

HOUSE BILL No. 6556

November 29, 2018, Introduced by Rep. Kahle and referred to the Committee on Education Reform.

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.

6 (b) "Community college" means a community college established
7 under the community college act of 1966, 1966 PA 331, MCL 389.1 to
8 389.195, or under part 25 of the revised school code, 1976 PA 451,
9 MCL 380.1601 to 380.1607, or a federal tribally controlled

1 community college located in this state that is recognized under
2 the tribally controlled colleges and universities assistance act of
3 1978, 25 USC 1801 to ~~1852~~, **1864**, and is determined by the
4 department to meet the requirements for accreditation by a
5 recognized regional accrediting body.

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

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

16 (e) "Eligible course" means a course offered by a career and
17 technical preparation program that is offered for postsecondary
18 credit or is part of a noncredit occupational training program
19 leading to an industry-recognized credential; that is not offered
20 through the school district, intermediate school district, area
21 vocational-technical education program, or state approved nonpublic
22 school in which the eligible student is enrolled, or that is
23 offered through the school district, intermediate school district,
24 area vocational-technical education program, or state approved
25 nonpublic school but is determined by its governing board to not be
26 available to the eligible student because of a scheduling conflict
27 beyond the eligible student's control; that is a career and

1 technical preparation course not ordinarily taken as an activity
2 course; that is a course that the career and technical preparation
3 program normally applies toward satisfaction of certificate,
4 degree, or program completion requirements; **THAT IS OFFERED IN**
5 **WHOLE OR IN PART WHEN THE SCHOOL DISTRICT OR STATE APPROVED**
6 **NONPUBLIC SCHOOL IS IN SESSION;** and that is not a hobby, craft, or
7 recreational course. **A COURSE THAT IS OFFERED ONLY DURING A TIME**
8 **WHEN THE SCHOOL DISTRICT OR STATE APPROVED NONPUBLIC SCHOOL IS NOT**
9 **IN SESSION MAY BE AN ELIGIBLE COURSE UNDER THIS SUBDIVISION, AS**
10 **DETERMINED BY THE SCHOOL DISTRICT OR STATE APPROVED NONPUBLIC**
11 **SCHOOL.** For each individual eligible student, unless there is a
12 written agreement between the eligible student's school district
13 and the career and technical preparation program to waive these
14 limits, a course described in this subdivision is not an eligible
15 course if the eligible student's enrollment in, and the payment of
16 eligible charges under this act for, the course would exceed the
17 following limits:

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

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

1 **MUST** not have been enrolled in high school for more than 4 school
2 years including the school year in which the student seeks to
3 enroll in an eligible course under this act. To be an eligible
4 student, a student who has not taken the Michigan merit examination
5 must have achieved a qualifying score in all subject areas on a
6 readiness assessment and a student who has taken the Michigan merit
7 examination must have achieved a qualifying score in all subject
8 areas on the Michigan merit examination, and, subject to subsection
9 (2), the student ~~shall~~**MUST** not have been enrolled in high school
10 for more than 4 school years including the school year in which the
11 student seeks to enroll in an eligible course under this act.
12 However, if the student has not achieved a qualifying score in all
13 subject areas on a readiness assessment or the Michigan merit
14 examination, as applicable for the student, the student is an
15 eligible student if the student achieves a qualifying score in
16 mathematics and a qualifying score on a nationally or industry
17 recognized job skills assessment test as determined by the
18 superintendent of public instruction. For the purposes of
19 determining the number of years a pupil has been enrolled in high
20 school, a pupil who is enrolled in high school for less than 90
21 days of a school year due to illness or other circumstances beyond
22 the control of the pupil or the pupil's parent or guardian is not
23 considered to be enrolled in high school for that school year.

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

26 (i) "Michigan merit examination" means that examination
27 developed under section 1279g of the revised school code, 1976 PA

1 451, MCL 380.1279g.

2 (j) "Qualifying score" means a score on a readiness assessment
3 or on a nationally or industry recognized job skills assessment
4 test that has been determined by the superintendent of public
5 instruction to indicate readiness to enroll in a course under this
6 act.

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

14 (l) "School district" means that term as defined in section 6
15 of the revised school code, 1976 PA 451, MCL 380.6, or a public
16 school academy as defined in section 5 of the revised school code,
17 1976 PA 451, MCL 380.5.

18 (m) "State approved nonpublic school" means that term as
19 defined in section 6 of the revised school code, 1976 PA 451, MCL
20 380.6.

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

24 (2) The department, in consultation with the superintendent of
25 public instruction, shall promulgate rules establishing criteria
26 and procedures under which a student who has been enrolled in high
27 school for more than 4 years but not more than 5 years may be

1 considered to be an eligible student. The rules ~~shall~~**MUST** address
2 special circumstances under which a student may qualify to be
3 considered an eligible student under this subsection and may limit
4 the number of courses in which a student who qualifies under this
5 subsection may enroll. For the purposes of determining the number
6 of years a pupil has been enrolled in high school, a pupil who is
7 enrolled in high school for less than 90 days of a school year due
8 to illness or other circumstances beyond the control of the pupil
9 or the pupil's parent or guardian is not considered to be enrolled
10 for that school year.

11 Sec. 4. (1) Upon request by the eligible student, the school
12 district or state approved nonpublic school in which an eligible
13 student is enrolled shall provide to the eligible student a letter
14 signed by the student's principal indicating the student's
15 eligibility under this act.

16 (2) An eligible student may apply to a career and technical
17 preparation program to enroll in 1 or more eligible courses offered
18 by that career and technical preparation program and, if accepted,
19 may enroll in 1 or more of those courses.

20 (3) For an eligible student enrolled in a school district,
21 within a reasonable time after registration, the career and
22 technical preparation program shall send written notice to the
23 eligible student and his or her school district. For an eligible
24 student enrolled in a state approved nonpublic school, within a
25 reasonable time after registration, the career and technical
26 preparation program shall send written notice to the eligible
27 student and his or her state approved nonpublic school and to the

1 department. The notice ~~shall~~**MUST** indicate the course or courses
2 and hours of enrollment of that eligible student. The career and
3 technical preparation program shall notify the eligible student
4 about tuition, fees, books, materials, and other related charges,
5 as determined by the career and technical preparation program, in
6 the customary manner used by the career and technical preparation
7 program, and shall notify the eligible student of the estimated
8 amount of the eligible charges that will be billed to the school
9 district or department, as applicable, under subsection (4).

10 (4) For an eligible student enrolled in a school district,
11 unless otherwise agreed between the career and technical
12 preparation program and the school district, after the expiration
13 of the career and technical preparation program's drop/add period
14 for the course, the career and technical preparation program shall
15 send a bill to the eligible student's school district detailing the
16 eligible charges for each eligible course in which the eligible
17 student is enrolled under this act. For an eligible student who is
18 enrolled in a state approved nonpublic school, after the expiration
19 of the career and technical preparation program's drop/add period
20 for the course, both of the following apply:

21 (a) The career and technical preparation program shall send a
22 bill to the department detailing the eligible charges for each
23 eligible course in which the eligible student is enrolled under
24 this act.

25 (b) The department shall determine the amount of the eligible
26 charges to be paid by the department of treasury to the career and
27 technical preparation program on behalf of the eligible student

1 under this act and shall deliver this information to the department
2 of treasury by appropriate electronic means.

3 (5) For an eligible student enrolled in a school district,
4 upon receiving the bill under subsection (4), the school district
5 shall cause to be paid to the career and technical preparation
6 program on behalf of the eligible student an amount equal to the
7 lesser of the amount of the eligible charges or the prorated
8 percentage of the statewide pupil-weighted average foundation
9 allowance, as calculated under section 20 of the state school aid
10 act of 1979, 1979 PA 94, MCL 388.1620, for all school districts for
11 the state fiscal year that begins on October 1 of the academic year
12 of enrollment in the career and technical preparation program, with
13 the proration based on the ~~proportion of the school year that the~~
14 ~~eligible student attends the career and technical preparation~~

15 ~~program.~~ **NUMBER OF HOURS OF INSTRUCTION THAT THE ELIGIBLE STUDENT**
16 **ATTENDS THE CAREER AND TECHNICAL PREPARATION PROGRAM DIVIDED BY THE**
17 **NUMBER OF HOURS REQUIRED UNDER SECTION 101 OF THE STATE SCHOOL AID**
18 **ACT OF 1979, 1979 PA 94, MCL 388.1701, FOR FULL-TIME EQUIVALENCY.**

19 However, in the calculation of the statewide pupil-weighted average
20 foundation allowance for the purposes of this subsection, if a
21 school district's foundation allowance is above the basic
22 foundation allowance under section 20 of the state school aid act
23 of 1979, 1979 PA 94, MCL 388.1620, then the school district's
24 foundation allowance ~~shall~~ **MUST** be considered to be the basic
25 foundation allowance. Not later than September 1 of each year, the
26 department shall notify the department of treasury of the amount of
27 the statewide pupil-weighted average foundation allowance as

1 calculated for the purposes of this subsection. A school district
2 may pay more money to a career and technical preparation program on
3 behalf of an eligible student than is required under this act, and
4 may use local school operating revenue for that purpose. The
5 eligible student is responsible for payment of the remainder of the
6 costs associated with his or her enrollment in the career and
7 technical preparation program that exceed the amount the school
8 district is required to pay under this act and that are not paid by
9 the school district. As used in this subsection, "local school
10 operating revenue" means that term as defined in section 20 of the
11 state school aid act of 1979, 1979 PA 94, MCL 388.1620.

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

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

24 (8) A school district, state approved nonpublic school, or the
25 department may require an eligible student to provide, on a form
26 supplied by the school district, state approved nonpublic school,
27 or the department, reasonable verification that the eligible

1 student is regularly attending a career and technical preparation
2 course under this act.

3 (9) For an eligible student who is enrolled in a school
4 district and who enrolls in an eligible course under this act, if
5 the eligible student does not complete the eligible course, and if
6 the school district has paid money for the course or, if the
7 eligible student enrolls in an eligible course for postsecondary
8 credit only and the eligible student does not successfully complete
9 the eligible course, as determined by the career and technical
10 preparation program, on behalf of the student, all of the following
11 apply:

12 (a) The career and technical preparation program shall forward
13 to the school district any funds that are refundable due to
14 noncompletion of the course. If applicable, the school district
15 shall then forward to the eligible student any refunded money in
16 excess of the amount paid by the school district for the course on
17 behalf of the student.

18 (b) The eligible student shall repay to the school district
19 any funds that were expended by the school district for the course
20 that are not refunded to the school district by the career and
21 technical preparation program. If the eligible student does not
22 repay this money, the school district may impose sanctions against
23 the eligible student as determined by school district policy. This
24 subdivision does not apply to an eligible student who does not
25 complete the course due to a family or medical emergency, as
26 determined by the career and technical preparation program.

27 (10) For an eligible student who is enrolled in a state

1 approved nonpublic school and who enrolls in an eligible course
2 under this act, if the eligible student does not complete the
3 eligible course or, if the eligible student enrolls in an eligible
4 course for postsecondary credit only and the eligible student does
5 not successfully complete the eligible course, as determined by the
6 career and technical preparation program, and if the department of
7 treasury has paid money for the course on behalf of the eligible
8 student, all of the following apply:

9 (a) The career and technical preparation program shall forward
10 to the department of treasury any funds that are refundable due to
11 noncompletion of the course. If applicable, the career and
12 technical preparation program shall then refund to the eligible
13 student any funds that are refundable due to noncompletion of the
14 course and are in excess of the amount paid by the department of
15 treasury for the course on behalf of the eligible student.

16 (b) The eligible student shall repay to the department of
17 treasury any funds that were expended by the department of treasury
18 for the course that are not refunded to the department of treasury
19 by the career and technical preparation program. This subdivision
20 does not apply to an eligible student who does not complete the
21 course due to a family or medical emergency, as determined by the
22 career and technical preparation program.

23 (11) A school district, state approved nonpublic school, the
24 department, or the department of treasury shall make available to
25 an eligible student copies of all correspondence in the possession
26 of the school district, state approved nonpublic school,
27 department, or department of treasury regarding the eligible

1 student's participation in a career and technical preparation
2 course under this act. Correspondence described in this subsection
3 ~~shall~~**MUST** be kept by the school district, state approved nonpublic
4 school, department, or department of treasury for at least 1 year.

5 (12) If a school district pays for books for an eligible
6 student for a career and technical preparation course under this
7 section, the books are the property of the school district and
8 ~~shall~~**MUST** be turned over to the school district after the eligible
9 student completes the course.

10 (13) This section does not apply to any career and technical
11 preparation courses in which an eligible student is enrolled in
12 addition to being enrolled full-time in that eligible student's
13 school district or state approved nonpublic school; to a career and
14 technical preparation course an eligible student is retaking after
15 failing to achieve a satisfactory grade; or to a course contrary to
16 the eligibility provisions of this act. In determining full-time
17 enrollment in a school district under this section or a school
18 district's full-time equated membership under the state school aid
19 act of 1979, 1979 PA 94, MCL 388.1601 to ~~388.1896~~, **388.1897**, for a
20 pupil enrolled in a career and technical preparation program under
21 this act, the pupil's enrollment in both the school district and
22 the career and technical preparation program ~~shall~~**MUST** be counted
23 as enrollment in the school district and a pupil shall not be
24 considered to be enrolled in a school district less than full-time
25 solely because of the effect of the pupil's enrollment in 1 or more
26 career and technical preparation courses under this act, including
27 necessary travel time, on the number of class hours provided by the

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

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

22 (15) The legislature shall appropriate funds to the department
23 of treasury for making payments required to be made by the
24 department of treasury under this act.

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