

# Legislative Analysis



## DUAL ENROLLMENT ELIGIBILITY

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**House Bill 4546 as enacted**  
**Public Act 130 of 2020**  
**Sponsor: Rep. Bronna Kahle**

Analysis available at  
<http://www.legislature.mi.gov>

**House Bill 4547 as enacted**  
**Public Act 131 of 2020**  
**Sponsor: Rep. Ben Frederick**

**1st House Committee: Education**  
**2nd House Committee: Ways and Means**  
**Senate Committee: Education and Career Readiness**  
**Complete to 4-2-21**

## SUMMARY:

House Bill 4546 amends the Career and Technical Preparation Act, and House Bill 4547 amends the Postsecondary Enrollment Options Act. The bills largely codify current practice regarding enrollment in eligible postsecondary courses offered in whole or in part when the school district or state-approved nonpublic school is in session. Dual enrollment is the practice of enrolling in a high school and in an eligible postsecondary institution simultaneously, earning college credit while a high school student, with the cost of any tuition and fees for that course, subject to limitation, paid for by the school district using state funds.

Both acts define *eligible course* as one offered by an eligible postsecondary institution (i.e., a community college, state university, or independent nonprofit degree-granting college or university in Michigan) that either is not offered by the school district or is offered but not available because of a scheduling conflict. An eligible course also must be one that is not ordinarily taken as an activity course; that the postsecondary institution normally applies toward satisfaction of degree requirements; that is not a hobby, craft or recreational course; and that is not in the area of physical education, theology, divinity, or religious education.

The bills add that an eligible course must be one that is offered in whole or in part when the district or nonpublic school is in session, except that a course offered only when the district or nonpublic school is not in session could be an eligible course if approved by the district or nonpublic school.

Additionally, HB 4546 amends the definition for *eligible student* and HB 4547 further amends the definition for *eligible course* to account for the unusual aspects of the 2019-2020 and 2020-2021 school years. HB 4546 provides that, for enrollment in eligible courses that begin after April 30, 2020, and end before the start of the 2020-2021 school year and those during the 2020-2021 academic year, an *eligible student* is one that has achieved a GPA of at least 2.5, as determined by the school district, regardless of whether the student has achieved a qualifying score in all subject areas on certain assessments. HB 4547 incorporates this same exception for students with the requisite GPA, regardless of achievement on assessments, to participate in *eligible courses*.

The bills retain the proration of funding for postsecondary programs to reflect the proportion of time the student attended the postsecondary program. In determining the applicable proration for a student, a school district must take into account the student's attendance at a postsecondary program for an eligible course that occurred in whole or in part when the school district was not in session during the summer immediately following that regularly scheduled school year.

The bills require the Michigan Department of Education to publish guidelines for determining the prorated foundation allowance by September 1, 2020, and to update and republish guidelines by September 1, 2021, and by September 1 each year thereafter.

The bills took effect July 8, 2020.

House Bill 4546: MCL 388.1903 and 388.1904

House Bill 4547: MCL 388.513 and 388.514

## **BACKGROUND:**

The acts amended were last substantively amended by 2012 PAs 131 to 134,<sup>1</sup> which, among other changes, removed the requirement that a student be in at least 11th grade to enroll in dual enrollment and allowed a student to take up to 10 courses overall.

## **BRIEF DISCUSSION:**

According to House committee testimony, the bills are intended to expand opportunities for Michigan children and to allow them to maximize their school years with increased opportunities for dual enrollment. While summer is traditionally a time for students to make up credits, proponents see the bills as a way for students to get ahead and challenge themselves even when the school year is not in session. They emphasize that the bills are permissive, meaning that schools are able to determine whether courses offered when school is not in session count as eligible courses.

## **FISCAL IMPACT:**

The bills would have no fiscal impact on the state or on school districts or public school academies (PSAs).

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

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<sup>1</sup> House Fiscal Agency analysis of 2012 PAs 131 to 134 (SBs 622, 623, 709, and 710):  
<http://www.legislature.mi.gov/documents/2011-2012/billanalysis/House/pdf/2011-HLA-0622-3.pdf>