



HOUSE BILL No. 5785

May 11, 2000, Introduced by Rep. Spade and referred to the Committee on Education.

A bill to amend 1996 PA 160, entitled
"Postsecondary enrollment options act,"
by amending sections 4 and 9 (MCL 388.514 and 388.519).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The school district in which an eligible stu-
2 dent is enrolled shall provide to the eligible student a letter
3 signed by the student's principal indicating the student's eligi-
4 bility under this act.

5 (2) An eligible student may apply to an eligible postsecond-
6 ary institution to enroll in 1 or more eligible courses offered
7 by that eligible postsecondary institution and, if accepted, may
8 enroll in 1 or more of those courses.

9 (3) Within a reasonable time after registration, the
10 eligible postsecondary institution shall send written notice to
11 the eligible student and his or her school district. The notice

1 shall indicate the course or courses and hours of enrollment of
2 that eligible student. The eligible postsecondary institution
3 shall notify the eligible student about tuition, fees, books,
4 materials, and other related charges, as determined by the post-
5 secondary institution, in the customary manner used by the eligi-
6 ble postsecondary institution, and shall notify the eligible stu-
7 dent of the estimated amount of the eligible charges that will be
8 billed to the school district under subsection (4).

9 (4) Unless otherwise agreed between the eligible postsecond-
10 ary institution and the school district, after the expiration of
11 the institution's drop/add period for the course, an eligible
12 postsecondary institution shall send a bill to the eligible
13 student's school district detailing the eligible charges for each
14 eligible course in which the student is enrolled under this act.

15 (5) Upon receiving the bill under subsection (4), the school
16 district shall cause to be paid to the eligible postsecondary
17 institution on behalf of the eligible student an amount equal to
18 the lesser of the amount of the eligible charges or the prorated
19 percentage of the state portion of the foundation allowance OR
20 PER PUPIL PAYMENT paid on behalf of that particular eligible stu-
21 dent under section 20 of the state school aid act of 1979, ~~Act~~
22 ~~No. 94 of the Public Acts of 1979, being section 388.1620 of the~~
23 ~~Michigan Compiled Laws~~ 1979 PA 94, MCL 388.1620, with the prora-
24 tion based on the proportion of the school year that the eligible
25 student attends the postsecondary institution. A school district
26 may pay more money to an eligible postsecondary institution on
27 behalf of an eligible student than is required under this act,

1 and may use local school operating revenue for that purpose. The
2 eligible student is responsible for payment of the remainder of
3 the costs associated with his or her postsecondary enrollment
4 that exceed the amount the school district is required to pay
5 under this act and that are not paid by the school district. As
6 used in this subsection, "local school operating revenue" means
7 that term as defined in section 20 of ~~Act No. 94 of the Public~~
8 ~~Acts of~~ 1979 PA 94, MCL 388.1620.

9 (6) An eligible postsecondary institution shall not charge a
10 late fee to an eligible student or a school district for a pay-
11 ment that is made in compliance with the timetable prescribed
12 under this act even if the payment would otherwise be considered
13 late by the postsecondary institution.

14 (7) A school district may require an eligible student to
15 provide, on a form supplied by the school district, reasonable
16 verification that the eligible student is regularly attending a
17 postsecondary course.

18 (8) If an eligible student enrolled in an eligible course
19 under this act does not complete the eligible course, and if the
20 school district has paid money for the course on behalf of the
21 student, ALL OF the FOLLOWING APPLY:

22 (A) THE postsecondary institution shall forward to the
23 school district any funds that are refundable due to noncomple-
24 tion of the course. ~~The~~ IF APPLICABLE, THE school district
25 shall then forward to the student any refunded money in excess of
26 the amount paid by the school district for the course on behalf
27 of the student.

1 (B) THE STUDENT SHALL REPAY TO THE SCHOOL DISTRICT ANY FUNDS
2 THAT WERE EXPENDED BY THE SCHOOL DISTRICT FOR THE COURSE THAT ARE
3 NOT REFUNDED TO THE SCHOOL DISTRICT BY THE POSTSECONDARY
4 INSTITUTION. IF THE STUDENT DOES NOT REPAY, OR ENTER INTO AN
5 AGREEMENT WITH THE SCHOOL DISTRICT FOR THE REPAYMENT OF, THIS
6 MONEY BEFORE THE STUDENT'S GRADUATION, THE SCHOOL DISTRICT MAY
7 WITHHOLD THE STUDENT'S DIPLOMA OR TRANSCRIPTS, OR BOTH, UNTIL
8 REPAYMENT IS MADE OR AGREED UPON.

9 (9) A school district shall make available to an eligible
10 student enrolled in the school district copies of all correspond-
11 ence in the possession of the school district regarding the eli-
12 gible student's participation in postsecondary enrollment under
13 this act. Correspondence described in this subsection shall be
14 kept by the school district for at least 1 year.

15 (10) If a school district pays for books for an eligible
16 student for a postsecondary course under this section, the books
17 are the property of the school district and shall be turned over
18 to the school district after the eligible student completes the
19 course.

20 (11) This section does not apply to any postsecondary
21 courses in which an eligible student is enrolled in addition to
22 being enrolled full-time in that eligible student's school dis-
23 trict; to a postsecondary course an eligible student is retaking
24 after failing to achieve a satisfactory grade; or to a course
25 contrary to the eligibility provisions of this act. In determin-
26 ing full-time enrollment in a school district under this act or
27 full-time equated membership under ~~Act No. 94 of the Public Acts~~

1 of 1979, being sections ~~388.1601 to 388.1772~~ of the Michigan
2 ~~Compiled Laws~~ THE STATE SCHOOL AID ACT OF 1979, 1979 PA 94,
3 MCL 388.1601 TO 388.1772, for pupils enrolled in a postsecondary
4 institution under this act, the pupil's enrollment in both the
5 school district and the postsecondary institution shall be
6 counted as enrollment in the school district and a pupil shall
7 not be considered to be enrolled in a school district less than
8 full-time solely because of the effect of the pupil's postsecond-
9 ary enrollment, including necessary travel time, on the number of
10 class hours provided by the school district to the pupil.

11 (12) This act does not require a school district to pay or
12 otherwise provide financial support for transportation or parking
13 costs necessary for an eligible student to participate in post-
14 secondary enrollment under this act. A school district is not
15 liable for any injury incurred by an eligible student that is
16 related to transportation necessary for the eligible student to
17 participate in postsecondary enrollment under this act.

18 Sec. 9. (1) Each school district shall provide information
19 to all high school students on the postsecondary enrollment
20 options under this act, including enrollment eligibility; the
21 institutions and types of courses that are eligible for partici-
22 pation; the decision making process for granting academic cred-
23 its; an explanation of eligible charges that will be paid by the
24 school district and of financial arrangements for eligible
25 charges and for paying costs not paid for by the school district;
26 eligibility for payment of all or part of eligible charges by the
27 school district under this act; an explanation that, if the

1 student qualifies for payment of all or part of eligible charges
2 by the school district under this act, the school district will
3 pay that support directly to the postsecondary institution upon
4 being billed by the postsecondary institution and that the stu-
5 dent is not responsible for that payment but is responsible for
6 payment of costs not paid for under this act AND MAY BE RESPONSI-
7 BLE FOR REPAYMENT TO THE SCHOOL DISTRICT IF HE OR SHE ENROLLS IN
8 BUT DOES NOT COMPLETE A POSTSECONDARY COURSE; available support
9 services; the need to arrange an appropriate schedule; ACADEMIC
10 consequences of failing or not completing a postsecondary course
11 in which the eligible student enrolls; the effect of enrolling in
12 a postsecondary course on the eligible student's ability to com-
13 plete the required high school graduation requirements; an expla-
14 nation of how the parent or legal guardian of a student in at
15 least grade 10 may request that the student be allowed to take a
16 test or assessment used for a state endorsement early in order to
17 qualify to be an eligible student; and the academic and social
18 responsibilities that must be assumed by the eligible student and
19 his or her parent or guardian.

20 (2) To the extent possible, a school district shall provide
21 counseling services to an eligible student and his or her parent
22 or guardian before the eligible student enrolls in postsecondary
23 courses under this act to ensure that the eligible student and
24 his or her parent or guardian are fully aware of the benefits,
25 risks, and possible consequences of enrolling in a postsecondary
26 course. The person providing the counseling shall encourage the
27 eligible student and his or her parent or guardian to also use

1 available counseling services at the eligible postsecondary
2 institutions before the quarter or semester of enrollment to
3 ensure that anticipated plans are appropriate. A school district
4 may provide the counseling required under this section in a group
5 meeting if additional personalized counseling is also made
6 available.

7 (3) Before enrolling in an eligible course at an eligible
8 postsecondary institution under this act, an eligible student and
9 his or her parent or guardian shall file with the eligible post-
10 secondary institution a signed form provided by the eligible
11 student's school district stating that the student is an eligible
12 student and has received the information and counseling specified
13 in subsections (1) and (2) and that the student understands the
14 responsibilities that must be assumed in enrolling in the course,
15 AND SHALL FILE WITH THE SCHOOL DISTRICT A SIGNED FORM PROVIDED BY
16 THE SCHOOL DISTRICT AGREEING THAT, IF THE STUDENT ENROLLS IN BUT
17 DOES NOT COMPLETE AN ELIGIBLE COURSE, HE OR SHE WILL REPAY THE
18 SCHOOL DISTRICT AS REQUIRED UNDER SECTION 4(8)(B). Upon request,
19 the department shall provide technical assistance to a school
20 district and to an eligible postsecondary institution in develop-
21 ing appropriate forms and counseling guidelines for purposes of
22 this section.