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Senate Bills 622 and 623 (as introduced 9-7-11)
Sponsor: Senator Judy K. Emmons
Committee: Education

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CONTENT

Senate Bills 622 and 623 would amend the Postsecondary Enrollment Options Act and the Career and Technical Education 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 would do the following:

- Remove the requirement that a student be in at least grade 11 to participate in dual enrollment.**
- Remove the requirement that a student achieve a qualifying score in a subject area, before being allowed to enroll in a course of that subject area at the postsecondary institution.**
- Include in the definition of "eligible student" a student enrolled in a State-approved nonpublic school.**

The bills are described in detail below.

Senate Bill 622

Under current law, a student must be in at least grade 11 and 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 yet 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 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.

Under current law, an eligible course is limited to a course in a subject area for which a student has achieved State endorsement, a course in computer science or foreign language

not offered by the district, or a course in fine arts, as permitted by the district. The bill would remove the limitation that students enroll only in courses in which a qualifying score was achieved.

The statute currently defines "eligible student" as a student enrolled in at least one high school class in at least grade 11 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. The bill would remove the limitation that eligible students have achieved a qualifying score, or enroll in the specified exceptions, and would delete the requirement that a student be enrolled in at least 11th grade. Also, the bill would add language to the definition of eligible student to include a student enrolled in a State-approved nonpublic school.

The bill also would remove references to cut scores, and would repeal Section 3a of the Act, which requires the Superintendent of Public Instruction to determine qualifying scores for the purposes of enrolling in courses as allowed under this Act.

Senate Bill 623

The Career and Technical Education Act mirrors the Postsecondary Enrollment Options Act, but for programs that teach a trade, occupation, or vocation. The changes proposed to the Act and found in 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 Education 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 that foundation allowance funding, paid under the State School Aid Act.

While the bills would expand the eligibility for students to participate in dual enrollment, State costs should not change, since presumably the State is already paying for the (public) students' enrollments at the local school districts. It is possible, though, that the allowing of students to dually enroll, without demonstrating proficiency, could influence some students to remain in school who otherwise may drop out. If this were the case, State costs would rise.

With respect to the addition of nonpublic students to the definition of "eligible student", there would be no fiscal impact unless a separate act or appropriation were made to specifically pay for these students. At the present time, the School Aid Act does not allow for nonpublic students to be counted under dual enrollment for the purposes of generating State aid, and in fact, there likely would be constitutional issues with the direct payment from the School Aid Fund to a nonpublic school for the support of a nonpublic dually enrolled student.

At the local school district level, if more students participated, or if participating students were to enroll in more courses than currently allowed, then the local districts would see reductions in revenue equal to the additional tuition and fees that would have to be paid to the postsecondary institutions. Similarly, if community colleges saw increased enrollments

as a result of this legislation, their revenue generated from local districts would 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, as well as the elimination of the requirement to demonstrate proficiency before enrolling, would lead to increased participation. This would result in lower district revenue (paying more tuition and fees) and higher community college revenue (from that additional tuition and fees).

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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.