

**SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 4143**

A bill to amend 1996 PA 160, entitled  
"Postsecondary enrollment options act,"  
by amending section 3 (MCL 388.513), as amended by 2004 PA 594.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 3. (1) As used in this act:

2       (a) "Community college" means a community college established  
3 under the community college act of 1966, 1966 PA 331, MCL 389.1 to  
4 389.195, or under part 25 of the revised school code, 1976 PA 451,  
5 MCL 380.1601 to 380.1607, or a federal tribally controlled  
6 community college located in this state that is recognized under  
7 the tribally controlled community college assistance act of 1978,  
8 25 USC 1801 to 1852, and is determined by the department to meet  
9 the requirements for accreditation by a recognized regional

1 accrediting body.

2 (b) "Department" means the department of education.

3 (c) "Eligible charges" means tuition and mandatory course  
4 fees, material fees, and registration fees required by an eligible  
5 institution for enrollment in an eligible course. Eligible charges  
6 also include any late fees charged by an eligible postsecondary  
7 institution due to the school district's failure to make a required  
8 payment according to the timetable prescribed under this act.  
9 Eligible charges do not include transportation or parking costs or  
10 activity fees.

11 (d) "Eligible course" means a course offered by an eligible  
12 postsecondary institution that is not offered by the school  
13 district in which the eligible student is enrolled, or that is  
14 offered by the school district but is determined by the board of  
15 the school district to not be available to the eligible student  
16 because of a scheduling conflict beyond the eligible student's  
17 control; that is an academic course not ordinarily taken as an  
18 activity course; that is a course that the postsecondary  
19 institution normally applies toward satisfaction of degree  
20 requirements; that is not a hobby craft or recreational course; and  
21 that is in a subject area other than physical education, theology,  
22 divinity, or religious education. However, until the 2006-2007  
23 school year, for an eligible student who has not achieved state  
24 endorsement in all subject areas under section 1279 of the revised  
25 school code, 1976 PA 451, MCL 380.1279, an eligible course is  
26 limited to a course in a subject area for which he or she has  
27 achieved state endorsement, a course in computer science or foreign

1 language not offered by the school district, or a course in fine  
2 arts as permitted by the school district. Beginning with  
3 eligibility to participate under this act during the 2006-2007  
4 school year, for an eligible student who has not achieved a  
5 qualifying score in each subject area on a readiness assessment or  
6 the Michigan merit examination, as applicable for the student, an  
7 eligible course is limited to a course in a subject area for which  
8 he or she has achieved a qualifying score, a course in computer  
9 science or foreign language not offered by the school district, or  
10 a course in fine arts as permitted by the school district.

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

15 (f) "Eligible student" means, except as otherwise provided in  
16 this subdivision, a student enrolled in at least 1 high school  
17 class in at least grade 11 in a school district in this state,  
18 except a foreign exchange pupil enrolled in a school district under  
19 a cultural exchange program. Until the 2006-2007 school year, to  
20 be an eligible student a student must have achieved state  
21 endorsement in all subject areas under section 1279 of the revised  
22 school code, 1976 PA 451, MCL 380.1279, **AND, SUBJECT TO SUBSECTION**  
23 **(2), THE STUDENT SHALL NOT HAVE BEEN ENROLLED IN HIGH SCHOOL FOR**  
24 **MORE THAN 4 SCHOOL YEARS INCLUDING THE SCHOOL YEAR IN WHICH THE**  
25 **STUDENT SEEKS TO ENROLL IN AN ELIGIBLE COURSE UNDER THIS ACT.**

26 However, if the student has not achieved state endorsement in all  
27 subject areas under that section, the student is an eligible

1 student only for the limited purpose of enrolling in 1 or more  
2 eligible courses under this act in a subject area for which he or  
3 she has achieved state endorsement, in computer science or foreign  
4 language not offered by the school district, or in fine arts as  
5 permitted by the school district. Beginning with eligibility to  
6 participate under this act during the 2006-2007 school year, to be  
7 an eligible student a student who has not taken the Michigan merit  
8 examination must have achieved a qualifying score in all subject  
9 areas on a readiness assessment and a student who has taken the  
10 Michigan merit examination must have achieved a qualifying score in  
11 all subject areas on the Michigan merit examination, **AND, SUBJECT**  
12 **TO SUBSECTION (2), THE STUDENT SHALL NOT HAVE BEEN ENROLLED IN HIGH**  
13 **SCHOOL FOR MORE THAN 4 SCHOOL YEARS INCLUDING THE SCHOOL YEAR IN**  
14 **WHICH THE STUDENT SEEKS TO ENROLL IN AN ELIGIBLE COURSE UNDER THIS**  
15 **ACT.** However, if the student has not achieved a qualifying score in  
16 all subject areas on a readiness assessment or the Michigan merit  
17 examination, as applicable for the student, the student is an  
18 eligible student only for the limited purpose of enrolling in 1 or  
19 more eligible courses under this act in a subject area for which he  
20 or she has achieved a qualifying score, in computer science or  
21 foreign language not offered by the school district, or in fine  
22 arts as permitted by the school district. **FOR THE PURPOSES OF**  
23 **DETERMINING THE NUMBER OF YEARS A PUPIL HAS BEEN ENROLLED IN HIGH**  
24 **SCHOOL, A PUPIL WHO IS ENROLLED IN HIGH SCHOOL FOR LESS THAN 90**  
25 **DAYS OF A SCHOOL YEAR DUE TO ILLNESS OR OTHER CIRCUMSTANCES BEYOND**  
26 **THE CONTROL OF THE PUPIL OR THE PUPIL'S PARENT OR GUARDIAN IS NOT**  
27 **CONSIDERED TO BE ENROLLED IN HIGH SCHOOL FOR THAT SCHOOL YEAR.**

## House Bill No. 4143 as amended September 27, 2005

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

3 (h) "Michigan merit examination" means that examination  
4 developed under section 1279g of the revised school code, 1976 PA  
5 451, MCL 380.1279g.

6 (i) "Qualifying score" means a score on a readiness assessment  
7 or the Michigan merit examination that has been determined by the  
8 superintendent of public instruction to indicate readiness to  
9 enroll in a postsecondary course in that subject area under this  
10 act.

11 (j) "Readiness assessment" means assessment instruments that  
12 are aligned with state learning standards; that are used nationally  
13 to provide high school students with an early indication of college  
14 readiness proficiency in English, mathematics, reading, social  
15 studies, and science and may contain a comprehensive career  
16 planning program; and that are approved by the superintendent of  
17 public instruction for the purposes of this act.

18 (k) "School district" means that term as defined in section 6  
19 of the revised school code, 1976 PA 451, MCL 380.6, a local act  
20 school district as defined in section 5 of the revised school code,  
21 1976 PA 451, MCL 380.5, or a public school academy as defined in  
22 section 5 of the revised school code, 1976 PA 451, MCL 380.5.

23 (l) "State university" means a state institution of higher  
24 education described in section 4, 5, or 6 of article VIII of the  
25 state constitution of 1963.

26 (2) THE <<SUPERINTENDENT OF PUBLIC INSTRUCTION>> SHALL PROMULGATE  
RULES

27 ESTABLISHING CRITERIA AND PROCEDURES UNDER WHICH A STUDENT WHO HAS

1 BEEN ENROLLED IN HIGH SCHOOL FOR MORE THAN 4 YEARS BUT NOT MORE  
2 THAN 5 YEARS MAY BE CONSIDERED TO BE AN ELIGIBLE STUDENT. THE RULES  
3 SHALL ADDRESS SPECIAL CIRCUMSTANCES UNDER WHICH A STUDENT MAY  
4 QUALIFY TO BE CONSIDERED AN ELIGIBLE STUDENT UNDER THIS SUBSECTION  
5 AND MAY LIMIT THE NUMBER OF COURSES IN WHICH A STUDENT WHO  
6 QUALIFIES UNDER THIS SUBSECTION MAY ENROLL. FOR THE PURPOSES OF  
7 DETERMINING THE NUMBER OF YEARS A PUPIL HAS BEEN ENROLLED IN HIGH  
8 SCHOOL, A PUPIL WHO IS ENROLLED IN HIGH SCHOOL FOR LESS THAN 90  
9 DAYS OF A SCHOOL YEAR DUE TO ILLNESS OR OTHER CIRCUMSTANCES BEYOND  
10 THE CONTROL OF THE PUPIL OR THE PUPIL'S PARENT OR GUARDIAN IS NOT  
11 CONSIDERED TO BE ENROLLED FOR THAT SCHOOL YEAR.