

HOUSE BILL NO. 4546

May 02, 2019, Introduced by Reps. Kahle, Howell and Frederick and referred to the Committee on Education.

A bill to amend 2000 PA 258, entitled
"Career and technical preparation act,"
by amending sections 3 and 4 (MCL 388.1903 and 388.1904), section 3
as amended by 2012 PA 132 and section 4 as amended by 2012 PA 133.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 3. (1) As used in this act:
- 2 (a) "Career and technical preparation program" means a program
- 3 that teaches a trade, occupation, or vocation and that is operated
- 4 by an eligible postsecondary educational institution located in
- 5 this state.



(b) "Community college" means a community college established under the community college act of 1966, 1966 PA 331, MCL 389.1 to 389.195, or under part 25 of the revised school code, 1976 PA 451, MCL 380.1601 to 380.1607, or a federal tribally controlled community college located in this state that is recognized under the tribally controlled colleges and universities assistance act of 1978, 25 USC 1801 to ~~1852~~, **1864**, and is determined by the department to meet the requirements for accreditation by a recognized regional accrediting body.

(c) "Department" means the department of education.

(d) "Eligible charges" means tuition and mandatory course fees, material fees, and registration fees required by a career and technical preparation program for enrollment in an eligible course. Eligible charges also include any late fees charged by a career and technical preparation program due to the school district's or department of treasury's failure to make a required payment according to the timetable prescribed under this act. Eligible charges do not include transportation or parking costs or activity fees.

(e) "Eligible course" means a course offered by a career and technical preparation program that is offered for postsecondary credit or is part of a noncredit occupational training program leading to an industry-recognized credential; that is not offered through the school district, intermediate school district, area vocational-technical education program, or state approved nonpublic school in which the eligible student is enrolled, or that is offered through the school district, intermediate school district, area vocational-technical education program, or state approved nonpublic school but is determined by its governing board to not be



1 available to the eligible student because of a scheduling conflict
2 beyond the eligible student's control; that is a career and
3 technical preparation course not ordinarily taken as an activity
4 course; that is a course that the career and technical preparation
5 program normally applies toward satisfaction of certificate,
6 degree, or program completion requirements; **that is offered in**
7 **whole or in part when the school district or state approved**
8 **nonpublic school is in session;** and that is not a hobby, craft, or
9 recreational course. **A course that is offered only during a time**
10 **when the school district or state approved nonpublic school is not**
11 **in session may be an eligible course under this subdivision, as**
12 **determined by the school district or state approved nonpublic**
13 **school.** For each individual eligible student, unless there is a
14 written agreement between the eligible student's school district
15 and the career and technical preparation program to waive these
16 limits, a course described in this subdivision is not an eligible
17 course if the eligible student's enrollment in, and the payment of
18 eligible charges under this act for, the course would exceed the
19 following limits:

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

24 (ii) If the eligible student first enrolls in a course under
25 this act when the eligible student is in grade 9, not more than 2
26 courses during each academic year in the eligible student's first,
27 second, or third academic year of enrollment under this act in a
28 career and technical preparation program and not more than 4
29 courses during the academic year in the eligible student's fourth



1 academic year of enrollment under this act in a career and
2 technical preparation program.

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

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

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

22 (g) "Eligible student" means a student enrolled in ~~at least 1~~
23 a high school ~~class~~ in a school district or state approved
24 nonpublic school in this state, except a foreign exchange pupil
25 enrolled under a cultural exchange program or a student who does
26 not have at least 1 parent or legal guardian who is a resident of
27 this state. However, subject to subsection (2), the student ~~shall~~
28 **must** not have been enrolled in high school for more than 4 school
29 years including the school year in which the student seeks to



1 enroll in an eligible course under this act. To be an eligible
2 student, a student who has not taken the Michigan merit examination
3 must have achieved a qualifying score in all subject areas on a
4 readiness assessment and a student who has taken the Michigan merit
5 examination must have achieved a qualifying score in all subject
6 areas on the Michigan merit examination, and, subject to subsection
7 (2), the student ~~shall~~**must** not have been enrolled in high school
8 for more than 4 school years including the school year in which the
9 student seeks to enroll in an eligible course under this act.

10 However, if the student has not achieved a qualifying score in all
11 subject areas on a readiness assessment or the Michigan merit
12 examination, as applicable for the student, the student is an
13 eligible student if the student achieves a qualifying score in
14 mathematics and a qualifying score on a nationally or industry
15 recognized job skills assessment test as determined by the
16 superintendent of public instruction. For the purposes of
17 determining the number of years a pupil has been enrolled in high
18 school, a pupil who is enrolled in high school for less than 90
19 days of a school year due to illness or other circumstances beyond
20 the control of the pupil or the pupil's parent or guardian is not
21 considered to be enrolled in high school for that school year.

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

24 (i) "Michigan merit examination" means that examination
25 developed under section 1279g of the revised school code, 1976 PA
26 451, MCL 380.1279g.

27 (j) "Qualifying score" means a score on a readiness assessment
28 or on a nationally or industry recognized job skills assessment
29 test that has been determined by the superintendent of public



1 instruction to indicate readiness to enroll in a course under this
2 act.

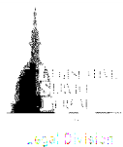
3 (k) "Readiness assessment" means assessment instruments that
4 are aligned with state learning standards; that are used nationally
5 to provide high school students with an early indication of college
6 readiness proficiency in English, mathematics, reading, social
7 studies, and science and may contain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

10 (l) "School district" means that term as defined in section 6
11 of the revised school code, 1976 PA 451, MCL 380.6, or a public
12 school academy as defined in section 5 of the revised school code,
13 1976 PA 451, MCL 380.5.

14 (m) "State approved nonpublic school" means that term as
15 defined in section 6 of the revised school code, 1976 PA 451, MCL
16 380.6.

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

20 (2) The department, in consultation with the superintendent of
21 public instruction, shall promulgate rules establishing criteria
22 and procedures under which a student who has been enrolled in high
23 school for more than 4 years but not more than 5 years may be
24 considered to be an eligible student. The rules ~~shall~~**must** address
25 special circumstances under which a student may qualify to be
26 considered an eligible student under this subsection and may limit
27 the number of courses in which a student who qualifies under this
28 subsection may enroll. For the purposes of determining the number
29 of years a pupil has been enrolled in high school, a pupil who is



1 enrolled in high school for less than 90 days of a school year due
2 to illness or other circumstances beyond the control of the pupil
3 or the pupil's parent or guardian is not considered to be enrolled
4 for that school year.

5 Sec. 4. (1) Upon request by the eligible student, the school
6 district or state approved nonpublic school in which an eligible
7 student is enrolled shall provide to the eligible student a letter
8 signed by the student's principal indicating the student's
9 eligibility under this act.

10 (2) An eligible student may apply to a career and technical
11 preparation program to enroll in 1 or more eligible courses offered
12 by that career and technical preparation program and, if accepted,
13 may enroll in 1 or more of those courses.

14 (3) For an eligible student enrolled in a school district,
15 within a reasonable time after registration, the career and
16 technical preparation program shall send written notice to the
17 eligible student and his or her school district. For an eligible
18 student enrolled in a state approved nonpublic school, within a
19 reasonable time after registration, the career and technical
20 preparation program shall send written notice to the eligible
21 student and his or her state approved nonpublic school and to the
22 department. The notice ~~shall~~**must** indicate the course or courses
23 and hours of enrollment of that eligible student. The career and
24 technical preparation program shall notify the eligible student
25 about tuition, fees, books, materials, and other related charges,
26 as determined by the career and technical preparation program, in
27 the customary manner used by the career and technical preparation
28 program, and shall notify the eligible student of the estimated
29 amount of the eligible charges that will be billed to the school



1 district or department, as applicable, under subsection (4).

2 (4) For an eligible student enrolled in a school district,
3 unless otherwise agreed between the career and technical
4 preparation program and the school district, after the expiration
5 of the career and technical preparation program's drop/add period
6 for the course, the career and technical preparation program shall
7 send a bill to the eligible student's school district detailing the
8 eligible charges for each eligible course in which the eligible
9 student is enrolled under this act. For an eligible student who is
10 enrolled in a state approved nonpublic school, after the expiration
11 of the career and technical preparation program's drop/add period
12 for the course, both of the following apply:

13 (a) The career and technical preparation program shall send a
14 bill to the department detailing the eligible charges for each
15 eligible course in which the eligible student is enrolled under
16 this act.

17 (b) The department shall determine the amount of the eligible
18 charges to be paid by the department of treasury to the career and
19 technical preparation program on behalf of the eligible student
20 under this act and shall deliver this information to the department
21 of treasury by appropriate electronic means.

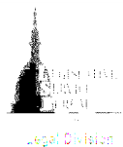
22 (5) For an eligible student enrolled in a school district,
23 upon receiving the bill under subsection (4), the school district
24 shall cause to be paid to the career and technical preparation
25 program on behalf of the eligible student an amount equal to the
26 lesser of the amount of the eligible charges or the prorated
27 percentage of the statewide pupil-weighted average foundation
28 allowance, as calculated under section 20 of the state school aid
29 act of 1979, 1979 PA 94, MCL 388.1620, for all school districts for



1 the state fiscal year that begins on October 1 of the academic year
2 of enrollment in the career and technical preparation program, with
3 the proration based on the ~~proportion of the school year that the~~
4 ~~eligible student attends the career and technical preparation~~
5 ~~program.~~ **number of hours of instruction that the eligible student**
6 **attends the career and technical preparation program divided by the**
7 **number of hours required under section 101 of the state school aid**
8 **act of 1979, 1979 PA 94, MCL 388.1701, for full-time equivalency.**

9 However, in the calculation of the statewide pupil-weighted average
10 foundation allowance for the purposes of this subsection, if a
11 school district's foundation allowance is above the basic
12 foundation allowance under section 20 of the state school aid act
13 of 1979, 1979 PA 94, MCL 388.1620, then the school district's
14 foundation allowance ~~shall~~ **must** be considered to be the basic
15 foundation allowance. Not later than September 1 of each year, the
16 department shall notify the department of treasury of the amount of
17 the statewide pupil-weighted average foundation allowance as
18 calculated for the purposes of this subsection. A school district
19 may pay more money to a career and technical preparation program on
20 behalf of an eligible student than is required under this act, and
21 may use local school operating revenue for that purpose. The
22 eligible student is responsible for payment of the remainder of the
23 costs associated with his or her enrollment in the career and
24 technical preparation program that exceed the amount the school
25 district is required to pay under this act and that are not paid by
26 the school district. As used in this subsection, "local school
27 operating revenue" means that term as defined in section 20 of the
28 state school aid act of 1979, 1979 PA 94, MCL 388.1620.

29 (6) For an eligible student who is enrolled in a state



1 approved nonpublic school, upon receiving from the department under
 2 subsection (4) the amount of the eligible charges to be paid on
 3 behalf of the eligible student, the department of treasury shall
 4 cause to be paid to the career and technical preparation program on
 5 behalf of the eligible student an amount equal to the lesser of the
 6 amount of the eligible charges or the prorated percentage of the
 7 statewide pupil-weighted average foundation allowance, as
 8 calculated under section 20 of the state school aid act of 1979,
 9 1979 PA 94, MCL 388.1620, for all school districts for the state
 10 fiscal year that begins on October 1 of the academic year of
 11 enrollment in the career and technical preparation program, with
 12 the proration based on the ~~proportion of the school year that the~~
 13 ~~eligible student attends the career and technical preparation~~
 14 ~~program.~~ **number of hours of instruction that the eligible student**
 15 **attends the career and technical preparation program divided by the**
 16 **number of hours required under section 101 of the state school aid**
 17 **act of 1979, 1979 PA 94, MCL 388.1701, for full-time equivalency.**
 18 However, in the calculation of the statewide pupil-weighted average
 19 foundation allowance for the purposes of this subsection, if a
 20 school district's foundation allowance is above the basic
 21 foundation allowance under section 20 of the state school aid act
 22 of 1979, 1979 PA 94, MCL 388.1620, then the school district's
 23 foundation allowance ~~shall~~ **must** be considered to be the basic
 24 foundation allowance. Not later than September 1 of each year, the
 25 department shall notify the department of treasury of the amount of
 26 the statewide pupil-weighted average foundation allowance as
 27 calculated for the purposes of this subsection. The eligible
 28 student is responsible for payment of the remainder of the costs
 29 associated with his or her enrollment in the career and technical



1 preparation program that exceed the amount the department of
2 treasury is required to pay under this act and that are not paid by
3 the department of treasury.

4 (7) A career and technical preparation program shall not
5 charge a late fee to an eligible student, a school district, the
6 department, or the department of treasury for a payment that is
7 made in compliance with the timetable prescribed under this act
8 even if the payment would otherwise be considered late by the
9 career and technical preparation program.

10 (8) A school district, state approved nonpublic school, or the
11 department may require an eligible student to provide, on a form
12 supplied by the school district, state approved nonpublic school,
13 or the department, reasonable verification that the eligible
14 student is regularly attending a career and technical preparation
15 course under this act.

16 (9) For an eligible student who is enrolled in a school
17 district and who enrolls in an eligible course under this act, if
18 the eligible student does not complete the eligible course, and if
19 the school district has paid money for the course or, if the
20 eligible student enrolls in an eligible course for postsecondary
21 credit only and the eligible student does not successfully complete
22 the eligible course, as determined by the career and technical
23 preparation program, on behalf of the student, all of the following
24 apply:

25 (a) The career and technical preparation program shall forward
26 to the school district any funds that are refundable due to
27 noncompletion of the course. If applicable, the school district
28 shall then forward to the eligible student any refunded money in
29 excess of the amount paid by the school district for the course on



1 behalf of the student.

2 (b) The eligible student shall repay to the school district
3 any funds that were expended by the school district for the course
4 that are not refunded to the school district by the career and
5 technical preparation program. If the eligible student does not
6 repay this money, the school district may impose sanctions against
7 the eligible student as determined by school district policy. This
8 subdivision does not apply to an eligible student who does not
9 complete the course due to a family or medical emergency, as
10 determined by the career and technical preparation program.

11 (10) For an eligible student who is enrolled in a state
12 approved nonpublic school and who enrolls in an eligible course
13 under this act, if the eligible student does not complete the
14 eligible course or, if the eligible student enrolls in an eligible
15 course for postsecondary credit only and the eligible student does
16 not successfully complete the eligible course, as determined by the
17 career and technical preparation program, and if the department of
18 treasury has paid money for the course on behalf of the eligible
19 student, all of the following apply:

20 (a) The career and technical preparation program shall forward
21 to the department of treasury any funds that are refundable due to
22 noncompletion of the course. If applicable, the career and
23 technical preparation program shall then refund to the eligible
24 student any funds that are refundable due to noncompletion of the
25 course and are in excess of the amount paid by the department of
26 treasury for the course on behalf of the eligible student.

27 (b) The eligible student shall repay to the department of
28 treasury any funds that were expended by the department of treasury
29 for the course that are not refunded to the department of treasury



1 by the career and technical preparation program. This subdivision
 2 does not apply to an eligible student who does not complete the
 3 course due to a family or medical emergency, as determined by the
 4 career and technical preparation program.

5 (11) A school district, state approved nonpublic school, the
 6 department, or the department of treasury shall make available to
 7 an eligible student copies of all correspondence in the possession
 8 of the school district, state approved nonpublic school,
 9 department, or department of treasury regarding the eligible
 10 student's participation in a career and technical preparation
 11 course under this act. Correspondence described in this subsection
 12 ~~shall~~**must** be kept by the school district, state approved nonpublic
 13 school, department, or department of treasury for at least 1 year.

14 (12) If a school district pays for books for an eligible
 15 student for a career and technical preparation course under this
 16 section, the books are the property of the school district and
 17 ~~shall~~**must** be turned over to the school district after the eligible
 18 student completes the course.

19 (13) This section does not apply to any career and technical
 20 preparation courses in which an eligible student is enrolled in
 21 addition to being enrolled full-time in that eligible student's
 22 school district or state approved nonpublic school; to a career and
 23 technical preparation course an eligible student is retaking after
 24 failing to achieve a satisfactory grade; or to a course contrary to
 25 the eligibility provisions of this act. In determining full-time
 26 enrollment in a school district under this section or a school
 27 district's full-time equated membership under the state school aid
 28 act of 1979, 1979 PA 94, MCL 388.1601 to ~~388.1896,~~**388.1897**, for a
 29 pupil enrolled in a career and technical preparation program under



1 this act, the pupil's enrollment in both the school district and
2 the career and technical preparation program ~~shall~~**must** be counted
3 as enrollment in the school district and a pupil shall not be
4 considered to be enrolled in a school district less than full-time
5 solely because of the effect of the pupil's enrollment in 1 or more
6 career and technical preparation courses under this act, including
7 necessary travel time, on the number of class hours provided by the
8 school district to the pupil. In determining full-time enrollment
9 in a state approved nonpublic school under this section for a
10 student enrolled in a career and technical preparation program
11 under this act, the student's enrollment in both the state approved
12 nonpublic school and the career and technical preparation program
13 ~~shall~~**must** be counted as enrollment in the state approved nonpublic
14 school and a student shall not be considered to be enrolled in a
15 state approved nonpublic school less than full-time solely because
16 of the effect of the student's enrollment in 1 or more career and
17 technical preparation courses under this act, including necessary
18 travel time, on the number of class hours provided by the state
19 approved nonpublic school to the student.

20 (14) This act does not require a school district or the
21 department of treasury to pay or otherwise provide financial
22 support for transportation or parking costs necessary for an
23 eligible student to participate in a career and technical
24 preparation program under this act. A school district, state
25 approved nonpublic school, or this state is not liable for any
26 injury incurred by an eligible student that is related to
27 transportation necessary for the eligible student to participate in
28 a career and technical preparation program under this act.

29 (15) The legislature shall appropriate funds to the department



1 of treasury for making payments required to be made by the
2 department of treasury under this act.

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

