

HOUSE BILL NO. 5993

September 26, 2024, Introduced by Reps. BeGole, Jaime Greene, Martin, Rigas, Beson, Bierlein, Cavitt, Markkanen and Hoadley and referred to the Committee on Education.

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) "Department" means the department of education.

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

20 (d) "Eligible course" means a course offered by an eligible
21 postsecondary institution that is offered for postsecondary credit;
22 that is not offered by the school district or state approved
23 nonpublic school in which the eligible student is enrolled, or that
24 is offered by the school district or state approved nonpublic
25 school but is determined by its governing board to not be available
26 to the eligible student because of a scheduling conflict beyond the
27 eligible student's control; that is an academic course not
28 ordinarily taken as an activity course; that is a course that the
29 postsecondary institution normally applies toward satisfaction of

1 degree **or certificate** requirements; that is offered in whole or in
2 part when the school district or state approved nonpublic school is
3 in session or, if approved by the school district or state approved
4 nonpublic school, that is offered in whole when the school district
5 or state approved nonpublic school is not in session; that is not a
6 hobby, craft, or recreational course; and that is in a subject area
7 other than physical education, theology, divinity, or religious
8 education. However, for an eligible student who has not achieved a
9 qualifying score in each subject area on a readiness assessment or
10 the Michigan merit examination, as applicable for the student,
11 excluding an eligible student who enrolls in an eligible course
12 that begins after April 30, 2020 and ends before the start of the
13 2020-2021 academic year or enrolls in an eligible course offered
14 during the 2020-2021 academic year during the period beginning on
15 ~~the effective date of the amendatory act that added this sentence~~
16 **July 8, 2020** and ending on the last day of the 2020-2021 academic
17 year and who has a grade point average of at least 2.5, as
18 determined by the school district or state approved nonpublic
19 school in which ~~he or she~~ **the student** is enrolled, an eligible
20 course is limited to a course in a subject area for which ~~he or she~~
21 **the student** has achieved a qualifying score, a course in computer
22 science or foreign language not offered by the school district, or
23 a course in fine arts as permitted by the school district. For each
24 individual eligible student, unless there is a written agreement
25 between the eligible student's school district and the eligible
26 postsecondary institution to waive these limits, a course described
27 in this subdivision is not an eligible course if the eligible
28 student's enrollment in, and the payment of eligible charges under
29 this act for, the course would exceed the following limits:

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

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

13 (iii) If the eligible student first enrolls in a course under
14 this act when the eligible student is in grade 10, not more than 2
15 courses during the academic year in the eligible student's first
16 academic year of enrollment under this act in an eligible
17 postsecondary institution, not more than 4 courses during the
18 academic year in the eligible student's second academic year of
19 enrollment under this act in an eligible postsecondary institution,
20 and not more than 4 courses during the academic year in the
21 eligible student's third academic year of enrollment under this act
22 in an eligible postsecondary institution.

23 (iv) Subject to the overall course limit under subparagraph
24 (i), if the eligible student first enrolls in a course under this
25 act when the eligible student is in grade 11 or 12, not more than 6
26 courses during either of those academic years of enrollment in an
27 eligible postsecondary institution.

28 (e) "Eligible postsecondary institution" means a state
29 university, community college, **trade school**, or independent

1 nonprofit degree-granting college or university that is located in
2 this state and that chooses to comply with this act. However, an
3 out-of-state college that is located within 20 miles of a border
4 with this state and that chooses to comply with this act is also an
5 eligible postsecondary institution for an eligible student if at
6 least 1 of the following is met:

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

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

15 (iii) The eligible student is enrolled in a state approved
16 nonpublic school that is located in a school district described in
17 subparagraph (i).

18 (f) "Eligible student" means, except as otherwise provided in
19 this subdivision, a student enrolled in at least 1 high school
20 class in a school district or state approved nonpublic school in
21 this state, except a foreign exchange pupil enrolled under a
22 cultural exchange program or a student who does not have at least 1
23 parent or legal guardian who is a resident of this state. However,
24 subject to subsection (2), the student must not have been enrolled
25 in high school for more than 4 school years including the school
26 year in which the student seeks to enroll in an eligible course
27 under this act. To be an eligible student, except as otherwise
28 provided in this subdivision, a student who has not taken the
29 Michigan merit examination must have achieved a qualifying score in

1 all subject areas on a readiness assessment and a student who has
2 taken the Michigan merit examination must have achieved a
3 qualifying score in all subject areas on the Michigan merit
4 examination, and, subject to subsection (2), the student must not
5 have been enrolled in high school for more than 4 school years
6 including the school year in which the student seeks to enroll in
7 an eligible course under this act. Except as otherwise provided in
8 this subdivision, if the student has not achieved a qualifying
9 score in all subject areas on a readiness assessment or the
10 Michigan merit examination, as applicable for the student, the
11 student is an eligible student only for the limited purpose of
12 enrolling in 1 or more eligible courses under this act in a subject
13 area for which ~~he or she~~ **the student** has achieved a qualifying
14 score, in computer science or foreign language not offered by the
15 school district, or in fine arts as permitted by the school
16 district. For enrollment in eligible courses that begin after April
17 30, 2020 and end before the start of the 2020-2021 academic year
18 and for enrollment in eligible courses offered during the 2020-2021
19 academic year during the period beginning on ~~the effective date of~~
20 ~~the amendatory act that added this sentence~~ **July 8, 2020** and ending
21 on the last day of the 2020-2021 academic year, a student is an
22 eligible student and is not subject to the limitation described in
23 the immediately preceding sentence if the student has achieved a
24 grade point average of at least 2.5, as determined by the school
25 district or state approved nonpublic school in which ~~he or she~~ **the**
26 **student** is enrolled, regardless of whether ~~or not~~ the student has
27 achieved a qualifying score in all subject areas on a readiness
28 assessment or the Michigan merit examination. For the purposes of
29 determining the number of years a pupil has been enrolled in high

1 school, a pupil who is enrolled in high school for less than 90
2 days of a school year due to illness or other circumstances beyond
3 the control of the pupil or the pupil's parent or guardian is not
4 considered to be enrolled in high school for that school year.

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

7 (h) "Michigan merit examination" means that examination
8 developed under section 1279g of the revised school code, 1976 PA
9 451, MCL 380.1279g.

10 (i) "Out-of-state college" means a state university, community
11 college, or independent nonprofit degree-granting college or
12 university that is located in another state and that is legally
13 established under the laws of that other state.

14 (j) "Qualifying score" means a score on a readiness assessment
15 or the Michigan merit examination that has been determined by the
16 superintendent of public instruction to indicate readiness to
17 enroll in a postsecondary course in that subject area under this
18 act.

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

26 (l) "School district" means that term as defined in section 6
27 of the revised school code, 1976 PA 451, MCL 380.6, or a public
28 school academy as that term is defined in section 5 of the revised
29 school code, 1976 PA 451, MCL 380.5, except as provided in

1 subdivision (e).

2 (m) "State approved nonpublic school" means that term as
3 defined in section 6 of the revised school code, 1976 PA 451, MCL
4 380.6.

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

8 (o) "Trade school" means a program of organized systematic
9 instruction designed to prepare the following individuals for
10 useful employment in recognized occupations:

11 (i) An individual who has completed or left high school and who
12 is available for full-time study in preparation for entering the
13 labor market.

14 (ii) An individual who has already entered the labor market and
15 who needs training to achieve stability or advancement in
16 employment.

17 (iii) An individual enrolled in high school.

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

1 considered to be enrolled for that school year.