

Act No. 594
Public Acts of 2004
Approved by the Governor
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**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004**

Introduced by Senators Switalski, Jelinek, Kuipers, Van Woerkom, Garcia and Thomas

ENROLLED SENATE BILL No. 1154

AN ACT to amend 1996 PA 160, entitled "An act to establish a postsecondary enrollment options program for certain students enrolled in Michigan schools; to prescribe certain duties of public schools; to prescribe certain powers and duties of certain state departments, officials, and agencies; and to repeal acts and parts of acts," by amending sections 3 and 9 (MCL 388.513 and 388.519), section 3 as amended by 1997 PA 178, and by adding section 3a.

The People of the State of Michigan enact:

Sec. 3. As used in this act:

(a) "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 community college assistance act of 1978, 25 USC 1801 to 1852, and is determined by the department to meet the requirements for accreditation by a recognized regional accrediting body.

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

(c) "Eligible charges" means tuition and mandatory course fees, material fees, and registration fees required by an eligible institution for enrollment in an eligible course. Eligible charges also include any late fees charged by an eligible postsecondary institution due to the school district'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.

(d) "Eligible course" means a course offered by an eligible postsecondary institution that is not offered by the school district in which the eligible student is enrolled, or that is offered by the school district but is determined by the board of the school district to not be available to the eligible student because of a scheduling conflict beyond the eligible student's control; 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, 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 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.

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

(f) "Eligible student" means, except as otherwise provided in this subdivision, a student enrolled in at least 1 high school class in at least grade 11 in a school district in this state, except a foreign exchange pupil enrolled in a school district under a cultural exchange program. Until the 2006-2007 school year, to be an eligible student a student must have achieved state endorsement in all subject areas under section 1279 of the revised school code, 1976 PA 451, MCL 380.1279. However, if the student has not achieved state endorsement in all subject areas under that section, 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 state endorsement, in computer science or 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 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. 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.

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

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

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

(j) "Readiness assessment" means assessment instruments that are aligned with state learning standards; that are used nationally to provide high school students with an early indication of college readiness proficiency in English, mathematics, reading, social studies, and science and may contain a comprehensive career planning program; and that are approved by the superintendent of 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 university" means a state institution of higher education described in section 4, 5, or 6 of article VIII of the state constitution of 1963.

Sec. 3a. (1) Not later than July 1, 2005, the superintendent of public instruction shall do both of the following:

(a) Approve 1 or more readiness assessments that may be used for the purposes of determining eligible students beginning with participation in the 2006-2007 school year. Readiness assessments shall be aligned with state learning standards and shall provide high school students with an early indication of proficiency in the subject areas of English, mathematics, reading, social studies, and science and contain a comprehensive career planning program.

(b) Determine qualifying scores for each subject area component of a readiness assessment that indicate readiness to enroll in a postsecondary course in that subject area under this act.

(2) Not later than July 1, 2006, the superintendent of public instruction shall determine qualifying scores for each subject area component of the Michigan merit examination that indicate readiness to enroll in a postsecondary course in that subject area under this act.

(3) Unless the school district in which the student is enrolled elects to pay these costs, a student who takes a readiness assessment for the purposes of this act is responsible for paying all costs for taking and obtaining qualifying scores on a readiness assessment for the purposes of this act. This state is not responsible for any of these costs.

Sec. 9. (1) Each school district shall provide information to all high school students on the postsecondary enrollment options under this act, including enrollment eligibility; the institutions and types of courses that are eligible for participation; the decision making process for granting academic credits; an explanation of eligible charges that will be paid by the school district and of financial arrangements for eligible charges and for paying costs not paid for by the school district; eligibility for payment of all or part of eligible charges by the school district under this act; an explanation that, if the student qualifies for payment of all or part of eligible charges by the school district under this act, the school district will pay that support directly to the postsecondary institution upon being billed by the postsecondary institution and that the student is not responsible for that payment but is responsible for payment of costs not paid for under this act; available support services; the need to arrange an appropriate schedule; consequences

of failing or not completing a postsecondary course in which the eligible student enrolls; the effect of enrolling in a postsecondary course on the eligible student's ability to complete the required high school graduation requirements; and the academic and social responsibilities that must be assumed by the eligible student and his or her parent or guardian.

(2) To the extent possible, a school district shall provide counseling services to an eligible student and his or her parent or guardian before the eligible student enrolls in postsecondary courses under this act to ensure that the eligible student and his or her parent or guardian are fully aware of the benefits, risks, and possible consequences of enrolling in a postsecondary course. The person providing the counseling shall encourage the eligible student and his or her parent or guardian to also use available counseling services at the eligible postsecondary institutions before the quarter or semester of enrollment to ensure that anticipated plans are appropriate. A school district may provide the counseling required under this section in a group meeting if additional personalized counseling is also made available.

(3) Before enrolling in an eligible course at an eligible postsecondary institution under this act, an eligible student and his or her parent or guardian shall file with the eligible postsecondary institution a signed form provided by the eligible student's school district stating that the student is an eligible student and has received the information and counseling specified in subsections (1) and (2) and that the student understands the responsibilities that must be assumed in enrolling in the course. Upon request, the department shall provide technical assistance to a school district and to an eligible postsecondary institution in developing appropriate forms and counseling guidelines for purposes of this section.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 92nd Legislature are enacted into law:

- (a) Senate Bill No. 1153.
- (b) Senate Bill No. 1155.
- (c) Senate Bill No. 1156.
- (d) Senate Bill No. 1157.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

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Governor