

HOUSE BILL No. 6142

September 22, 1998, Introduced by Rep. Law and referred to the Committee on Appropriations.

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending section 107 (MCL 388.1707), as amended by 1997 PA
142.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 107. (1) From the appropriation in section 11, there
2 is allocated for 1997-98 and for 1998-99 an amount not to exceed
3 \$80,000,000.00 each fiscal year for adult education programs
4 authorized under this section.

5 (2) To be eligible to be a participant funded under this
6 section, a person shall be enrolled in an adult basic education
7 program, an adult English as a second language program, a general
8 education development (G.E.D.) test preparation program, a job
9 or employment related program, or a high school completion

1 program, that meets the requirements of this section, and shall
2 meet either of the following, as applicable:

3 (a) If the individual has obtained a high school diploma or
4 a general education development (G.E.D.) certificate, the indi-
5 vidual meets 1 of the following:

6 (i) Is less than 20 years of age on September 1 of the
7 school year and is enrolled in the state technical institute and
8 rehabilitation center.

9 (ii) Is less than 20 years of age on September 1 of the
10 school year, is not attending an institution of higher education,
11 and is enrolled in a job or employment related program through a
12 referral by an employer.

13 (iii) Is enrolled in an English as a second language
14 program.

15 (iv) Is enrolled in a high school completion program.

16 (b) If the individual has not obtained a high school diploma
17 or G.E.D. certificate, is at least 20 years of age on September 1
18 of the school year.

19 (3) The amount allocated under subsection (1) shall be dis-
20 tributed as follows:

21 (a) For districts and consortia that received payments for
22 1995-96 under former section 107f and that received payments for
23 1996-97 under subsection (4) of this section as in effect in
24 1996-97, the amount allocated to each for 1997-98 and for 1998-99
25 shall be an amount each fiscal year equal to 36.76% of the amount
26 the district or consortium received for 1995-96 under former
27 section 107f.

1 (b) For districts and consortia that received payments under
2 subsection (3) of this section as in effect for 1996-97, the
3 amount allocated to each for 1997-98 and for 1998-99 shall be an
4 amount each fiscal year equal to the product of the number of
5 full-time equated participants actually enrolled and in
6 attendance during the 1996-97 school fiscal year in the program
7 funded under subsection (3) of this section as in effect for
8 1996-97 as reported to the department, audited, and adjusted
9 according to subsection (10) of this section as in effect for
10 1996-97, multiplied by \$2,750.00.

11 (c) For districts and consortia that meet the conditions of
12 both subdivisions (a) and (b), the amount allocated each fiscal
13 year for 1997-98 and for 1998-99 shall be the sum of the alloca-
14 tions to the district or consortium under subdivisions (a) and
15 (b).

16 (d) A district or consortium that received funding in
17 1996-97 under this section as in effect for 1996-97 may operate
18 independently of a consortium or join or form a consortium for
19 1997-98 or for 1998-99. The allocation for 1997-98 or for
20 1998-99 to the district or the newly formed consortium under this
21 subsection shall be determined by the department and shall be
22 based on the proportion of the amounts specified in
23 subdivision (a) or (b), or both, that are attributable to the
24 district or consortium that received funding in 1996-97. A dis-
25 trict or consortium described in this subdivision shall notify
26 the department of its intention with regard to 1997-98 or 1998-99
27 by October 1 of the affected fiscal year.

1 (4) A district that operated an adult education program in
2 1996-97 and does not intend to operate a program in 1997-98 or
3 1998-99 shall notify the department by October 1 of the affected
4 fiscal year of its intention. The funds intended to be allocated
5 under this section to a district that does not operate a program
6 in 1997-98 or 1998-99 and the unspent funds originally allocated
7 under this section to a district or consortium that subsequently
8 operates a program at less than the level of funding allocated
9 under subsection (3) shall instead be proportionately reallocated
10 to the other districts described in subsection (3)(a) that are
11 operating an adult education program in 1997-98 or 1998-99 under
12 this section.

13 (5) The amount allocated under this section per full-time
14 equated participant is \$2,850.00 for a 450-hour program. The
15 amount shall be proportionately reduced for a program offering
16 less than 450 hours of instruction.

17 (6) An adult basic education program or an adult English as
18 a second language program operated on a year-round or school year
19 basis may be funded under this section, subject to all of the
20 following:

21 (a) The program enrolls adults who are determined by an
22 appropriate assessment to be below ninth grade level in reading
23 or mathematics, or both, or to lack basic English proficiency.

24 (b) The program tests individuals for eligibility under
25 subdivision (a) before enrollment and tests participants to
26 determine progress after every 90 hours of attendance, using
27 assessment instruments approved by the department.

1 (c) A participant in an adult basic education program is
2 eligible for reimbursement until 1 of the following occurs:

3 (i) The participant's reading and mathematics proficiency
4 are assessed at or above the ninth grade level.

5 (ii) The participant fails to show progress on 2 successive
6 assessments after having completed at least 450 hours of
7 instruction.

8 (d) A funding recipient enrolling a participant in an
9 English as a second language program is eligible for funding
10 according to subsection (10) until the participant meets 1 of the
11 following:

12 (i) The participant is assessed as having attained basic
13 English proficiency.

14 (ii) The participant fails to show progress on 2 successive
15 assessments after having completed at least 450 hours of
16 instruction. The department shall provide information to a fund-
17 ing recipient regarding appropriate assessment instruments for
18 this program.

19 (7) A general education development (G.E.D.) test prepara-
20 tion program operated on a year-round or school year basis may be
21 funded under this section, subject to all of the following:

22 (a) The program enrolls adults who do not have a high school
23 diploma.

24 (b) The program shall administer a G.E.D. pre-test approved
25 by the department before enrolling an individual to determine the
26 individual's potential for success on the G.E.D. test, and shall

1 administer other tests after every 90 hours of attendance to
2 determine a participant's readiness to take the G.E.D. test.

3 (c) A funding recipient shall receive funding according to
4 subsection (10) for a participant, and a participant may be
5 enrolled in the program until 1 of the following occurs:

6 (i) The participant passes the G.E.D. test.

7 (ii) The participant fails to show progress on 2 successive
8 tests used to determine readiness to take the G.E.D. test after
9 having completed at least 450 hours of instruction.

10 (8) A high school completion program operated on a
11 year-round or school year basis may be funded under this section,
12 subject to all of the following:

13 (a) The program enrolls adults who do not have a high school
14 diploma.

15 (b) A funding recipient shall receive funding according to
16 subsection (10) for a participant in a course offered under this
17 subsection until 1 of the following occurs:

18 (i) The participant passes the course and earns a high
19 school diploma.

20 (ii) The participant fails to earn credit in 2 successive
21 semesters or terms in which the participant is enrolled after
22 having completed at least 900 hours of instruction.

23 (9) A job or employment-related adult education program
24 operated on a year-round or school year basis may be funded under
25 this section, subject to all of the following:

26 (a) The program enrolls adults referred by their employer
27 who are less than 20 years of age, have a high school diploma,

1 are determined to be in need of remedial mathematics or
2 communication arts skills or, for 1997-98 only, vocational
3 skills, and are not attending an institution of higher
4 education.

5 (b) An individual may be enrolled in this program and the
6 grant recipient shall receive funding according to subsection
7 (10) until 1 of the following occurs:

8 (i) The individual achieves the requisite skills as deter-
9 mined by appropriate assessment instruments administered at least
10 after every 90 hours of attendance.

11 (ii) The individual fails to show progress on 2 successive
12 assessments after having completed at least 450 hours of
13 instruction. The department shall provide information to a fund-
14 ing recipient regarding appropriate assessment instruments for
15 this program.

16 (10) A funding recipient shall receive payments under this
17 section in accordance with the following:

18 (a) Ninety percent for enrollment of eligible participants.

19 (b) Ten percent for completion of the adult basic education
20 objectives by achieving an increase of at least 1 grade level of
21 proficiency in reading or mathematics; for achieving basic
22 English proficiency; for passage of the G.E.D. test; for passage
23 of a course required for a participant to attain a high school
24 diploma; or for completion of the course and demonstrated profi-
25 ciency in the academic skills to be learned in the course, as
26 applicable.

1 (11) As used in this section, "participant" means the sum of
2 the number of full-time equated individuals enrolled in and
3 attending a department-approved adult education program under
4 this section, using quarterly participant count days on the
5 schedule described in section 6(7)(b).

6 (12) A person who is not eligible to be a participant funded
7 under this section may receive adult education services upon the
8 payment of tuition. In addition, a person who is not eligible to
9 be served in a program under this section due to the program lim-
10 itations specified in subsection (6), (7), (8), or (9) may con-
11 tinue to receive adult education services in that program upon
12 the payment of tuition. ALSO, IF A PUPIL ENROLLED IN HIGH SCHOOL
13 IN A DISTRICT ENROLLS IN AN ADULT EDUCATION CLASS IN ADDITION TO
14 THE PUPIL'S ENROLLMENT IN HIGH SCHOOL, THE DISTRICT OR INTERMEDI-
15 ATE DISTRICT PROVIDING THE ADULT EDUCATION SERVICES MAY CHARGE
16 TUITION FOR THE PUPIL'S ENROLLMENT IN THE ADULT EDUCATION CLASS.
17 The tuition level shall be determined by the local or intermedi-
18 ate district conducting the program.

19 (13) An individual who is an inmate in a state correctional
20 facility shall not be counted as a participant under this
21 section.

22 (14) A district shall not commingle money received under
23 this section or from another source for adult education purposes
24 with any other funds of the district. A district receiving adult
25 education funds shall establish a separate ledger account for
26 those funds. This subsection does not prohibit a district from

1 using general funds of the district to support an adult education
2 or community education program.

3 (15) From the general fund appropriation in section 11,
4 there is allocated for 1997-98 only an amount not to exceed
5 \$250,000.00 for a grant to focus: hope for a fast-track adult
6 education program.