

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4546**

A bill to amend 2000 PA 258, entitled
"Career and technical preparation act,"
by amending sections 3 and 4 (MCL 388.1903 and 388.1904), section 3
as amended by 2012 PA 132 and section 4 as amended by 2012 PA 133.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

2 (a) "Career and technical preparation program" means a program
3 that teaches a trade, occupation, or vocation and that is operated
4 by an eligible postsecondary educational institution located in
5 this state.

6 (b) "Community college" means a community college established
7 under the community college act of 1966, 1966 PA 331, MCL 389.1 to
8 389.195, or under part 25 of the revised school code, 1976 PA 451,



1 MCL 380.1601 to 380.1607, or a federal tribally controlled
2 community college located in this state that is recognized under
3 the tribally controlled colleges and universities assistance act of
4 1978, 25 USC 1801 to ~~1852,~~ **1864**, and is determined by the
5 department to meet the requirements for accreditation by a
6 recognized regional accrediting body.

7 (c) "Department" means the department of education.

8 (d) "Eligible charges" means tuition and mandatory course
9 fees, material fees, and registration fees required by a career and
10 technical preparation program for enrollment in an eligible course.
11 Eligible charges also include any late fees charged by a career and
12 technical preparation program due to the school district's or
13 department of treasury's failure to make a required payment
14 according to the timetable prescribed under this act. Eligible
15 charges do not include transportation or parking costs or activity
16 fees.

17 (e) "Eligible course" means a course offered by a career and
18 technical preparation program that is offered for postsecondary
19 credit or is part of a noncredit occupational training program
20 leading to an industry-recognized credential; that is not offered
21 through the school district, intermediate school district, area
22 vocational-technical education program, or state approved nonpublic
23 school in which the eligible student is enrolled, or that is
24 offered through the school district, intermediate school district,
25 area vocational-technical education program, or state approved
26 nonpublic school but is determined by its governing board to not be
27 available to the eligible student because of a scheduling conflict
28 beyond the eligible student's control; that is a career and
29 technical preparation course not ordinarily taken as an activity



1 course; that is a course that the career and technical preparation
2 program normally applies toward satisfaction of certificate,
3 degree, or program completion requirements; **that is offered in**
4 **whole or in part when the school district or state approved**
5 **nonpublic school is in session or, if approved by the school**
6 **district or state approved nonpublic school, that is offered in**
7 **whole when the school district or state approved nonpublic school**
8 **is not in session;** and that is not a hobby, craft, or recreational
9 course. For each individual eligible student, unless there is a
10 written agreement between the eligible student's school district
11 and the career and technical preparation program to waive these
12 limits, a course described in this subdivision is not an eligible
13 course if the eligible student's enrollment in, and the payment of
14 eligible charges under this act for, the course would exceed the
15 following limits:

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

20 (ii) If the eligible student first enrolls in a course under
21 this act when the eligible student is in grade 9, not more than 2
22 courses during each academic year in the eligible student's first,
23 second, or third academic year of enrollment under this act in a
24 career and technical preparation program and not more than 4
25 courses during the academic year in the eligible student's fourth
26 academic year of enrollment under this act in a career and
27 technical preparation program.

28 (iii) If the eligible student first enrolls in a course under
29 this act when the eligible student is in grade 10, not more than 2



1 courses during the academic year in the eligible student's first
2 academic year of enrollment under this act in a career and
3 technical preparation program, not more than 4 courses during the
4 academic year in the eligible student's second academic year of
5 enrollment under this act in a career and technical preparation
6 program, and not more than 4 courses during the academic year in
7 the eligible student's third academic year of enrollment under this
8 act in a career and technical preparation program.

9 (iv) Subject to the overall course limit under subparagraph
10 (i), if the eligible student first enrolls in a course under this
11 act when the eligible student is in grade 11 or 12, not more than 6
12 courses during either of those academic years of enrollment in a
13 career and technical preparation program.

14 (f) "Eligible postsecondary educational institution" means a
15 state university, community college, or independent nonprofit
16 degree-granting college or university that is located in this state
17 and that chooses to comply with this act.

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



1 assessment and a student who has taken the Michigan merit
2 examination must have achieved a qualifying score in all subject
3 areas on the Michigan merit examination, and, subject to subsection
4 (2), the student ~~shall~~**must** not have been enrolled in high school
5 for more than 4 school years including the school year in which the
6 student seeks to enroll in an eligible course under this act.
7 However, **except as otherwise provided in this subdivision**, if the
8 student has not achieved a qualifying score in all subject areas on
9 a readiness assessment or the Michigan merit examination, as
10 applicable for the student, the student is an eligible student if
11 the student achieves a qualifying score in mathematics and a
12 qualifying score on a nationally or ~~industry-recognized~~**industry-**
13 **recognized** job skills assessment test as determined by the
14 superintendent of public instruction. **For enrollment in eligible**
15 **courses that begin after April 30, 2020 and end before the start of**
16 **the 2020-2021 academic year and for enrollment in eligible courses**
17 **offered during the 2020-2021 academic year during the period**
18 **beginning on the effective date of the amendatory act that added**
19 **this sentence and ending on the last day of the 2020-2021 academic**
20 **year, a student is an eligible student if the student has achieved**
21 **a grade point average of at least 2.5, as determined by his or her**
22 **school district, regardless of whether or not the student has**
23 **achieved a qualifying score in all subject areas on a readiness**
24 **assessment or the Michigan merit examination, or a qualifying score**
25 **in mathematics and on a nationally or industry-recognized job**
26 **skills assessment test.** For the purposes of determining the number
27 of years a pupil has been enrolled in high school, a pupil who is
28 enrolled in high school for less than 90 days of a school year due
29 to illness or other circumstances beyond the control of the pupil



1 or the pupil's parent or guardian is not considered to be enrolled
2 in high school for that school year.

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

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

8 (j) "Qualifying score" means a score on a readiness assessment
9 or on a nationally or ~~industry-recognized~~**industry-recognized** job
10 skills assessment test that has been determined by the
11 superintendent of public instruction to indicate readiness to
12 enroll in a course under this act.

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

20 (l) "School district" means that term as defined in section 6
21 of the revised school code, 1976 PA 451, MCL 380.6, or a public
22 school academy as **that term is** defined in section 5 of the revised
23 school code, 1976 PA 451, MCL 380.5.

24 (m) "State approved nonpublic school" means that term as
25 defined in section 6 of the revised school code, 1976 PA 451, MCL
26 380.6.

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



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

15 Sec. 4. (1) Upon request by the eligible student, the school
16 district or state approved nonpublic school in which an eligible
17 student is enrolled shall provide to the eligible student a letter
18 signed by the student's principal indicating the student's
19 eligibility under this act.

20 (2) An eligible student may apply to a career and technical
21 preparation program to enroll in 1 or more eligible courses offered
22 by that career and technical preparation program and, if accepted,
23 may enroll in 1 or more of those courses.

24 (3) For an eligible student enrolled in a school district,
25 within a reasonable time after registration, the career and
26 technical preparation program shall send written notice to the
27 eligible student and his or her school district. For an eligible
28 student enrolled in a state approved nonpublic school, within a
29 reasonable time after registration, the career and technical



1 preparation program shall send written notice to the eligible
2 student and his or her state approved nonpublic school and to the
3 department. The notice ~~shall~~**must** indicate the course or courses
4 and hours of enrollment of that eligible student. The career and
5 technical preparation program shall notify the eligible student
6 about tuition, fees, books, materials, and other related charges,
7 as determined by the career and technical preparation program, in
8 the customary manner used by the career and technical preparation
9 program, and shall notify the eligible student of the estimated
10 amount of the eligible charges that will be billed to the school
11 district or department, as applicable, under subsection (4).

12 (4) For an eligible student enrolled in a school district,
13 unless otherwise agreed between the career and technical
14 preparation program and the school district, after the expiration
15 of the career and technical preparation program's drop/add period
16 for the course, the career and technical preparation program shall
17 send a bill to the eligible student's school district detailing the
18 eligible charges for each eligible course in which the eligible
19 student is enrolled under this act. For an eligible student who is
20 enrolled in a state approved nonpublic school, after the expiration
21 of the career and technical preparation program's drop/add period
22 for the course, both of the following apply:

23 (a) The career and technical preparation program shall send a
24 bill to the department detailing the eligible charges for each
25 eligible course in which the eligible student is enrolled under
26 this act.

27 (b) The department shall determine the amount of the eligible
28 charges to be paid by the department of treasury to the career and
29 technical preparation program on behalf of the eligible student



1 under this act and shall deliver this information to the department
2 of treasury by appropriate electronic means.

3 (5) For an eligible student enrolled in a school district,
4 upon receiving the bill under subsection (4), the school district
5 shall cause to be paid to the career and technical preparation
6 program on behalf of the eligible student an amount equal to the
7 lesser of the amount of the eligible charges or the prorated
8 percentage of the statewide pupil-weighted average foundation
9 allowance, as calculated under **this subsection and** section 20 of
10 the state school aid act of 1979, 1979 PA 94, MCL 388.1620, for all
11 school districts for the state fiscal year that begins on October 1
12 ~~of~~ **immediately preceding** the academic year of enrollment in the
13 career and technical preparation program, with the proration based
14 on the proportion of the school year that the eligible student
15 attends the career and technical preparation program. **In**
16 **determining the proportion of the school year that an eligible**
17 **student attends a career and technical preparation program under**
18 **this subsection, a school district shall take into account,**
19 **according to guidelines published by the department under**
20 **subsection (16), an eligible student's attendance at a career and**
21 **technical preparation program for an eligible course that occurs in**
22 **whole or in part when the school district is not in session during**
23 **the summer immediately following that regularly scheduled school**
24 **year.** However, in the calculation of the statewide pupil-weighted
25 average foundation allowance for the purposes of this subsection,
26 if a school district's foundation allowance is above the ~~basic~~
27 **target** foundation allowance under section 20 of the state school
28 aid act of 1979, 1979 PA 94, MCL 388.1620, then the school
29 district's foundation allowance ~~shall~~ **must** be considered to be the



1 ~~basic~~**-target** foundation allowance. Not later than September 1 of
 2 each year, the department shall notify the department of treasury
 3 of the amount of the statewide pupil-weighted average foundation
 4 allowance as calculated for the purposes of this subsection. A
 5 school district may pay more money to a career and technical
 6 preparation program on behalf of an eligible student than is
 7 required under this act, and may use local school operating revenue
 8 for that purpose. The eligible student is responsible for payment
 9 of the remainder of the costs associated with his or her enrollment
 10 in the career and technical preparation program that exceed the
 11 amount the school district is required to pay under this act and
 12 that are not paid by the school district. As used in this
 13 subsection, "local school operating revenue" means that term as
 14 defined in section 20 of the state school aid act of 1979, 1979 PA
 15 94, MCL 388.1620.

16 (6) For an eligible student who is enrolled in a state
 17 approved nonpublic school, upon receiving from the department under
 18 subsection (4) the amount of the eligible charges to be paid on
 19 behalf of the eligible student, the department of treasury shall
 20 cause to be paid to the career and technical preparation program on
 21 behalf of the eligible student an amount equal to the lesser of the
 22 amount of the eligible charges or the prorated percentage of the
 23 statewide pupil-weighted average foundation allowance, as
 24 calculated under **this subsection and** section 20 of the state school
 25 aid act of 1979, 1979 PA 94, MCL 388.1620, for all school districts
 26 for the state fiscal year that begins on October 1 ~~of~~**immediately**
 27 **preceding** the academic year of enrollment in the career and
 28 technical preparation program, with the proration based on the
 29 proportion of the school year that the eligible student attends the



1 career and technical preparation program. **In determining the**
2 **proportion of the school year that an eligible student attends a**
3 **career and technical preparation program under this subsection, the**
4 **department shall take into account, according to guidelines**
5 **published by the department under subsection (16), an eligible**
6 **student's attendance at a career and technical preparation program**
7 **for an eligible course that occurs in whole or in part when the**
8 **state approved nonpublic school is not in session during the summer**
9 **immediately following that regularly scheduled school year.**

10 However, in the calculation of the statewide pupil-weighted average
11 foundation allowance for the purposes of this subsection, if a
12 school district's foundation allowance is above the ~~basic-target~~
13 foundation allowance under section 20 of the state school aid act
14 of 1979, 1979 PA 94, MCL 388.1620, then the school district's
15 foundation allowance ~~shall~~**must** be considered to be the ~~basic~~
16 **target** foundation allowance. Not later than September 1 of each
17 year, the department shall notify the department of treasury of the
18 amount of the statewide pupil-weighted average foundation allowance
19 as calculated for the purposes of this subsection. The eligible
20 student is responsible for payment of the remainder of the costs
21 associated with his or her enrollment in the career and technical
22 preparation program that exceed the amount the department of
23 treasury is required to pay under this act and that are not paid by
24 the department of treasury.

25 (7) A career and technical preparation program shall not
26 charge a late fee to an eligible student, a school district, the
27 department, or the department of treasury for a payment that is
28 made in compliance with the timetable prescribed under this act
29 even if the payment would otherwise be considered late by the



1 career and technical preparation program.

2 (8) A school district, state approved nonpublic school, or the
3 department may require an eligible student to provide, on a form
4 supplied by the school district, state approved nonpublic school,
5 or the department, reasonable verification that the eligible
6 student is regularly attending a career and technical preparation
7 course under this act.

8 (9) For an eligible student who is enrolled in a school
9 district and who enrolls in an eligible course under this act, if
10 the eligible student does not complete the eligible course, and if
11 the school district has paid money for the course or, if the
12 eligible student enrolls in an eligible course for postsecondary
13 credit only and the eligible student does not successfully complete
14 the eligible course, as determined by the career and technical
15 preparation program, on behalf of the student, ~~all~~**both** of the
16 following apply:

17 (a) The career and technical preparation program shall forward
18 to the school district any funds that are refundable due to
19 noncompletion of the course. If applicable, the school district
20 shall then forward to the eligible student any refunded money in
21 excess of the amount paid by the school district for the course on
22 behalf of the student.

23 (b) The eligible student shall repay to the school district
24 any funds that were expended by the school district for the course
25 that are not refunded to the school district by the career and
26 technical preparation program. If the eligible student does not
27 repay this money, the school district may impose sanctions against
28 the eligible student as determined by school district policy. This
29 subdivision does not apply to an eligible student who does not



1 complete the course due to a family or medical emergency, as
 2 determined by the career and technical preparation program.

3 (10) For an eligible student who is enrolled in a state
 4 approved nonpublic school and who enrolls in an eligible course
 5 under this act, if the eligible student does not complete the
 6 eligible course or, if the eligible student enrolls in an eligible
 7 course for postsecondary credit only and the eligible student does
 8 not successfully complete the eligible course, as determined by the
 9 career and technical preparation program, and if the department of
 10 treasury has paid money for the course on behalf of the eligible
 11 student, ~~all~~**both** of the following apply:

12 (a) The career and technical preparation program shall forward
 13 to the department of treasury any funds that are refundable due to
 14 noncompletion of the course. If applicable, the career and
 15 technical preparation program shall then refund to the eligible
 16 student any funds that are refundable due to noncompletion of the
 17 course and are in excess of the amount paid by the department of
 18 treasury for the course on behalf of the eligible student.

19 (b) The eligible student shall repay to the department of
 20 treasury any funds that were expended by the department of treasury
 21 for the course that are not refunded to the department of treasury
 22 by the career and technical preparation program. This subdivision
 23 does not apply to an eligible student who does not complete the
 24 course due to a family or medical emergency, as determined by the
 25 career and technical preparation program.

26 (11) A school district, state approved nonpublic school, the
 27 department, or the department of treasury shall make available to
 28 an eligible student copies of all correspondence in the possession
 29 of the school district, state approved nonpublic school,



1 department, or department of treasury regarding the eligible
 2 student's participation in a career and technical preparation
 3 course under this act. ~~Correspondence described in this subsection~~
 4 ~~shall be kept by the~~ **The** school district, state approved nonpublic
 5 school, department, or department of treasury **shall keep**
 6 **correspondence described in this subsection** for at least 1 year.

7 (12) If a school district pays for books for an eligible
 8 student for a career and technical preparation course under this
 9 section, the books are the property of the school district and
 10 ~~shall~~ **must** be turned over to the school district after the eligible
 11 student completes the course.

12 (13) This section does not apply to any career and technical
 13 preparation courses in which an eligible student is enrolled in
 14 addition to being enrolled full-time in that eligible student's
 15 school district or state approved nonpublic school; to a career and
 16 technical preparation course an eligible student is retaking after
 17 failing to achieve a satisfactory grade; or to a course contrary to
 18 the eligibility provisions of this act. In determining full-time
 19 enrollment in a school district under this section or a school
 20 district's full-time equated membership under the state school aid
 21 act of 1979, 1979 PA 94, MCL 388.1601 to ~~388.1896,~~ **388.1897**, for a
 22 pupil enrolled in a career and technical preparation program under
 23 this act, the pupil's enrollment in both the school district and
 24 the career and technical preparation program ~~shall~~ **must** be counted
 25 as enrollment in the school district and a pupil ~~shall not be~~ **is**
 26 **not** considered to be enrolled in a school district less than full-
 27 time solely because of the effect of the pupil's enrollment in 1 or
 28 more career and technical preparation courses under this act,
 29 including necessary travel time, on the number of class hours



1 provided by the school district to the pupil. In determining full-
2 time enrollment in a state approved nonpublic school under this
3 section for a student enrolled in a career and technical
4 preparation program under this act, the student's enrollment in
5 both the state approved nonpublic school and the career and
6 technical preparation program ~~shall~~**must** be counted as enrollment
7 in the state approved nonpublic school and a student ~~shall not be~~
8 **is not** considered to be enrolled in a state approved nonpublic
9 school less than full-time solely because of the effect of the
10 student's enrollment in 1 or more career and technical preparation
11 courses under this act, including necessary travel time, on the
12 number of class hours provided by the state approved nonpublic
13 school to the student.

14 (14) This act does not require a school district or the
15 department of treasury to pay or otherwise provide financial
16 support for transportation or parking costs necessary for an
17 eligible student to participate in a career and technical
18 preparation program under this act. A school district, state
19 approved nonpublic school, or this state is not liable for any
20 injury incurred by an eligible student that is related to
21 transportation necessary for the eligible student to participate in
22 a career and technical preparation program under this act.

23 (15) The legislature shall appropriate funds to the department
24 of treasury for making payments required to be made by the
25 department of treasury under this act.

26 (16) **By September 1, 2020, the department shall publish**
27 **guidelines regarding how to determine the prorated percentage of**
28 **the statewide pupil-weighted average foundation allowance under**
29 **subsections (5) and (6). By September 1, 2021, and by September 1**



1 each year thereafter, the department shall update and republish the
2 guidelines described under this subsection.

