

Act No. 180  
Public Acts of 2005  
Approved by the Governor  
October 20, 2005  
Filed with the Secretary of State  
October 20, 2005  
EFFECTIVE DATE: October 20, 2005

**STATE OF MICHIGAN  
93RD LEGISLATURE  
REGULAR SESSION OF 2005**

Introduced by Rep. Moolenaar

# **ENROLLED HOUSE BILL No. 4143**

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 section 3 (MCL 388.513), as amended by 2004 PA 594.

*The People of the State of Michigan enact:*

Sec. 3. (1) 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, and, subject to subsection (2), the student shall not have been enrolled in high school for more than 4 school years including the school year in which the student seeks to enroll in an eligible course under this act. 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, and, subject to subsection (2), the student shall not have been enrolled in high school for more than 4 school years including the school year in which the student seeks to enroll in an eligible course under this act. 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. For the purposes of determining the number of years a pupil has been enrolled in high school, a pupil who is enrolled in high school for less than 90 days of a school year due to illness or other circumstances beyond the control of the pupil or the pupil's parent or guardian is not considered to be enrolled in high school for that school year.

(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.

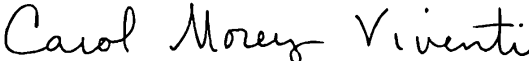
(l) "State university" means a state institution of higher education described in section 4, 5, or 6 of article VIII of the state constitution of 1963.

(2) The superintendent of public instruction shall promulgate rules establishing criteria and procedures under which a student who has been enrolled in high school for more than 4 years but not more than 5 years may be considered to be an eligible student. The rules shall address special circumstances under which a student may qualify to be considered an eligible student under this subsection and may limit the number of courses in which a student who qualifies under this subsection may enroll. For the purposes of determining the number of years a pupil has been enrolled in high school, a pupil who is enrolled in high school for less than 90 days of a school year due to illness or other circumstances beyond the control of the pupil or the pupil's parent or guardian is not considered to be enrolled for that school year.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor