

# SENATE BILL No. 980

May 3, 2018, Introduced by Senator HUNE and referred to the Committee on Education.

A bill to amend 1996 PA 160, entitled  
"Postsecondary enrollment options act,"  
by amending section 3 (MCL 388.513), as amended by 2018 PA 11.

## 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 colleges and universities assistance act of  
8       1978, 25 USC 1801 to 1864, and is determined by the department to

1 meet the requirements for accreditation by a recognized regional  
2 accrediting body.

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

4 (c) "Eligible charges" means tuition and mandatory course  
5 fees, material fees, and registration fees required by an eligible  
6 institution for enrollment in an eligible course. Eligible charges  
7 also include any late fees charged by an eligible postsecondary  
8 institution due to the school district's or department of  
9 treasury's failure to make a required payment according to the  
10 timetable prescribed under this act. Eligible charges do not  
11 include transportation or parking costs or activity fees. For  
12 eligible students enrolled in an out-of-state college that is an  
13 eligible postsecondary institution, eligible charges shall not  
14 exceed the lesser of the in-district rate for the community college  
15 located in the district in which the eligible student resides or  
16 the in-district rate for the out-of-state college in which the  
17 eligible student is enrolled.

18 (d) "Eligible course" means a course offered by an eligible  
19 postsecondary institution that is offered for postsecondary credit;  
20 that is not offered by the school district or state approved  
21 nonpublic school in which the eligible student is enrolled, or that  
22 is offered by the school district or state approved nonpublic  
23 school but is determined by its governing board to not be available  
24 to the eligible student because of a scheduling conflict beyond the  
25 eligible student's control; that is an academic course not  
26 ordinarily taken as an activity course; that is a course that the  
27 postsecondary institution normally applies toward satisfaction of

1 degree requirements; that is not a hobby, craft, or recreational  
2 course; and that is in a subject area other than physical  
3 education, theology, divinity, or religious education. However, for  
4 an eligible student who has not achieved a qualifying score in each  
5 subject area on a readiness assessment or the Michigan merit  
6 examination, as applicable for the student, an eligible course is  
7 limited to a course in a subject area for which he or she has  
8 achieved a qualifying score, a course in computer science or  
9 foreign language not offered by the school district, or a course in  
10 fine arts as permitted by the school district. ~~For each individual~~  
11 ~~eligible student, unless there is a written agreement between the~~  
12 ~~eligible student's school district and the eligible postsecondary~~  
13 ~~institution to waive these limits, a course described in this~~  
14 ~~subdivision is not an eligible course if the eligible student's~~  
15 ~~enrollment in, and the payment of eligible charges under this act~~  
16 ~~for, the course would exceed the following limits:~~

17 ~~—— (i) Not more than 10 courses overall. This limit and the~~  
18 ~~limits under subparagraphs (ii) to (iv) do not apply to a course if~~  
19 ~~the eligible student does not receive tuition and fee support under~~  
20 ~~this act for that course.~~

21 ~~—— (ii) If the eligible student first enrolls in a course under~~  
22 ~~this act when the eligible student is in grade 9, not more than 2~~  
23 ~~courses during each academic year in the eligible student's first,~~  
24 ~~second, or third academic year of enrollment under this act in an~~  
25 ~~eligible postsecondary institution and not more than 4 courses~~  
26 ~~during the academic year in the eligible student's fourth academic~~  
27 ~~year of enrollment under this act in an eligible postsecondary~~

1 ~~institution.~~

2 ~~—— (iii) If the eligible student first enrolls in a course under~~  
3 ~~this act when the eligible student is in grade 10, not more than 2~~  
4 ~~courses during the academic year in the eligible student's first~~  
5 ~~academic year of enrollment under this act in an eligible~~  
6 ~~postsecondary institution, not more than 4 courses during the~~  
7 ~~academic year in the eligible student's second academic year of~~  
8 ~~enrollment under this act in an eligible postsecondary institution,~~  
9 ~~and not more than 4 courses during the academic year in the~~  
10 ~~eligible student's third academic year of enrollment under this act~~  
11 ~~in an eligible postsecondary institution.~~

12 ~~—— (iv) Subject to the overall course limit under subparagraph~~  
13 ~~(i), if the eligible student first enrolls in a course under this~~  
14 ~~act when the eligible student is in grade 11 or 12, not more than 6~~  
15 ~~courses during either of those academic years of enrollment in an~~  
16 ~~eligible postsecondary institution.~~

17 (e) "Eligible postsecondary institution" means a state  
18 university, community college, or independent nonprofit degree-  
19 granting college or university that is located in this state and  
20 that chooses to comply with this act. However, an out-of-state  
21 college that is located within 20 miles of a border with this state  
22 and that chooses to comply with this act is also an eligible  
23 postsecondary institution for an eligible student if at least 1 of  
24 the following is met:

25 (i) The eligible student is enrolled in a school district, as  
26 that term is defined in section 6 of the revised school code, 1976  
27 PA 451, MCL 380.6, that shares a border with the state in which the

1 out-of-state college is located.

2 (ii) The eligible student is enrolled in a public school  
3 academy, as that term is defined in section 5 of the revised school  
4 code, 1976 PA 451, MCL 380.5, that is located in a school district  
5 described in subparagraph (i).

6 (iii) The eligible student is enrolled in a state approved  
7 nonpublic school that is located in a school district described in  
8 subparagraph (i).

9 (f) "Eligible student" means, except as otherwise provided in  
10 this subdivision, a student enrolled in at least 1 high school  
11 class in a school district or state approved nonpublic school in  
12 this state, except a foreign exchange pupil enrolled under a  
13 cultural exchange program or a student who does not have at least 1  
14 parent or legal guardian who is a resident of this state. However,  
15 subject to subsection (2), the student shall not have been enrolled  
16 in high school for more than 4 school years including the school  
17 year in which the student seeks to enroll in an eligible course  
18 under this act. To be an eligible student, a student who has not  
19 taken the Michigan merit examination must have achieved a  
20 qualifying score in all subject areas on a readiness assessment and  
21 a student who has taken the Michigan merit examination must have  
22 achieved a qualifying score in all subject areas on the Michigan  
23 merit examination, and, subject to subsection (2), the student  
24 shall not have been enrolled in high school for more than 4 school  
25 years including the school year in which the student seeks to  
26 enroll in an eligible course under this act. However, if the  
27 student has not achieved a qualifying score in all subject areas on

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

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

15 (h) "Michigan merit examination" means that examination  
16 developed under section 1279g of the revised school code, 1976 PA  
17 451, MCL 380.1279g.

18 (i) "Out-of-state college" means a state university, community  
19 college, or independent nonprofit degree-granting college or  
20 university that is located in another state and that is legally  
21 established under the laws of that other state.

22 (j) "Qualifying score" means a score on a readiness assessment  
23 or the Michigan merit examination that has been determined by the  
24 superintendent of public instruction to indicate readiness to  
25 enroll in a postsecondary course in that subject area under this  
26 act.

27 (k) "Readiness assessment" means assessment instruments that

1 are aligned with state learning standards; that are used nationally  
2 to provide high school students with an early indication of college  
3 readiness proficiency in English, mathematics, reading, social  
4 studies, and science and may contain a comprehensive career  
5 planning program; and that are approved by the superintendent of  
6 public instruction for the purposes of this act.

7 (l) "School district" means that term as defined in section 6  
8 of the revised school code, 1976 PA 451, MCL 380.6, or a public  
9 school academy as defined in section 5 of the revised school code,  
10 1976 PA 451, MCL 380.5, except as provided in subdivision (e).

11 (m) "State approved nonpublic school" means that term as  
12 defined in section 6 of the revised school code, 1976 PA 451, MCL  
13 380.6.

14 (n) "State university" means a state institution of higher  
15 education described in section 4, 5, or 6 of article VIII of the  
16 state constitution of 1963.

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

1 the control of the pupil or the pupil's parent or guardian is not  
2 considered to be enrolled for that school year.

3 Enacting section 1. This amendatory act takes effect 90 days  
4 after the date it is enacted into law.