



HOUSE BILL No. 5534

March 21, 2000, Introduced by Reps. Hager, Allen, Voorhees, Bradstreet, Van Woerkom, Rick Johnson, Sheltroun, Garcia, Kowall, Gilbert, Ehardt, Tabor, Richardville, DeRossett, Patterson, Hart, Rocca, Ruth Johnson, Pumford, Sanborn, Godchaux, Julian, Faunce, Switalski, Shulman and Middaugh and referred to the Committee on Education.

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 interested pupils to enroll in courses or programs in eligible
6 postsecondary career and technical preparation programs at
7 approved postsecondary educational institutions.

1 Sec. 3. As used in this act:

2 (a) "Approved postsecondary educational institution" means
3 any of the following:

4 (i) A degree or certificate granting public or private col-
5 lege or university, junior college, or community college located
6 in this state.

7 (ii) An educational institution, other than an educational
8 institution described in subparagraph (i), granting degrees, cer-
9 tificates, or other recognized credentials and designated by the
10 department of career development as an approved postsecondary
11 educational institution.

12 (iii) A program of an educational institution, other than an
13 educational institution described in subparagraph (i), that
14 grants degrees, certificates, or other recognized credentials and
15 is designated by the department of career development as an
16 approved postsecondary educational institution.

17 (b) "Career and technical preparation program" means a pro-
18 gram that teaches a trade, occupation, or vocation and that is
19 operated by an approved postsecondary educational institution.

20 (c) "Department" means the department of career
21 development.

22 (d) "Eligible charges" means tuition and mandatory course
23 fees, material fees, and registration fees required by a career
24 and technical preparation program for enrollment in an eligible
25 course. Eligible charges also include any late fees charged by a
26 career and technical preparation program due to the school
27 district's failure to make a required payment according to the

1 timetable prescribed under this act. Eligible charges do not
2 include transportation or parking costs or activity fees.

3 (e) "Eligible course" means a course offered by a career and
4 technical preparation program that is not offered through the
5 school district in which the eligible student is enrolled, or
6 that is offered through the school district but is determined by
7 the board of the school district to not be available to the eli-
8 gible student because of a scheduling conflict beyond the eligi-
9 ble student's control; that is a career and technical preparation
10 course not ordinarily taken as an activity course; that is a
11 course that the career and technical preparation program normally
12 applies toward satisfaction of certificate, degree, or program
13 completion requirements; and that is not a hobby craft or recrea-
14 tional course.

15 (f) "Eligible student" means a student enrolled in at least
16 1 high school class in at least grade 11 in a school district in
17 this state, except a foreign exchange pupil enrolled in a school
18 district under a cultural exchange program, who is making satis-
19 factory progress in meeting local attendance and graduation
20 requirements.

21 (g) "Intermediate school district" means that term as
22 defined in section 4 of the revised school code, 1976 PA 451, MCL
23 380.4.

24 (h) "School district" means that term as defined in section
25 6 of the revised school code, 1976 PA 451, MCL 380.6, a local act
26 school district as defined in section 5 of the revised school
27 code, 1976 PA 451, MCL 380.5, or a public school academy

1 organized under the revised school code, 1976 PA 451, MCL 380.1
2 to 380.1852.

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

7 (2) An eligible student may apply to a career and technical
8 preparation program to enroll in 1 or more eligible courses
9 offered by that career and technical preparation program and, if
10 accepted, may enroll in 1 or more of those courses.

11 (3) Within a reasonable time after registration, the career
12 and technical preparation program shall send written notice to
13 the eligible student and his or her school district. The notice
14 shall indicate the course or courses and hours of enrollment of
15 that eligible student. The career and technical preparation pro-
16 gram shall notify the eligible student about tuition, fees,
17 books, materials, and other related charges, as determined by the
18 career and technical preparation program, in the customary manner
19 used by the career and technical preparation program, and shall
20 notify the eligible student of the estimated amount of the eligi-
21 ble charges that will be billed to the school district under
22 subsection (4).

23 (4) Unless otherwise agreed between the career and technical
24 preparation program and the school district, after the expiration
25 of the career and technical preparation program's drop/add period
26 for the course, the career and technical preparation program
27 shall send a bill to the eligible student's school district

1 detailing the eligible charges for each eligible course in which
2 the student is enrolled under this act.

3 (5) Upon receiving the bill under subsection (4), the school
4 district shall cause to be paid to the career and technical prep-
5 aration program on behalf of the eligible student an amount equal
6 to the lesser of the amount of the eligible charges or the pro-
7 rated percentage of the state portion of the foundation allowance
8 paid on behalf of that particular eligible student under
9 section 20 of the state school aid act of 1979, 1979 PA 94, MCL
10 388.1620, with the proration based on the proportion of the
11 school year that the eligible student attends the career and
12 technical preparation program. A school district may pay more
13 money to a career and technical preparation program on behalf of
14 an eligible student than is required under this act, and may use
15 local school operating revenue for that purpose. The eligible
16 student is responsible for payment of the remainder of the costs
17 associated with his or her enrollment in the career and technical
18 preparation program that exceed the amount the school district is
19 required to pay under this act and that are not paid by the
20 school district. As used in this subsection, "local school oper-
21 ating revenue" means that term as defined in section 20 of the
22 state school aid act of 1979, 1979 PA 94, MCL 388.1620.

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

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

5 (8) If an eligible student enrolled in an eligible course
6 under this act does not complete the eligible course, and if the
7 school district has paid money for the course on behalf of the
8 student, the career and technical preparation program shall for-
9 ward to the school district any funds that are refundable due to
10 noncompletion of the course. The school district shall then for-
11 ward to the student any refunded money in excess of the amount
12 paid by the school district for the course on behalf of the
13 student.

14 (9) A school district shall make available to an eligible
15 student enrolled in the school district copies of all correspond-
16 ence in the possession of the school district regarding the eli-
17 gible student's participation in a career and technical prepara-
18 tion course under this act. Correspondence described in this
19 subsection shall be kept by the school district for at least 1
20 year.

21 (10) If a school district pays for books for an eligible
22 student for a career and technical preparation course under this
23 section, the books are the property of the school district and
24 shall be turned over to the school district after the eligible
25 student completes the course.

26 (11) This section does not apply to any career and technical
27 preparation courses in which an eligible student is enrolled in

1 addition to being enrolled full-time in that eligible student's
2 school district; to a career and technical preparation course an
3 eligible student is retaking after failing to achieve a satisfac-
4 tory grade; or to a course contrary to the eligibility provisions
5 of this act. In determining full-time enrollment in a school
6 district under this act or full-time equated membership under the
7 state school aid act of 1979, 1979 PA 94, MCL 388.1601 to
8 388.1772, for pupils enrolled in a career and technical prepara-
9 tion program under this act, the pupil's enrollment in both the
10 school district and the career and technical preparation program
11 shall be counted as enrollment in the school district and a pupil
12 shall not be considered to be enrolled in a school district less
13 than full-time solely because of the effect of the pupil's
14 enrollment in 1 or more career and technical preparation courses
15 under this act, including necessary travel time, on the number of
16 class hours provided by the school district to the pupil.

17 (12) This act does not require a school district to pay or
18 otherwise provide financial support for transportation or parking
19 costs necessary for an eligible student to participate in a
20 career and technical preparation program under this act. A
21 school district is not liable for any injury incurred by an eli-
22 gible student that is related to transportation necessary for the
23 eligible student to participate in a career and technical prepa-
24 ration program under this act.

25 Sec. 5. An eligible student enrolled in a career and tech-
26 nical preparation program under this act shall not participate in
27 intercollegiate athletics while he or she is enrolled in the

1 career and technical preparation program under this act. An
2 eligible student who violates this section forfeits his or her
3 eligibility under this act.

4 Sec. 6. A career and technical preparation program may give
5 priority to its postsecondary students when enrolling eligible
6 students in career and technical preparation courses under this
7 act for high school credit only. Once an eligible student has
8 been enrolled in a career and technical preparation course under
9 this act, the career and technical preparation program shall not
10 displace the eligible student with another student.

11 Sec. 7. (1) An eligible student may enroll in, and receive
12 payment by the school district under section 4 of all or part of
13 eligible charges for, an eligible course under this act for high
14 school credit or postsecondary credit, or both. At the time an
15 eligible student enrolls in a career and technical preparation
16 course under this act, he or she shall designate whether the
17 course is for high school or postsecondary credit, or both, and
18 shall notify both his or her high school and the career and tech-
19 nical preparation program of that designation. An eligible stu-
20 dent taking more than 1 eligible course under this act may make
21 different credit designations under this subsection for different
22 courses. An eligible student shall not audit a course in which
23 he or she is enrolled under this act.

24 (2) A school district shall grant academic credit to an eli-
25 gible student enrolled in an eligible course for high school
26 credit under this act if he or she successfully completes the
27 course, as determined by the career and technical preparation

1 program. The amount of high school credit granted by a school
2 district for a course completed under this act shall be deter-
3 mined by the school district.

4 (3) The high school credits granted to an eligible student
5 under this act shall be counted toward the graduation require-
6 ments and subject area requirements of the school district.
7 Evidence of successful completion of each course and high school
8 credits granted shall be included in the eligible student's high
9 school record. Subject to section 444 of subpart 4 of part C of
10 the general education provisions act, title IV of Public Law
11 90-247, 20 U.S.C. 1232g, commonly referred to as the family edu-
12 cational rights and privacy act of 1974, a career and technical
13 preparation program shall provide the school district with a copy
14 of the eligible student's grade in each course taken for high
15 school credit under this act. Upon the request of an eligible
16 student, his or her high school record and transcript shall also
17 include evidence of successful completion and postsecondary cred-
18 its granted for a course taken for postsecondary credit under
19 this act. In either case, the eligible student's high school
20 record and transcript shall indicate that the credits were earned
21 at a career and technical preparation program and identify the
22 career and technical preparation program.

23 (4) If a student enrolls in a career and technical prepara-
24 tion program after leaving high school, the career and technical
25 preparation program, in accordance with institutional policy,
26 shall award postsecondary credit for postsecondary courses
27 successfully completed by that student for high school credit

1 under this act at that career and technical preparation program.
2 A career and technical preparation program shall not charge a
3 student for credit awarded under this subsection.

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

8 Sec. 9. (1) Each school district shall provide information
9 to all high school students on the career and technical prepara-
10 tion enrollment options under this act, including enrollment eli-
11 gibility; the programs and types of courses that are eligible for
12 participation; the decision-making process for granting academic
13 credits; an explanation of eligible charges that will be paid by
14 the school district and of financial arrangements for eligible
15 charges and for paying costs not paid for by the school district;
16 eligibility for payment of all or part of eligible charges by the
17 school district under this act; an explanation that, if the stu-
18 dent qualifies for payment of all or part of eligible charges by
19 the school district under this act, the school district will pay
20 that support directly to the career and technical preparation
21 program upon being billed by the career and technical preparation
22 program and that the student is not responsible for that payment
23 but is responsible for payment of costs not paid for under this
24 act; available support services; the need to arrange an appropri-
25 ate schedule; consequences of failing or not completing a voca-
26 tional education course in which the eligible student enrolls;
27 the effect of enrolling in a career and technical preparation

1 course on the eligible student's ability to complete the required
2 high school graduation requirements; and the academic and social
3 responsibilities that must be assumed by the eligible student and
4 his or her parent or guardian.

5 (2) To the extent possible, a school district shall provide
6 counseling services to an eligible student and his or her parent
7 or guardian before the eligible student enrolls in a career and
8 technical preparation course under this act to ensure that the
9 eligible student and his or her parent or guardian are fully
10 aware of the benefits, risks, and possible consequences of
11 enrolling in the course. The person providing the counseling
12 shall encourage the eligible student and his or her parent or
13 guardian to also use available counseling services at the career
14 and technical preparation program before the quarter or semester
15 of enrollment to ensure that anticipated plans are appropriate.
16 A school district may provide the counseling required under this
17 section in a group meeting if additional personalized counseling
18 is also made available.

19 (3) Before enrolling in an eligible course at a career and
20 technical preparation program under this act, an eligible student
21 and his or her parent or guardian shall file with the career and
22 technical preparation program a signed form provided by the eli-
23 gible student's school district stating that the student is an
24 eligible student and has received the information and counseling
25 specified in subsections (1) and (2) and that the student under-
26 stands the responsibilities that must be assumed in enrolling in
27 the course. Upon request, the department shall provide technical

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

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

8 Sec. 11. (1) Each intermediate school district annually
9 shall collect from each of its constituent school districts and
10 provide to the department of education at the same time that it
11 submits the annual comprehensive financial report required under
12 section 18 of the state school aid act of 1979, 1979 PA 94, MCL
13 388.1618, information for the immediately preceding school year
14 on all of the following:

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

17 (b) The number of eligible students who were enrolled in the
18 school district and the number of those eligible students who
19 enrolled in 1 or more eligible courses under this act and
20 received payment of all or part of eligible charges under this
21 act, both in the aggregate and by grade level.

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

25 (d) The total number of courses for which the school dis-
26 trict made payment under this act, the number of those courses
27 for which postsecondary credit was granted, the number of those

1 courses for which high school credit was granted, and the number
2 of those courses that were not completed by the eligible
3 student.

4 (2) Not later than March 1 of each year, the department
5 shall prepare and submit to the house and senate fiscal agencies
6 and the department of management and budget a summary annual
7 report on the information received under subsection (1). The
8 department of education shall work cooperatively with the depart-
9 ment in the preparation of this report.

10 Sec. 12. The department may promulgate rules it considers
11 necessary to implement this act. Rules shall be promulgated
12 under the administrative procedures act of 1969, 1969 PA 306, MCL
13 24.201 to 24.328.

14 Sec. 13. (1) This act takes effect April 1, 2001. Payment
15 of all or part of eligible charges under this act for eligible
16 courses shall begin in the state fiscal year beginning on October
17 1, 2001.

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