

# Legislative Analysis

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## CAREER AND TECHNICAL EDUCATION PROGRAM SEAT ALLOCATION

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<http://www.house.mi.gov/hfa>

**House Bill 6291 as reported from committee**  
**Sponsor: Rep. Pamela Hornberger**  
**Committee: Education Reform**  
**Complete to 11-2-18**

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

### SUMMARY:

House Bill 6291 would amend Part 7 of the Revised School Code, which prescribes the powers and responsibilities of intermediate school districts (ISDs).

Public Act 45 of 2007 (Senate Bill 188)<sup>1</sup> required that an area Career and Technical Education (CTE) program allow participation by charter school and nonpublic school students to the same extent as to students of constituent districts.

The bill would add that an area CTE program could not require participation in other services or programs through the ISD as a prerequisite for participation in the program or for seat or slot allocation.

The bill would take effect 90 days after enactment.

MCL 380.684

### BACKGROUND INFORMATION:

The bill is understood as an attempt to clarify statutory language as it applies to slot allocation for CTE programs at St. Clair County RESA (Regional Educational Service Agency, an equivalent designation used by some ISDs).

Recently, Landmark Academy, a public school academy (PSA, or charter school) in St. Clair County, submitted a complaint to the Michigan Department of Education (MDE) alleging that the St. Clair County RESA first allocates slots to fully participating constituent districts that purchase additional services from the RESA before allowing Landmark students to enroll in any remaining slots.

### BRIEF DISCUSSION:

The bill's proponents argue that legislation is needed to ensure that students at certain schools are not disadvantaged in CTE participation. While statute currently guarantees participation to students at charter and nonpublic schools to the same extent as to students

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<sup>1</sup> House Fiscal Agency analysis of Public Act 45 of 2007/Senate Bill 188:  
<http://www.legislature.mi.gov/documents/2007-2008/billanalysis/House/pdf/2007-HLA-0188-3.pdf>

of constituent districts, there is a concern that this requirement is not or may not be followed. Accordingly, supporters advance HB 6291, which would prohibit certain membership or participation as a prerequisite to seat allocation.

In written testimony submitted to the committee, St. Clair County RESA maintained that the arguments given regarding participation in the CTE Middle College program were misleading. The RESA stated that participation is a decision made by local boards of education and that, as of the date a brochure listing “participating districts” was printed, Landmark had not yet decided to become a participating district. Ultimately, on September 27, Landmark adopted a resolution to participate in the program.

St. Clair County RESA argued that, in reality, Landmark receives more than its “fair” share of CTE slots. These slots are allocated based on a district’s percentage of students in the county and, while Landmark’s size would entitle them to about 8 slots per year, they have received an average of about 10 slots per year.

**FISCAL IMPACT:**

The bill would have no fiscal impact on the state or local units of government.

**POSITIONS:**

The following organizations testified in support of the bill (9-6-18):

- Landmark Academy
- Michigan Association of Public School Academies
- Great Lakes Education Project

St. Clair County RESA indicated a neutral position regarding the bill. (10-4-18)

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