

**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 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
10 accrediting body.

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

2 (c) "Eligible charges" means tuition and mandatory course
3 fees, material fees, and registration fees required by an eligible
4 institution for enrollment in an eligible course. **FOR A COMMUNITY**
5 **COLLEGE, THE TUITION RATE USED TO DETERMINE ELIGIBLE CHARGES IS THE**
6 **TUITION RATE FOR RESIDENTS OF THE COMMUNITY COLLEGE DISTRICT**
7 **REGARDLESS OF THE RESIDENCY STATUS OF THE ELIGIBLE STUDENT.**

8 Eligible charges also include any late fees charged by an eligible
9 postsecondary institution due to the school district's **OR**
10 **DEPARTMENT OF TREASURY'S** failure to make a required payment
11 according to the timetable prescribed under this act. Eligible
12 charges do not include transportation or parking costs or activity
13 fees.

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

~~an eligible student who has not achieved state endorsement in all subject areas under section 1279 of the revised school code, 1976 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~~ **FOR A HOME-SCHOOLED CHILD, AN ELIGIBLE COURSE IS A COURSE OFFERED BY AN ELIGIBLE POSTSECONDARY INSTITUTION THAT IS OFFERED FOR POSTSECONDARY CREDIT; THAT IS AN ACADEMIC COURSE NOT ORDINARILY TAKEN AS AN ACTIVITY COURSE; THAT IS A COURSE THAT THE POSTSECONDARY INSTITUTION NORMALLY APPLIES TOWARD SATISFACTION OF DEGREE REQUIREMENTS; THAT IS NOT A HOBBY CRAFT OR RECREATIONAL COURSE; AND THAT IS IN A SUBJECT AREA OTHER THAN PHYSICAL EDUCATION, THEOLOGY, DIVINITY, OR RELIGIOUS EDUCATION. 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, 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 2 COURSES DURING EACH ACADEMIC YEAR IN THE

1 ELIGIBLE STUDENT'S FIRST, SECOND, OR THIRD ACADEMIC YEAR OF
2 ENROLLMENT UNDER THIS ACT IN AN ELIGIBLE POSTSECONDARY INSTITUTION.

3 (ii) NOT MORE THAN 4 COURSES DURING THE ACADEMIC YEAR IN THE
4 ELIGIBLE STUDENT'S FOURTH ACADEMIC YEAR OF ENROLLMENT UNDER THIS
5 ACT IN AN ELIGIBLE POSTSECONDARY INSTITUTION.

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

10 (f) "Eligible student" means, except as otherwise provided in
11 this subdivision, a student enrolled in at least 1 high school
12 class in ~~at least grade 11 in a~~ school district **OR STATE APPROVED**
13 **NONPUBLIC SCHOOL** in this state, except a foreign exchange pupil
14 ~~enrolled in a school district under a cultural exchange program, OR~~
15 **A HOME-SCHOOLED CHILD ENROLLED IN HIGH SCHOOL.** ~~Until the 2006-2007~~
16 ~~school year, to be an eligible student a student must have achieved~~
17 ~~state endorsement in all subject areas under section 1279 of the~~
18 ~~revised school code, 1976 PA 451, MCL 380.1279, and, HOWEVER,~~
19 subject to subsection (2), the student shall not have been enrolled
20 in high school for more than 4 school years including the school
21 year in which the student seeks to enroll in an eligible course
22 under this act. ~~However, if the student has not achieved state~~
23 ~~endorsement in all subject areas under that section, the student is~~
24 ~~an eligible student only for the limited purpose of enrolling in 1~~
25 ~~or more eligible courses under this act in a subject area for which~~
26 ~~he or she has achieved state endorsement, in computer science or~~
27 ~~foreign language not offered by the school district, or in fine~~

~~arts as permitted by the school district. Beginning with~~
~~eligibility to participate under this act during the 2006-2007~~
~~school year, to~~ **TO** be an eligible student, a student who has not
taken the Michigan merit examination must have achieved a
qualifying score in all subject areas on a readiness assessment and
a student who has taken the Michigan merit examination must have
achieved a qualifying score in all subject areas on the Michigan
merit examination, and, subject to subsection (2), the student
shall not have been enrolled in high school for more than 4 school
years including the school year in which the student seeks to
enroll in an eligible course under this act. However, if the
student has not achieved a qualifying score in all subject areas on
a readiness assessment or the Michigan merit examination, as
applicable for the student, the student is an eligible student only
for the limited purpose of enrolling in 1 or more eligible courses
under this act in a subject area for which he or she has achieved a
qualifying score, in computer science or foreign language not
offered by the school district, or in fine arts as permitted by the
school district. 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
in high school for that school year.

**(G) "HOME-SCHOOLED CHILD" MEANS A CHILD WHO IS BEING EDUCATED
AT THE CHILD'S HOME BY HIS OR HER PARENT OR LEGAL GUARDIAN IN AN
ORGANIZED EDUCATIONAL PROGRAM IN THE SUBJECT AREAS OF READING,**

1 SPELLING, MATHEMATICS, SCIENCE, HISTORY, CIVICS, LITERATURE,
2 WRITING, AND ENGLISH GRAMMAR.

3 (H) ~~(g)~~—"Intermediate school district" means that term as
4 defined in section 4 of the revised school code, 1976 PA 451, MCL
5 380.4.

6 (I) ~~(h)~~—"Michigan merit examination" means that examination
7 developed under section 1279g of the revised school code, 1976 PA
8 451, MCL 380.1279g.

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

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

21 (L) ~~(k)~~—"School district" means that term as defined in section
22 6 of the revised school code, 1976 PA 451, MCL 380.6, ~~a local act~~
23 ~~school district as defined in section 5 of the revised school code,~~
24 ~~1976 PA 451, MCL 380.5,~~ or a public school academy as defined in
25 section 5 of the revised school code, 1976 PA 451, MCL 380.5.

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

1 380.6.

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

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

18 Enacting section 1. This amendatory act takes effect July 1,
19 2012.

20 Enacting section 2. This amendatory act does not take effect
21 unless all of the following bills of the 96th Legislature are
22 enacted into law:

23 (a) Senate Bill No. 623.

24 (b) Senate Bill No. 709.

25 (c) Senate Bill No. 710.