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BILL



ANALYSIS

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Senate Bills 622 and 623 (as enacted)  
Sponsor: Senator Judy K. Emmons  
Senate Committee: Education  
House Committee: Education

**PUBLIC ACTS 131 & 132 of 2012**

Date Completed: 10-19-12

**CONTENT**

**Senate Bill 622 and Senate Bill 623 amended the Postsecondary Enrollment Options Act and the Career and Technical Preparation Act, respectively, to broaden the guidelines for students eligible to participate in dual enrollment. Dual enrollment is the practice of enrolling in a high school and in an eligible postsecondary institution simultaneously, earning college credit while a high school student. Specifically, the bills do the following:**

- **Remove the requirement that a student be in at least grade 11 to participate in dual enrollment.**
- **Include in the definition of "eligible student" a student enrolled in a State-approved nonpublic school.**
- **Clarify that an eligible course is one offered for postsecondary credit.**
- **Allow a student to take not more than 10 eligible courses overall, with specific limits per academic year depending on when the student first enrolls in an eligible course.**

The bills took effect on July 1, 2012.

The bills were tie-barred to each other and to Senate Bills 709 and 710 (Public Acts 133 and 134 of 2012). Senate Bills 709 and 710 amended the Career and Technical Preparation Act and the Postsecondary Enrollment Options Act, respectively, to extend dual enrollment provisions to State-approved nonpublic school students, require the Department of Treasury to pay the eligible charges for those students at a postsecondary institution, and revise the

calculation of the payment to a postsecondary institution made on behalf of a public school student.

Senate Bills 622 and 623 are described below.

**Senate Bill 622**

Under the law, a student must achieve a qualifying score on all subject areas of the Michigan Merit Exam, or achieve a qualifying score on specific subject areas, in order to enroll in eligible courses and qualify for dual enrollment. Also, students may enroll in computer science or foreign language courses not offered by the district, or a course in fine arts as permitted by the district, even if a qualifying score has not been achieved.

The Postsecondary Enrollment Options Act defines "eligible course" as one offered by an eligible postsecondary institution (i.e., a community college, State university, or independent nonprofit degree-granting college or university in Michigan) that is not offered by the school district (or by the nonpublic school under the bill), or that is offered but not available because of a scheduling conflict. An eligible course also must be an academic course not ordinarily taken as an activity course, a course that the postsecondary institution normally applies toward satisfaction of degree requirements, a course that is not a hobby craft or recreational course, and a course that is not in the area of physical education, theology, divinity, or religious education.

The statute defines "eligible student" as a student enrolled in at least one high school class in a school district. Also, a student is an eligible student only for the limited purpose of enrolling in one or more eligible courses in a subject area for which a qualifying score was achieved, or for a computer science, foreign language, or fine arts course, as permitted. Previously, an eligible student had to be in at least grade 11. The bill removed that requirement and added to the definition of "eligible student" a student enrolled in high school in a State-approved nonpublic school. The bill also amended the definition of "eligible course" to refer to a course offered for postsecondary credit.

Finally, the bill set new limits on the number of dual enrollment courses that may be taken by any eligible student (public or nonpublic), by amending the definition of "eligible course". Specifically, a course is eligible if it does not exceed 10 courses overall, with the following limits: not more than two courses per academic year for the student's first three years of dual enrollment, or not more than four courses per academic year for the student's fourth year of dual enrollment, if the student first enrolls in 9<sup>th</sup> grade; not more than two courses in grade 10 and not more than four courses per academic year in the second and third years of enrollment, if the student first enrolls in 10<sup>th</sup> grade; and not more than six courses per academic year if the student first enrolls in the 11<sup>th</sup> or 12<sup>th</sup> grade. However, the bill does allow for a waiver of this course limit if mutually agreed to by the school district and postsecondary institution, on an individual student basis.

### **Senate Bill 623**

The Career and Technical Preparation Act mirrors the Postsecondary Enrollment Options Act, but for programs that teach a trade, occupation, or vocation. The changes made to the Act by Senate Bill 623 mirror the changes detailed above under Senate Bill 622.

MCL 388.513 (S.B. 622)  
388.1903 (S.B. 623)

### **FISCAL IMPACT**

Students enrolled in public schools in this State are allowed to enroll in postsecondary

options as outlined under the Postsecondary Enrollment Options Act and the Career and Technical Preparation Act. When a student is enrolled in a postsecondary course pursuant to either of these Acts, the school district may count the student in its membership and receive foundation allowance funding, but then must pay to the educating postsecondary institution all eligible charges (tuition and fees) out of the State portion of that foundation allowance funding, paid under the State School Aid Act.

While the bills expand the eligibility of students to participate in dual enrollment by eliminating the requirement that a student be in at least grade 11, State costs for public students should not change, since presumably the State is already paying for the (public) students' enrollments at the local school districts. Also, under Senate Bills 709 and 710, a nonpublic student can participate in dual enrollment without first enrolling in a public school (as previously required). Therefore, with respect to the addition of nonpublic students to the definition of "eligible student", a fiscal impact will occur if removing the requirement to enroll first in a public district results in higher participation by nonpublic students. For each additional dual enrollment course taken by a nonpublic student who does not first enroll in a public district, the cost will be about \$1,200 per year, if the eligible charges total one-sixth of the statewide average foundation allowance.

At the local school district level, if more students participate, then the local districts will see reductions in revenue equal to the additional tuition and fees that will have to be paid to the postsecondary institutions. Similarly, if community colleges see increased enrollments as a result of this legislation, their revenue generated from local districts will increase based on the additional tuition and fees collected.

It seems likely that the expansion of dual enrollment opportunities, particularly the expansion to all high school grades, not just 11 and 12, will lead to increased participation. This will result in lower district revenue (paying more tuition and fees) and higher community college revenue (from that additional tuition and fees).

It is unknown how the cap on courses that may be taken under dual enrollment will affect districts and postsecondary institutions. If the average number of courses taken previously was less than the cap, then there will be no impact. If the average was higher, however, then fewer courses may be taken, and more foundation allowance revenue will remain with school districts and not flow through to the postsecondary institutions.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.