



House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

HIGH SCHOOL DUAL ENROLLMENT; FINANCIAL LIABILITY

House Bill 5785 (Substitute H-1) First Analysis (6-7-00)

Sponsor: Rep. Doug Spade
Committee: Education

THE APPARENT PROBLEM:

Often the public school system does not provide the type of learning atmosphere necessary to challenge the above average student. In 1996, the Postsecondary Enrollment Options Act was enacted to expand the access to and funding for high school students to participate in courses offered through postsecondary institutions. Under the Postsecondary Enrollment Options Act, school districts are required to pay tuition and other fees for eligible high school students to enroll in certain courses in postsecondary institutions. Generally, to be eligible, a student must be in at least grade 11 and meet certain other requirements, and the postsecondary course must be one not generally offered by the school district. The act specifies that if a student enrolled in a postsecondary course under these provisions does not complete the course, the postsecondary institution is required to forward any refund to the school district. If the refund exceeds the costs paid by the school district, the district in turn is to refund the excess to the student. However, there is no requirement the district be repaid if a student quits or withdraws and no refund is available or the refunded amount is not sufficient to cover the district's costs. It has been suggested that, barring certain reasonable excuses, if student quits a postsecondary course and there is no refund or the refund is insufficient to cover the costs, the student should be responsible for reimbursing the district for those costs.

THE CONTENT OF THE BILL:

House Bill 5785 would amend the Postsecondary Enrollment Options Act to require a student to repay the school district for costs expended for a postsecondary course that are not refunded by the postsecondary institution. This would not apply if the postsecondary institution determined that the student failed to complete the course due to a family or medical emergency. The bill would also require school districts to inform students who are considering postsecondary enrollment that they could be required to repay funds if they did not complete the course. Further, before

enrolling in a postsecondary course under the act, a student and his or her parent would have to file with the school district a signed form agreeing to repay funds if the student does not complete the course, as provided in the bill.

MCL 388.514 and 388.519

FISCAL IMPLICATIONS:

Fiscal information is not available.

ARGUMENTS:

For:

High school students who attend college level courses through the Postsecondary Enrollment Options Act should be responsible for the costs of those courses if they fail to complete them. According to proponents of the bill, some students sign up for college classes and, when they find that they are doing poorly, quit the course to avoid harm to their grade point averages. When they do this after the deadline for receiving a refund has passed, the school district still pays the tuition and the student suffers no penalty. Where a regularly enrolled college student would drop a course in a timely manner in order to avoid the financial cost, some students are acting irresponsibly and leaving the district to foot the bill. These students need to learn that the opportunities they are afforded under the act come with responsibilities, and when those responsibilities are not met, there can be consequences.

By not requiring repayment if a student quits a college level course, the current law creates an impression that a student may take a course and if he or she finds it too challenging or simply doesn't want to do the work required, he or she may quit without facing any consequences. Requiring repayment will encourage students to act responsibly.

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Against:

The bill will punish ambitious students for “biting off more than they can chew.” If students are willing and able to attempt to take college level courses under the act, then they should be encouraged to do so. Rather than encouraging them to succeed, the bill will serve to discourage many students from trying to take college level courses by making the cost of failure more than they can afford to pay. The threat of required repayment will surely act as a deterrent for students from less well-to-do families where the repayment could create a significant impact on the family budget. Thus, the bill could, in effect, limit the use of the act to those students from families wealthy enough to afford to be required to repay the district for the cost of the course.

Further, according to representatives from the Department of Education, students signed up for over 10,000 postsecondary courses under the act during the 1998-99 school year. Of those, only about 200 courses were not completed. Figures were not cited as to how many of these were fully, partially or not refunded. But the overall percentage of courses dropped is clearly minimal, thus raising questions as to the significance of the alleged problem.

Against:

It seems unfair to force a child to decide between a bad grade that could significantly hurt his or her grade point (and thereby his or her ability to get into the college or university of his or her choice), and having to pay for the college level course. Further, the suggestion that students simply are taking these course on a whim and then dropping the course if it turns out to be too difficult also seems unfair. Most high school graduates, let alone 11th and 12th grade students, have no idea how they will perform in college level courses before they take them. The mere fact that an 11th or 12th grade student finds himself or herself overwhelmed in a college level course does not support a conclusion that the student has behaved irresponsibly. High school students who take postsecondary courses already face significant pressures; this bill would only add to those pressures.

Response:

Most colleges and universities allow students to drop a course with a full or partial refund for a certain period even after the course has started. This time period allows students plenty of time to determine whether or not they feel confident about being able to successfully complete the course. Most know well before the deadline where they stand and, if it is their money, will withdraw from the course in a timely fashion in order

to make certain that they get back as much of their money as possible. The bill simply requires the student to make the same sort of decision that “real” college students face every term.

POSITIONS:

The Michigan Association of Secondary School Principals supports the bill. (6-6-00)

Analyst: W. Flory

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