

# SENATE BILL NO. 692

October 19, 2021, Introduced by Senators LASATA, ANANICH, BIZON and VANDERWALL  
and referred to the Committee on Education and Career Readiness.

A bill to amend 1996 PA 160, entitled  
"Postsecondary enrollment options act,"  
by amending section 3 (MCL 388.513), as amended by 2020 PA 131.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 3. (1) As used in this act:

2       (a) "Community college" means a community college established  
3       under the community college act of 1966, 1966 PA 331, MCL 389.1 to  
4       389.195, or under part 25 of the revised school code, 1976 PA 451,  
5       MCL 380.1601 to 380.1607, or a federal tribally controlled  
6       community college located in this state that is recognized under

1 the tribally controlled colleges and universities assistance act of  
2 1978, 25 USC 1801 to 1864, and is determined by the department to  
3 meet the requirements for accreditation by a recognized regional  
4 accrediting body.

5 (b) **"Corequisite remedial support course" means a course**  
6 **offered for remedial postsecondary credit that an eligible student**  
7 **enrolls in that provides enhanced and integrated support while that**  
8 **eligible student concurrently is enrolled in a course in the same**  
9 **subject area that is offered for postsecondary credit.**

10 (c) ~~(b)~~—"Department" means the department of education.

11 (d) ~~(e)~~—"Eligible charges" means tuition and mandatory course  
12 fees, material fees, and registration fees required by an eligible  
13 institution for enrollment in an eligible course. Eligible charges  
14 also include any late fees charged by an eligible postsecondary  
15 institution due to the school district's or department of  
16 treasury's failure to make a required payment according to the  
17 timetable prescribed under this act. Eligible charges do not  
18 include transportation or parking costs or activity fees. For  
19 eligible students enrolled in an out-of-state college that is an  
20 eligible postsecondary institution, eligible charges must not  
21 exceed the lesser of the in-district rate for the community college  
22 located in the district in which the eligible student resides or  
23 the in-district rate for the out-of-state college in which the  
24 eligible student is enrolled.

25 (e) ~~(d)~~—"Eligible course" means a course offered by an  
26 eligible postsecondary institution that is offered for  
27 postsecondary credit **or as a corequisite remedial support course;**  
28 that is not offered by the school district or state approved  
29 nonpublic school in which the eligible student is enrolled, or that

1 is offered by the school district or state approved nonpublic  
2 school but is determined by its governing board to not be available  
3 to the eligible student because of a scheduling conflict beyond the  
4 eligible student's control; that is an academic course not  
5 ordinarily taken as an activity course; that is a course that the  
6 postsecondary institution normally applies toward satisfaction of  
7 degree requirements; that is offered in whole or in part when the  
8 school district or state approved nonpublic school is in session  
9 or, if approved by the school district or state approved nonpublic  
10 school, that is offered in whole when the school district or state  
11 approved nonpublic school is not in session; that is not a hobby,  
12 craft, or recreational course; and that is in a subject area other  
13 than physical education, theology, divinity, or religious  
14 education. However, for an eligible student who has not achieved a  
15 qualifying score in each subject area on a readiness assessment or  
16 the Michigan merit examination, as applicable for the student,  
17 excluding an eligible student who enrolls in an eligible course  
18 that begins after April 30, 2020 and ends before the start of the  
19 2020-2021 academic year or enrolls in an eligible course offered  
20 during the 2020-2021 academic year during the period beginning on  
21 ~~the effective date of the amendatory act that added this sentence~~  
22 **July 8, 2020** and ending on the last day of the 2020-2021 academic  
23 year and who has a grade point average of at least 2.5, as  
24 determined by the school district or state approved nonpublic  
25 school in which he or she is enrolled, an eligible course is  
26 limited to a course in a subject area for which he or she has  
27 achieved a qualifying score, a course in computer science or  
28 foreign language not offered by the school district, or a course in  
29 fine arts as permitted by the school district. For each individual

1 eligible student, unless there is a written agreement between the  
2 eligible student's school district and the eligible postsecondary  
3 institution to waive these limits, a course described in this  
4 subdivision is not an eligible course if the eligible student's  
5 enrollment in, and the payment of eligible charges under this act  
6 for, the course would exceed the following limits:

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

11       (ii) If the eligible student first enrolls in a course under  
12 this act when the eligible student is in grade 9, not more than 2  
13 courses during each academic year in the eligible student's first,  
14 second, or third academic year of enrollment under this act in an  
15 eligible postsecondary institution and not more than 4 courses  
16 during the academic year in the eligible student's fourth academic  
17 year of enrollment under this act in an eligible postsecondary  
18 institution.

19       (iii) If the eligible student first enrolls in a course under  
20 this act when the eligible student is in grade 10, not more than 2  
21 courses during the academic year in the eligible student's first  
22 academic year of enrollment under this act in an eligible  
23 postsecondary institution, not more than 4 courses during the  
24 academic year in the eligible student's second academic year of  
25 enrollment under this act in an eligible postsecondary institution,  
26 and not more than 4 courses during the academic year in the  
27 eligible student's third academic year of enrollment under this act  
28 in an eligible postsecondary institution.

29       (iv) Subject to the overall course limit under subparagraph

1 (i), if the eligible student first enrolls in a course under this  
2 act when the eligible student is in grade 11 or 12, not more than 6  
3 courses during either of those academic years of enrollment in an  
4 eligible postsecondary institution.

5 (f) ~~(e)~~—"Eligible postsecondary institution" means a state  
6 university, community college, or independent nonprofit degree-  
7 granting college or university that is located in this state and  
8 that chooses to comply with this act. However, an out-of-state  
9 college that is located within 20 miles of a border with this state  
10 and that chooses to comply with this act is also an eligible  
11 postsecondary institution for an eligible student if at least 1 of  
12 the following is met:

13 (i) The eligible student is enrolled in a school district, as  
14 that term is defined in section 6 of the revised school code, 1976  
15 PA 451, MCL 380.6, that shares a border with the state in which the  
16 out-of-state college is located.

17 (ii) The eligible student is enrolled in a public school  
18 academy, as that term is defined in section 5 of the revised school  
19 code, 1976 PA 451, MCL 380.5, that is located in a school district  
20 described in subparagraph (i).

21 (iii) The eligible student is enrolled in a state approved  
22 nonpublic school that is located in a school district described in  
23 subparagraph (i).

24 (g) ~~(f)~~—"Eligible student" means, except as otherwise provided  
25 in this subdivision, a student enrolled in at least 1 high school  
26 class in a school district or state approved nonpublic school in  
27 this state, except a foreign exchange pupil enrolled under a  
28 cultural exchange program or a student who does not have at least 1  
29 parent or legal guardian who is a resident of this state. However,

1 subject to subsection (2), the student must not have been enrolled  
2 in high school for more than 4 school years including the school  
3 year in which the student seeks to enroll in an eligible course  
4 under this act. To be an eligible student, except as otherwise  
5 provided in this subdivision, a student who has not taken the  
6 Michigan merit examination must have achieved a qualifying score in  
7 all subject areas on a readiness assessment and a student who has  
8 taken the Michigan merit examination must have achieved a  
9 qualifying score in all subject areas on the Michigan merit  
10 examination, and, subject to subsection (2), the student must not  
11 have been enrolled in high school for more than 4 school years  
12 including the school year in which the student seeks to enroll in  
13 an eligible course under this act. Except as otherwise provided in  
14 this subdivision, if the student has not achieved a qualifying  
15 score in all subject areas on a readiness assessment or the  
16 Michigan merit examination, as applicable for the student, the  
17 student is an eligible student only for the limited purpose of  
18 enrolling in 1 or more eligible courses under this act in a subject  
19 area for which he or she has achieved a qualifying score, in  
20 computer science or foreign language not offered by the school  
21 district, or in fine arts as permitted by the school district. For  
22 enrollment in eligible courses that begin after April 30, 2020 and  
23 end before the start of the 2020-2021 academic year and for  
24 enrollment in eligible courses offered during the 2020-2021  
25 academic year during the period beginning on ~~the effective date of~~  
26 ~~the amendatory act that added this sentence~~ **July 8, 2020** and ending  
27 on the last day of the 2020-2021 academic year, a student is an  
28 eligible student and is not subject to the limitation described in  
29 the immediately preceding sentence if the student has achieved a

1 grade point average of at least 2.5, as determined by the school  
2 district or state approved nonpublic school in which he or she is  
3 enrolled, regardless of whether or not the student has achieved a  
4 qualifying score in all subject areas on a readiness assessment or  
5 the Michigan merit examination. For the purposes of determining the  
6 number of years a pupil has been enrolled in high school, a pupil  
7 who is enrolled in high school for less than 90 days of a school  
8 year due to illness or other circumstances beyond the control of  
9 the pupil or the pupil's parent or guardian is not considered to be  
10 enrolled in high school for that school year.

11 (h) ~~(g)~~—"Intermediate school district" means that term as  
12 defined in section 4 of the revised school code, 1976 PA 451, MCL  
13 380.4.

14 (i) ~~(h)~~—"Michigan merit examination" means that examination  
15 developed under section 1279g of the revised school code, 1976 PA  
16 451, MCL 380.1279g.

17 (j) ~~(i)~~—"Out-of-state college" means a state university,  
18 community college, or independent nonprofit degree-granting college  
19 or university that is located in another state and that is legally  
20 established under the laws of that other state.

21 (k) ~~(j)~~—"Qualifying score" means a score on a readiness  
22 assessment or the Michigan merit examination that has been  
23 determined by the superintendent of public instruction to indicate  
24 readiness to enroll in a postsecondary course in that subject area  
25 under this act.

26 (l) ~~(k)~~—"Readiness assessment" means assessment instruments  
27 that are aligned with state learning standards; that are used  
28 nationally to provide high school students with an early indication  
29 of college readiness proficiency in English, mathematics, reading,

1 social studies, and science and may contain a comprehensive career  
2 planning program; and that are approved by the superintendent of  
3 public instruction for the purposes of this act.

4 (m) ~~(l)~~—"School district" means that term as defined in section  
5 6 of the revised school code, 1976 PA 451, MCL 380.6, or a public  
6 school academy as that term is defined in section 5 of the revised  
7 school code, 1976 PA 451, MCL 380.5, except as provided in  
8 subdivision (e).

9 (n) ~~(m)~~—"State approved nonpublic school" means that term as  
10 defined in section 6 of the revised school code, 1976 PA 451, MCL  
11 380.6.

12 (o) ~~(n)~~—"State university" means a state institution of higher  
13 education described in section 4, 5, or 6 of article VIII of the  
14 state constitution of 1963.

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