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BILL ANALYSIS

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House Bill 5534 (Substitute H-3 as passed by the House)
Sponsor: Representative Lauren Hager
House Committee: Education
Senate Committee: Education

Date Completed: 5-24-00

CONTENT

The bill would create the "Career and Technical Preparation Act" to do the following:

- Allow an eligible student to enroll in, and receive payment by his or her school district of all or part of eligible charges for, an eligible course offered by a career and technical preparation program at a postsecondary educational institution.
- Provide that an eligible student would be responsible for charges not paid by the school district, and for repayment of charges paid by the district if he or she did not complete a course.
- Allow an eligible student to receive high school credit or postsecondary credit, or both, for an eligible course.
- Require school districts to provide information to all high school students on the career and technical preparation enrollment options, and to provide counseling services to eligible students and their parents.
- Require intermediate school districts to collect certain information and report it to the Department of Education, and impose reporting requirements on the Department of Career Development.

The bill also would repeal Section 13 of the Postsecondary Enrollment Options Act, which provides for that Act to sunset on June 30, 2001.

The proposed Act would take effect April 1, 2001, and would be repealed June 30, 2006. Payment of all or part of eligible charges for eligible courses would have to begin in the State fiscal year beginning on October 1, 2001.

"Career and technical preparation program" would mean a program that taught a trade, occupation, or vocation and that was operated by an eligible postsecondary educational institution located in this

State. "Eligible postsecondary educational institution" would mean a State university, community college, or independent nonprofit degree-granting college or university that was located in this State and chose to comply with the proposed Act.

Enrollment

The bill states that the purpose of the proposed Act would be "to provide a wider variety of options to high school pupils by encouraging and enabling qualified pupils to enroll in courses or programs in career and technical preparation programs at eligible postsecondary institutions".

Upon request by an eligible student, the school district in which he or she was enrolled would have to give the student a letter signed by his or her principal indicating the student's eligibility under the bill. ("Eligible student" would mean a student enrolled in at least one high school class in at least grade 11 in a school district in this State, except a foreign exchange pupil enrolled in a school district under a cultural exchange program, who was making satisfactory progress in meeting local attendance and graduation requirements. A school district also could require that the student achieve State endorsement in at least one subject area under Section 1279 of the Revised School Code (which requires schools to administer State assessments to high school students in the subject areas of communications skills, mathematics, science, and social studies). "School district" would mean a school district, local act school district, or public school academy, as defined in the Revised School Code.)

An eligible student could apply to a career and technical preparation program to enroll in one or more eligible courses offered by that program and, if accepted, could enroll in one or more of those courses. ("Eligible course" would mean a course offered by a career and technical preparation

program that was not offered through the school district, intermediate school district, or area vocational-technical education program in which the eligible student was enrolled, or that was offered through that district or program but was determined by its governing board not to be available to the student because of a scheduling conflict beyond the student's control; that was a career and technical preparation course not ordinarily taken as an activity course; that was a course that the career and technical preparation program normally applied toward satisfaction of certificate, degree, or program completion requirements; and that was not a hobby craft or recreational course.)

Within a reasonable time after registration, the career and technical preparation program would have to send written notice to the eligible student and his or her school district. The notice would have to indicate the student's course or courses and hours of enrollment. The program also would have to notify the student about tuition, fees, books, materials, and other related charges, as determined by the program, in its customary manner, and would have to notify the student of the estimated amount of the eligible charges that would be billed to the school district. ("Eligible charges" would mean tuition and mandatory course fees, material fees, and registration fees required by a career and technical preparation program for enrollment in an eligible course. Eligible charges also would include any late fees charged by a program due to the school district's failure to make a required payment according to a timetable prescribed under the bill. Eligible charges would not include transportation or parking costs or activity fees.)

Billing and Payment

Unless otherwise agreed between a career and technical preparation program and a school district, after the expiration of the program's drop/add period for a course, the program would have to send a bill to an eligible student's school district detailing the eligible charges for each eligible course in which the student was enrolled.

Upon receiving the bill, the school district would have to pay to the program on the student's behalf an amount equal to the lesser of 1) the amount of the eligible charges or 2) the prorated percentage of the State portion of the foundation allowance paid on behalf of that student, with the proration based on the proportion of the school year that the student attended the career and technical preparation program. A school district could pay more money to a program than required under the bill, and could use local school operating revenue for that purpose. The student would be responsible for paying the remainder of the costs associated with his or her

enrollment in the program that exceeded the amount the school district was required to pay and that was not paid by the district.

A career and technical preparation program could not charge a late fee to an eligible student or a school district for a payment that was made in compliance with the timetable prescribed under the bill, even if the program otherwise would consider the payment late.

If an eligible student did not complete an eligible course in which he or she had enrolled, and if the school district had paid for the course on the student's behalf, the program would have to forward to the district any funds that were refundable due to noncompletion of the course. If applicable, the district then would have to forward to the student any refunded money in excess of the amount paid by the district. In addition, the student would have to repay to the district any funds that it spent for the course that were not refunded to the district by the program. If the student did not repay, or enter into an agreement with the district for the repayment of this money before the student's graduation, the school district could withhold his or her diploma or transcripts, or both, until repayment was made or agreed upon. This repayment provision would not apply to a student who did not complete a course due to a family or medical emergency, as determined by the career and technical preparation program.

If a school district paid for books for an eligible student for a career and technical preparation course, the books would be the property of the district and would have to be turned over to it after the student completed the course.

A school district could require an eligible student to provide, on a form supplied by the district, reasonable verification that he or she was regularly attending a career and technical preparation course under the bill.

Course Credit

An eligible student could enroll in, and receive payment by the school district of all or part of eligible charges for, an eligible course for high school credit or postsecondary credit, or both. When a student enrolled in a career and technical preparation course, he or she would have to designate whether the course was for high school or postsecondary credit, or both, and notify his or her high school and the career and technical preparation program of that designation. A student taking more than one eligible course could make different credit designations for different courses. A student could not audit a course in which he or she was enrolled under the bill.

A school district would have to grant academic credit to an eligible student enrolled in an eligible course for high school credit if he or she successfully completed the course, as determined by the career and technical preparation program. The district would have to determine the amount of high school credit granted.

The high school credits granted to an eligible student under the bill would have to be counted toward the district's graduation requirements and subject area requirements. Evidence of successful completion of each course and high school credits granted would have to be included in the student's high school record. Subject to the Federal Family Educational Rights and Privacy Act, a career and technical preparation program would have to give the school district a copy of the student's grade in each course taken for high school credit under the bill. Upon the student's request, his or her high school record and transcript would have to include evidence of successful completion and postsecondary credits granted for a course taken for postsecondary credit. In either case, the student's high school record and transcript would have to indicate that the credits were earned at a career and technical preparation program and identify the program.

If a student enrolled in a career and technical preparation program after leaving high school, the program, in accordance with institutional policy, would have to award postsecondary credit for postsecondary courses successfully completed by the student for high school credit at that program. A program could not charge a student for credit awarded under this provision.

Provision of Information and Counseling

Each school district would have to provide information to all high school students on the career and technical preparation enrollment options under the bill, including the following:

- Enrollment eligibility.
- The programs and types of courses eligible for participation.
- The decision-making process for granting academic credits.
- An explanation of eligible charges that the district would pay, and of financial arrangements for eligible charges and for paying costs not paid by the district.
- Eligibility for payment of all or part of eligible charges by the district.
- An explanation that, if the student qualified for payment of all or part of eligible charges by the district, the district would pay that support directly to the program upon being billed by it, and the student would not be responsible for that payment but would be responsible for paying costs not

paid under the bill, and could be responsible for repayment to the district if he or she enrolled in a course but did not complete it.

- Available support services.
- The need to arrange an appropriate schedule.
- Consequences of failing or not completing a career and technical preparation course in which the student enrolled.
- The effect of enrolling in a postsecondary course on the student's ability to complete the required high school graduation requirements.
- An explanation of how the parent or legal guardian of a student in grade 10 or above could request that the student be allowed to take a test or assessment used for State endorsement early in order to qualify as an eligible student.
- The academic and social responsibilities that the student and his or her parent or guardian would have to assume.

To the extent possible, a school district would have to provide counseling services to an eligible student and his or her parent or guardian before the student enrolled in a career and technical preparation course under the bill, to ensure that they were fully aware of the benefits, risks, and possible consequences of enrolling in the course. The person providing the counseling would have to encourage the student and his or her parent or guardian also to use available counseling services at the career and technical preparation program before the quarter or semester of enrollment to ensure that anticipated plans were appropriate. A district could provide the required counseling in a group meeting if additional personalized counseling also were made available.

Before enrolling in an eligible course at a career and technical preparation program, an eligible student and his or her parent or guardian would have to file with the program a signed form provided by the district stating that the student was an eligible student and had received the required information and counseling, and that the student understood the responsibilities that would have to be assumed in enrolling in the course. The student and his or her parent or guardian also would have to file with the district a signed form agreeing that, if the student enrolled in but did not complete an eligible course, he or she would repay the district as required in the bill. Upon request, the Department of Career Development (DCD) would have to provide technical assistance to a school district and to a career and technical preparation program in developing appropriate forms and counseling guidelines.

By May 1, 2001, and by March 1 of each succeeding year, a school district would have to provide general information about the career and technical preparation enrollment options under the bill to all pupils in grade eight or higher.

Reporting

Each ISD annually would have to collect from each of its constituent school districts, and provide to the Department of Education at the same time it submitted the annual comprehensive financial report required under the State School Aid Act, information for the immediately preceding school year on all of the following:

- The amount of money spent by the school district for payments required under the bill.
- The number of eligible students who were enrolled in the district and the number of them who enrolled in one or more eligible courses and received payment of all or part of eligible charges, both in the aggregate and by grade level.
- The percentage of the district's enrollment represented by those eligible students, in the aggregate and by grade level.
- The total number of eligible courses for which the district made payment under the bill, the number of those courses for which postsecondary credit was granted, the number for which high school credit was granted, and the number that were not completed by the eligible student.

By March 1 each year, the Department of Career Development would have to prepare and submit to the House and Senate Fiscal Agencies and the Department of Management and Budget a summary annual report on this information. The Department of Education would have to work cooperatively with the DCD in preparing this report.

Other Provisions

The bill's provisions concerning enrollment, billing, and payment would not apply to any career and technical preparation courses in which an eligible student was enrolled in addition to being enrolled full-time in his or her school district; to a career and technical preparation course an eligible student was retaking after failing to achieve a satisfactory grade; or to a course contrary to the bill's eligibility provisions. In determining full-time enrollment in a school district under the bill or full-time equated membership under the State School Aid Act, for a pupil enrolled in a career and technical preparation program, the pupil's enrollment in both the program and the school district would have to be counted as enrollment in the school district, and a pupil could not be considered enrolled in a district less than full-time solely because of the effect of his or her enrollment in one or more career and technical preparation courses, including necessary travel time, on the number of class hours provided by the district to the pupil.

A school district would have to make available to an eligible student enrolled in the district copies of all

correspondence in the district's possession regarding the student's participation in a career and technical preparation course. The district would have to keep this correspondence for at least one year.

The bill specifies that it would not require a school district to pay or otherwise provide financial support for transportation or parking costs necessary for an eligible student to participate in a career and technical preparation program. A district would not be liable for any injury incurred by an eligible student that was related to transportation necessary for the student to participate in a program.

An eligible student enrolled in a career and technical preparation program could not participate in intercollegiate athletics while he or she was enrolled in the program. A student who violated this provision would forfeit his or her eligibility under the bill.

A career and technical preparation program could give priority to its postsecondary students when enrolling eligible students in career and technical preparation courses for high school credit only. Once an eligible student had been enrolled in a career and technical preparation course, the program could not displace him or her with another student.

The bill states that it would not restrict the ability of an eligible student or any other pupil to enroll in any career and technical preparation program without tuition and fee support under the bill.

The DCD could promulgate rules it considered necessary to implement the bill.

Legislative Analyst: S. Lowe

FISCAL IMPACT

The bill would have a fiscal impact on local school districts participating in the proposed career and technical preparation program. Students selecting to enroll in this dual enrollment program at an eligible postsecondary educational institution would be eligible to have all or a portion of their tuition paid by the local school district. A district would be required to pay for the portion of the eligible student's tuition for the program equal to the lesser of the amount of the charges, or the prorated percentage of the State portion of the foundation allowance paid on behalf of that student. Any tuition costs exceeding the amount paid by the local school district would be the responsibility of the student.

The exact fiscal impact for a local school district is indeterminate and depends on the number of students from that district who would participate in

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the program. As a comparison, 6,500 students participated in the current dual enrollment program offered by local school districts, according to FY 1998-99 figures. The estimated total State cost for those students in those programs was just over \$3,000,000. These costs are the amounts paid by local school districts from their foundation allowance revenues for those pupils.

In addition, the Departments of Career Development and Education would have to collect and report data submitted by school districts, as required in the bill. Although this would be an additional responsibility to the Departments, the existing funding should be sufficient to cover any additional costs associated with this bill.

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