

SUBSTITUTE FOR
HOUSE BILL NO. 5534

A bill to establish career and technical preparation enrollment options for certain students enrolled in Michigan schools; to prescribe certain duties of public schools and certain post-secondary institutions; to prescribe certain powers and duties of certain state departments, officials, and agencies; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "career and technical preparation act".

3 Sec. 2. The purpose of this act is to provide a wider vari-
4 ety of options to high school pupils by encouraging and enabling
5 qualified pupils to enroll in courses or programs in career and
6 technical preparation programs at eligible postsecondary
7 educational institutions.

1 Sec. 3. As used in this act:

2 (a) "Career and technical preparation program" means a
3 program that teaches a trade, occupation, or vocation and that is
4 operated by an eligible postsecondary educational institution
5 located in this state.

6 (b) "Community college" means a community college estab-
7 lished under the community college act of 1966, 1966 PA 331, MCL
8 389.1 to 389.195, or under part 25 of the revised school code,
9 1976 PA 451, MCL 380.1601 to 380.1607, or a federal tribally con-
10 trolled community college located in this state that is recog-
11 nized under the tribally controlled community college assistance
12 act of 1978, Public Law 95-471, and is determined by the depart-
13 ment to meet the requirements for accreditation by a recognized
14 regional accrediting body.

15 (c) "Department" means the department of career
16 development.

17 (d) "Eligible charges" means tuition and mandatory course
18 fees, material fees, and registration fees required by a career
19 and technical preparation program for enrollment in an eligible
20 course. Eligible charges also include any late fees charged by a
21 career and technical preparation program due to the school
22 district's failure to make a required payment according to the
23 timetable prescribed under this act. Eligible charges do not
24 include transportation or parking costs or activity fees.

25 (e) "Eligible course" means a course offered by a career and
26 technical preparation program that is not offered through the
27 school district, intermediate school district, or area

1 vocational-technical education program in which the eligible
2 student is enrolled, or that is offered through the school dis-
3 trict, intermediate school district, or area vocational-technical
4 education program but is determined by its governing board to not
5 be available to the eligible student because of a scheduling con-
6 flict beyond the eligible student's control; that is a career and
7 technical preparation course not ordinarily taken as an activity
8 course; that is a course that the career and technical prepara-
9 tion program normally applies toward satisfaction of certificate,
10 degree, or program completion requirements; and that is not a
11 hobby craft or recreational course.

12 (f) "Eligible postsecondary educational institution" means a
13 state university, community college, or independent nonprofit
14 degree-granting college or university that is located in this
15 state and that chooses to comply with this act.

16 (g) "Eligible student" means a student enrolled in at least
17 1 high school class in at least grade 11 in a school district in
18 this state, except a foreign exchange pupil enrolled in a school
19 district under a cultural exchange program, who is making satis-
20 factory progress in meeting local attendance and graduation
21 requirements. In addition, a school district may impose the
22 additional requirement that the student achieve state endorsement
23 in at least 1 subject area under section 1279 of the revised
24 school code, 1976 PA 451, MCL 380.1279, to qualify as an eligible
25 student.

1 (h) "Intermediate school district" means that term as
2 defined in section 4 of the revised school code, 1976 PA 451, MCL
3 380.4.

4 (i) "School district" means that term as defined in section
5 6 of the revised school code, 1976 PA 451, MCL 380.6, a local act
6 school district as defined in section 5 of the revised school
7 code, 1976 PA 451, MCL 380.5, or a public school academy orga-
8 nized under the revised school code, 1976 PA 451, MCL 380.1 to
9 380.1852.

10 (j) "State university" means a state institution of higher
11 education described in section 4, 5, or 6 of article VIII of the
12 state constitution of 1963.

13 Sec. 4. (1) Upon request by the eligible student, the
14 school district in which an eligible student is enrolled shall
15 provide to the eligible student a letter signed by the student's
16 principal indicating the student's eligibility under this act.

17 (2) An eligible student may apply to a career and technical
18 preparation program to enroll in 1 or more eligible courses
19 offered by that career and technical preparation program and, if
20 accepted, may enroll in 1 or more of those courses.

21 (3) Within a reasonable time after registration, the career
22 and technical preparation program shall send written notice to
23 the eligible student and his or her school district. The notice
24 shall indicate the course or courses and hours of enrollment of
25 that eligible student. The career and technical preparation pro-
26 gram shall notify the eligible student about tuition, fees,
27 books, materials, and other related charges, as determined by the

1 career and technical preparation program, in the customary manner
2 used by the career and technical preparation program, and shall
3 notify the eligible student of the estimated amount of the eligi-
4 ble charges that will be billed to the school district under
5 subsection (4).

6 (4) Unless otherwise agreed between the career and technical
7 preparation program and the school district, after the expiration
8 of the career and technical preparation program's drop/add period
9 for the course, the career and technical preparation program
10 shall send a bill to the eligible student's school district
11 detailing the eligible charges for each eligible course in which
12 the student is enrolled under this act.

13 (5) Upon receiving the bill under subsection (4), the school
14 district shall cause to be paid to the career and technical prep-
15 aration program on behalf of the eligible student an amount equal
16 to the lesser of the amount of the eligible charges or the pro-
17 rated percentage of the state portion of the foundation allowance
18 paid on behalf of that particular eligible student under
19 section 20 of the state school aid act of 1979, 1979 PA 94, MCL
20 388.1620, with the proration based on the proportion of the
21 school year that the eligible student attends the career and
22 technical preparation program. A school district may pay more
23 money to a career and technical preparation program on behalf of
24 an eligible student than is required under this act, and may use
25 local school operating revenue for that purpose. The eligible
26 student is responsible for payment of the remainder of the costs
27 associated with his or her enrollment in the career and technical

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1 preparation program that exceed the amount the school district is
2 required to pay under this act and that are not paid by the
3 school district. As used in this subsection, "local school oper-
4 ating revenue" means that term as defined in section 20 of the
5 state school aid act of 1979, 1979 PA 94, MCL 388.1620.

6 (6) A career and technical preparation program shall not
7 charge a late fee to an eligible student or a school district for
8 a payment that is made in compliance with the timetable pre-
9 scribed under this act even if the payment would otherwise be
10 considered late by the career and technical preparation program.

11 (7) A school district may require an eligible student to
12 provide, on a form supplied by the school district, reasonable
13 verification that the eligible student is regularly attending a
14 career and technical preparation course under this act.

15 [(8) If an eligible student enrolled in an eligible course under
16 this act does not complete the eligible course, and if the school
17 district has paid money for the course on behalf of the student, all
18 of the following apply:

19 (a) The career and technical preparation program shall forward
20 to the school district any funds that are refundable due to
21 noncompletion of the course. If applicable, the school district
22 shall then forward to the student any refunded money in excess of
23 the amount paid by the school district for the course on behalf of
the student.

(b) The student shall repay to the school district any funds
that were expended by the school district for the course that are
not refunded to the school district by the career and technical
preparation program. If the student does not repay, or enter into
an agreement with the school district for the repayment of, this
money before the student's graduation, the school district may
withhold the student's diploma or transcripts, or both, until
repayment is made or agreed upon. This subdivision does not apply
to a student who does not complete the course due to a family or
medical emergency, as determined by the career and technical
preparation program.]

24 (9) A school district shall make available to an eligible
25 student enrolled in the school district copies of all correspond-
26 ence in the possession of the school district regarding the
27 eligible student's participation in a career and technical

1 preparation course under this act. Correspondence described in
2 this subsection shall be kept by the school district for at least
3 1 year.

4 (10) If a school district pays for books for an eligible
5 student for a career and technical preparation course under this
6 section, the books are the property of the school district and
7 shall be turned over to the school district after the eligible
8 student completes the course.

9 (11) This section does not apply to any career and technical
10 preparation courses in which an eligible student is enrolled in
11 addition to being enrolled full-time in that eligible student's
12 school district; to a career and technical preparation course an
13 eligible student is retaking after failing to achieve a satisfac-
14 tory grade; or to a course contrary to the eligibility provisions
15 of this act. In determining full-time enrollment in a school
16 district under this act or full-time equated membership under the
17 state school aid act of 1979, 1979 PA 94, MCL 388.1601 to
18 388.1772, for pupils enrolled in a career and technical prepara-
19 tion program under this act, the pupil's enrollment in both the
20 school district and the career and technical preparation program
21 shall be counted as enrollment in the school district and a pupil
22 shall not be considered to be enrolled in a school district less
23 than full-time solely because of the effect of the pupil's
24 enrollment in 1 or more career and technical preparation courses
25 under this act, including necessary travel time, on the number of
26 class hours provided by the school district to the pupil.

1 (12) This act does not require a school district to pay or
2 otherwise provide financial support for transportation or parking
3 costs necessary for an eligible student to participate in a
4 career and technical preparation program under this act. A
5 school district is not liable for any injury incurred by an eli-
6 gible student that is related to transportation necessary for the
7 eligible student to participate in a career and technical prepa-
8 ration program under this act.

9 Sec. 5. An eligible student enrolled in a career and tech-
10 nical preparation program under this act shall not participate in
11 intercollegiate athletics while he or she is enrolled in the
12 career and technical preparation program under this act. An eli-
13 gible student who violates this section forfeits his or her eli-
14 gibility under this act.

15 Sec. 6. A career and technical preparation program may give
16 priority to its postsecondary students when enrolling eligible
17 students in career and technical preparation courses under this
18 act for high school credit only. Once an eligible student has
19 been enrolled in a career and technical preparation course under
20 this act, the career and technical preparation program shall not
21 displace the eligible student with another student.

22 Sec. 7. (1) An eligible student may enroll in, and receive
23 payment by the school district under section 4 of all or part of
24 eligible charges for, an eligible course under this act for high
25 school credit or postsecondary credit, or both. At the time an
26 eligible student enrolls in a career and technical preparation
27 course under this act, he or she shall designate whether the

1 course is for high school or postsecondary credit, or both, and
2 shall notify both his or her high school and the career and tech-
3 nical preparation program of that designation. An eligible stu-
4 dent taking more than 1 eligible course under this act may make
5 different credit designations under this subsection for different
6 courses. An eligible student shall not audit a course in which
7 he or she is enrolled under this act.

8 (2) A school district shall grant academic credit to an eli-
9 gible student enrolled in an eligible course for high school
10 credit under this act if he or she successfully completes the
11 course, as determined by the career and technical preparation
12 program. The amount of high school credit granted by a school
13 district for a course completed under this act shall be deter-
14 mined by the school district.

15 (3) The high school credits granted to an eligible student
16 under this act shall be counted toward the graduation require-
17 ments and subject area requirements of the school district.
18 Evidence of successful completion of each course and high school
19 credits granted shall be included in the eligible student's high
20 school record. Subject to section 444 of subpart 4 of part C of
21 the general education provisions act, title IV of Public Law
22 90-247, 20 U.S.C. 1232g, commonly referred to as the family edu-
23 cational rights and privacy act of 1974, a career and technical
24 preparation program shall provide the school district with a copy
25 of the eligible student's grade in each course taken for high
26 school credit under this act. Upon the request of an eligible
27 student, his or her high school record and transcript shall also

1 include evidence of successful completion and postsecondary
2 credits granted for a course taken for postsecondary credit under
3 this act. In either case, the eligible student's high school
4 record and transcript shall indicate that the credits were earned
5 at a career and technical preparation program and identify the
6 career and technical preparation program.

7 (4) If a student enrolls in a career and technical prepara-
8 tion program after leaving high school, the career and technical
9 preparation program, in accordance with institutional policy,
10 shall award postsecondary credit for postsecondary courses suc-
11 cessfully completed by that student for high school credit under
12 this act at that career and technical preparation program. A
13 career and technical preparation program shall not charge a stu-
14 dent for credit awarded under this subsection.

15 Sec. 8. This act does not restrict the ability of an eligi-
16 ble student or any other pupil to enroll in any career and tech-
17 nical preparation program without tuition and fee support under
18 this act.

19 Sec. 9. (1) Each school district shall provide information
20 to all high school students on the career and technical prepara-
21 tion enrollment options under this act, including enrollment eli-
22 gibility; the programs and types of courses that are eligible for
23 participation; the decision-making process for granting academic
24 credits; an explanation of eligible charges that will be paid by
25 the school district and of financial arrangements for eligible
26 charges and for paying costs not paid for by the school district;
27 eligibility for payment of all or part of eligible charges by the

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1 school district under this act; an explanation that, if the
2 student qualifies for payment of all or part of eligible charges
3 by the school district under this act, the school district will
4 pay that support directly to the career and technical preparation
5 program upon being billed by the career and technical preparation
6 program and that the student is not responsible for that payment
7 but is responsible for payment of costs not paid for under this
8 act [and may be responsible for repayment to the school district if
he or she enrolls in but does not complete a career and technical
preparation course under this act]; available support services; the
need to arrange an appropri-
9 ate schedule; consequences of failing or not completing a voca-
10 tional education course in which the eligible student enrolls;
11 the effect of enrolling in a career and technical preparation
12 course on the eligible student's ability to complete the required
13 high school graduation requirements; an explanation of how the
14 parent or legal guardian of a student in at least grade 10 may
15 request that the student be allowed to take a test or assessment
16 used for state endorsement early in order to qualify to be an
17 eligible student; and the academic and social responsibilities
18 that must be assumed by the eligible student and his or her
19 parent or guardian.

20 (2) To the extent possible, a school district shall provide
21 counseling services to an eligible student and his or her parent
22 or guardian before the eligible student enrolls in a career and
23 technical preparation course under this act to ensure that the
24 eligible student and his or her parent or guardian are fully
25 aware of the benefits, risks, and possible consequences of
26 enrolling in the course. The person providing the counseling
27 shall encourage the eligible student and his or her parent or

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1 guardian to also use available counseling services at the career
2 and technical preparation program before the quarter or semester
3 of enrollment to ensure that anticipated plans are appropriate.

4 A school district may provide the counseling required under this
5 section in a group meeting if additional personalized counseling
6 is also made available.

7 (3) Before enrolling in an eligible course at a career and
8 technical preparation program under this act, an eligible student
9 and his or her parent or guardian shall file with the career and
10 technical preparation program a signed form provided by the eli-
11 gible student's school district stating that the student is an
12 eligible student and has received the information and counseling
13 specified in subsections (1) and (2) and that the student under-
14 stands the responsibilities that must be assumed in enrolling in
15 the course [, and shall file with the school district a signed form
provided by the school district agreeing that, if the student
enrolls in but does not complete an eligible course, he or she will
repay the school district as required under section 4(8)(b)]. Upon
request, the department shall provide technical

16 assistance to a school district and to a career and technical
17 preparation program in developing appropriate forms and counsel-
18 ing guidelines for purposes of this section.

19 Sec. 10. By May 1, 2001, and by March 1 of each school year
20 thereafter, a school district shall provide general information
21 about the career and technical preparation enrollment options
22 under this act to all pupils in grade 8 or higher.

23 Sec. 11. (1) Each intermediate school district annually
24 shall collect from each of its constituent school districts and
25 provide to the department of education at the same time that it
26 submits the annual comprehensive financial report required under
27 section 18 of the state school aid act of 1979, 1979 PA 94, MCL

1 388.1618, information for the immediately preceding school year
2 on all of the following:

3 (a) The amount of money expended by the school district for
4 payments required under this act.

5 (b) The number of eligible students who were enrolled in the
6 school district and the number of those eligible students who
7 enrolled in 1 or more eligible courses under this act and
8 received payment of all or part of eligible charges under this
9 act, both in the aggregate and by grade level.

10 (c) The percentage of the school district's enrollment rep-
11 resented by the eligible students described in subdivision (b),
12 both in the aggregate and by grade level.

13 (d) The total number of courses for which the school dis-
14 trict made payment under this act, the number of those courses
15 for which postsecondary credit was granted, the number of those
16 courses for which high school credit was granted, and the number
17 of those courses that were not completed by the eligible
18 student.

19 (2) Not later than March 1 of each year, the department
20 shall prepare and submit to the house and senate fiscal agencies
21 and the department of management and budget a summary annual
22 report on the information received under subsection (1). The
23 department of education shall work cooperatively with the depart-
24 ment in the preparation of this report.

25 Sec. 12. The department may promulgate rules it considers
26 necessary to implement this act. Rules shall be promulgated

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1 under the administrative procedures act of 1969, 1969 PA 306, MCL
2 24.201 to 24.328.

3 Sec. 13. (1) This act takes effect April 1, 2001. Payment
4 of all or part of eligible charges under this act for eligible
5 courses shall begin in the state fiscal year beginning on October
6 1, 2001.

7 (2) This act is repealed effective June 30, 2006.

8 Enacting section 1. Section 13 of the postsecondary enroll-
9 ment options act, 1996 PA 160, MCL 388.523, is repealed.