

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 622

A bill to amend 1996 PA 160, entitled
"Postsecondary enrollment options act,"
by amending section 3 (MCL 388.513), as amended by 2005 PA 180.

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~~ **COLLEGES AND UNIVERSITIES**
8 assistance act of 1978, 25 USC 1801 to 1852, and is determined by
9 the department to meet the requirements for accreditation by a

1 recognized regional 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 **OR DEPARTMENT OF**
8 **TREASURY'S** failure to make a required payment according to the
9 timetable prescribed under this act. Eligible charges do not
10 include transportation or parking costs or activity fees.

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

~~a subject area for which he or she has achieved state endorsement,~~
~~a course in computer science or foreign language not offered by the~~
~~school district, or a course in fine arts as permitted by the~~
~~school district. Beginning with eligibility to participate under~~
~~this act during the 2006-2007 school year, for~~ **HOWEVER, FOR** an
eligible student who has not achieved a qualifying score in each
subject area on a readiness assessment or the Michigan merit
examination, as applicable for the student, an eligible course is
limited to a course in a subject area for which he or she has
achieved a qualifying score, a course in computer science or
foreign language not offered by the school district, or a course in
fine arts as permitted by the school district. **FOR EACH INDIVIDUAL**
ELIGIBLE STUDENT, UNLESS THERE IS A WRITTEN AGREEMENT BETWEEN THE
ELIGIBLE STUDENT'S SCHOOL DISTRICT AND THE ELIGIBLE POSTSECONDARY
INSTITUTION TO WAIVE THESE LIMITS, A COURSE DESCRIBED IN THIS
SUBDIVISION IS NOT AN ELIGIBLE COURSE IF THE ELIGIBLE STUDENT'S
ENROLLMENT IN, AND THE PAYMENT OF ELIGIBLE CHARGES UNDER THIS ACT
FOR, THE COURSE WOULD EXCEED THE FOLLOWING LIMITS:

(i) NOT MORE THAN 10 COURSES OVERALL. THIS LIMIT AND THE LIMITS
UNDER SUBPARAGRAPHS (ii) TO (iv) DO NOT APPLY TO A COURSE IF THE
ELIGIBLE STUDENT DOES NOT RECEIVE TUITION AND FEE SUPPORT UNDER
THIS ACT FOR THAT COURSE.

(ii) IF THE ELIGIBLE STUDENT FIRST ENROLLS IN A COURSE UNDER
THIS ACT WHEN THE ELIGIBLE STUDENT IS IN GRADE 9, NOT MORE THAN 2
COURSES DURING EACH ACADEMIC YEAR IN THE ELIGIBLE STUDENT'S FIRST,
SECOND, OR THIRD ACADEMIC YEAR OF ENROLLMENT UNDER THIS ACT IN AN
ELIGIBLE POSTSECONDARY INSTITUTION AND NOT MORE THAN 4 COURSES

1 DURING THE ACADEMIC YEAR IN THE ELIGIBLE STUDENT'S FOURTH ACADEMIC
2 YEAR OF ENROLLMENT UNDER THIS ACT IN AN ELIGIBLE POSTSECONDARY
3 INSTITUTION.

4 (iii) IF THE ELIGIBLE STUDENT FIRST ENROLLS IN A COURSE UNDER
5 THIS ACT WHEN THE ELIGIBLE STUDENT IS IN GRADE 10, NOT MORE THAN 2
6 COURSES DURING THE ACADEMIC YEAR IN THE ELIGIBLE STUDENT'S FIRST
7 ACADEMIC YEAR OF ENROLLMENT UNDER THIS ACT IN AN ELIGIBLE
8 POSTSECONDARY INSTITUTION, NOT MORE THAN 4 COURSES DURING THE
9 ACADEMIC YEAR IN THE ELIGIBLE STUDENT'S SECOND ACADEMIC YEAR OF
10 ENROLLMENT UNDER THIS ACT IN AN ELIGIBLE POSTSECONDARY INSTITUTION,
11 AND NOT MORE THAN 4 COURSES DURING THE ACADEMIC YEAR IN THE
12 ELIGIBLE STUDENT'S THIRD ACADEMIC YEAR OF ENROLLMENT UNDER THIS ACT
13 IN AN ELIGIBLE POSTSECONDARY INSTITUTION.

14 (iv) SUBJECT TO THE OVERALL COURSE LIMIT UNDER SUBPARAGRAPH
15 (i), IF THE ELIGIBLE STUDENT FIRST ENROLLS IN A COURSE UNDER THIS
16 ACT WHEN THE ELIGIBLE STUDENT IS IN GRADE 11 OR 12, NOT MORE THAN 6
17 COURSES DURING EITHER OF THOSE ACADEMIC YEARS OF ENROLLMENT IN AN
18 ELIGIBLE POSTSECONDARY INSTITUTION.

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

23 (f) "Eligible student" means, except as otherwise provided in
24 this subdivision, a student enrolled in at least 1 high school
25 class in ~~at least grade 11 in a~~ school district **OR STATE APPROVED**
26 **NONPUBLIC SCHOOL** in this state, except a foreign exchange pupil
27 enrolled ~~in a school district~~ under a cultural exchange program **OR**

1 A STUDENT WHO DOES NOT HAVE AT LEAST 1 PARENT OR LEGAL GUARDIAN WHO
2 IS A RESIDENT OF THIS STATE. ~~Until the 2006-2007 school year, to be~~
3 ~~an eligible student a student must have achieved state endorsement~~
4 ~~in all subject areas under section 1279 of the revised school code,~~
5 ~~1976 PA 451, MCL 380.1279, and, HOWEVER, subject to subsection (2),~~
6 the student shall not have been enrolled in high school for more
7 than 4 school years including the school year in which the student
8 seeks to enroll in an eligible course under this act. ~~However, if~~
9 ~~the student has not achieved state endorsement in all subject areas~~
10 ~~under that section, the student is an eligible student only for the~~
11 ~~limited purpose of enrolling in 1 or more eligible courses under~~
12 ~~this act in a subject area for which he or she has achieved state~~
13 ~~endorsement, in computer science or foreign language not offered by~~
14 ~~the school district, or in fine arts as permitted by the school~~
15 ~~district. Beginning with eligibility to participate under this act~~
16 ~~during the 2006-2007 school year, to~~ TO be an eligible student, a
17 student who has not taken the Michigan merit examination must have
18 achieved a qualifying score in all subject areas on a readiness
19 assessment and a student who has taken the Michigan merit
20 examination must have achieved a qualifying score in all subject
21 areas on the Michigan merit examination, and, subject to subsection
22 (2), the student shall not have been enrolled in high school for
23 more than 4 school years including the school year in which the
24 student seeks to enroll in an eligible course under this act.
25 However, if the student has not achieved a qualifying score in all
26 subject areas on a readiness assessment or the Michigan merit
27 examination, as applicable for the student, the student is an

1 eligible student only for the limited purpose of enrolling in 1 or
2 more eligible courses under this act in a subject area for which he
3 or she has achieved a qualifying score, in computer science or
4 foreign language not offered by the school district, or in fine
5 arts as permitted by the school district. For the purposes of
6 determining the number of years a pupil has been enrolled in high
7 school, a pupil who is enrolled in high school for less than 90
8 days of a school year due to illness or other circumstances beyond
9 the control of the pupil or the pupil's parent or guardian is not
10 considered to be enrolled in high school for that school year.

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

13 (h) "Michigan merit examination" means that examination
14 developed under section 1279g of the revised school code, 1976 PA
15 451, MCL 380.1279g.

16 (i) "Qualifying score" means a score on a readiness assessment
17 or the Michigan merit examination that has been determined by the
18 superintendent of public instruction to indicate readiness to
19 enroll in a postsecondary course in that subject area under this
20 act.

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

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

(l) "STATE APPROVED NONPUBLIC SCHOOL" MEANS THAT TERM AS DEFINED IN SECTION 6 OF THE REVISED SCHOOL CODE, 1976 PA 451, MCL 380.6.

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

(2) The superintendent of public instruction shall promulgate rules establishing criteria and procedures under which a student who has been enrolled in high school for more than 4 years but not more than 5 years may be considered to be an eligible student. The rules shall address special circumstances under which a student may qualify to be considered an eligible student under this subsection and may limit the number of courses in which a student who qualifies under this subsection may enroll. For the purposes of determining the number of years a pupil has been enrolled in high school, a pupil who is enrolled in high school for less than 90 days of a school year due to illness or other circumstances beyond the control of the pupil or the pupil's parent or guardian is not considered to be enrolled for that school year.

Enacting section 1. This amendatory act takes effect July 1, 2012.

Enacting section 2. This amendatory act does not take effect

1 unless all of the following bills of the 96th Legislature are
2 enacted into law:

3 (a) Senate Bill No. 623.

4 (b) Senate Bill No. 709.

5 (c) Senate Bill No. 710.