, B.S.
21 University of Michigan-Flint, Energy and Sustainable Systems, B.S.
22 University of Michigan-Flint, English with a Specialization in
23 Linguistics, B.A.
24 Wayne State University, Astronomy, B.A.
25 Wayne State University, Biomedical Engineering, B.S.

26 (b) Master's degree programs:

27 Eastern Michigan University, Teaching - Secondary Mathematics, M.A.

1 Michigan State University, Education for the Health Professions,
2 M.A.
3 Michigan State University, Marketing Research, M.S.
4 Oakland University, Clinical Nurse Leadership, M.S.N
5 Oakland University, Master of Arts Communication, M.A.C
6 Oakland University, Mechatronics, M.S.
7 University of Michigan-Ann Arbor, Oral and Maxillofacial Pathology
8 Program, M.S.
9 University of Michigan-Flint, Master of Public Health, M.P.H.
10 Wayne State University, Electric-Drive Vehicle Engineering, M.S.
11 Western Michigan University, Engineering (Chemical), M.S.
12 (c) Doctoral degree programs:
13 Central Michigan University, Doctor of Medicine, M.D.
14 Michigan Technological University, Environmental and Energy Policy,
15 Ph.D.
16 Michigan Technological University, Geophysics, Ph.D.
17 Oakland University, Doctor of Medicine, M.D.
18 University of Michigan-Ann Arbor, Doctor of Nursing Practice,
19 D.N.P.
20 University of Michigan-Ann Arbor, Doctoral Degree Granting Program
21 in Cancer Biology, Doctoral
22 University of Michigan-Dearborn, Education Specialist, Ed.S.
23 University of Michigan-Flint, Doctor of Anesthesia Practice,
24 Dr.A.P.
25 University of Michigan-Flint, Doctor of Occupational Therapy,
26 Dr.O.T.
27 Western Michigan University, Engineering and Applied Sciences,

1 Ph.D.

2 (2) The listing of degree programs in subsection (1) does not
3 constitute legislative intent to provide additional dollars for
4 those programs.

5 (3) When submitting the listing of new degree programs for
6 purposes of section 701(2)(e), the presidents council of state
7 universities shall also provide a listing of degree programs that
8 institutions of higher education will no longer offer in subsequent
9 academic years.

10 Sec. 708. The auditor general may conduct performance audits
11 of public universities receiving funds in part 1 during the fiscal
12 year ending September 30, 2012 as the auditor general considers
13 necessary.

14 Sec. 709. A public university receiving funds under part 1 and
15 also subject to the student right-to-know and campus security act,
16 Public Law 101-542, 104 Stat. 2381, shall make a copy of all
17 material prepared pursuant to the public information reporting
18 requirements under the crime awareness and campus security act of
19 1990, title II of the student right-to-know and campus security
20 act, Public Law 101-542, 104 Stat. 2381, available in electronic
21 Internet format on their websites.

22 Sec. 714. A public university receiving funds under this act
23 and also subject to the family educational rights and privacy act
24 (FERPA), 20 USC 1232g, 34 CFR part 99, shall, when requested,
25 provide information from the records of a student to any person or
26 persons to whom the student has authorized disclosure on a written
27 consent form pursuant to 34 CFR 99.30.

ONE-TIME BASIS ONLY

Sec. 1001. For the state fiscal year ending September 30, 2012, there is appropriated from general fund/general purpose revenue, on a 1-time basis only, \$1,900,000.00 for the following purposes:

Eastern Michigan University - autism collaborative center.....	\$	500,000
Michigan State University - facility for rare isotope beams.....		1,200,000
Western Michigan University - economic development and commercialization.....		<u>200,000</u>
TOTAL.....	\$	1,900,000

PART 2A**PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS**

FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2013 for the line items listed in part 1. The fiscal year 2012-2013 appropriations are anticipated to be the same as those for fiscal year 2011-2012, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2012 consensus revenue estimating

1 conference.