

# HOUSE BILL No. 4521

March 27, 2001, Introduced by Reps. Switalski, Jamnick, Neumann, Lipsey, Schauer, Dennis, Plakas, Anderson and Lemmons and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1561 (MCL 380.1561), as amended by 1996  
PA 339, and by adding section 1295.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 1295. (1) THE DEPARTMENT OF TREASURY SHALL MAKE  
2 MICHIGAN EDUCATIONAL ASSESSMENT PROGRAM (MEAP) TESTS AVAILABLE  
3 FOR THE PURPOSES OF SECTION 1561(5) AND SHALL SCORE AND RETURN  
4 TESTS SUBMITTED UNDER SECTION 1561(5) IN THE SAME MANNER AS FOR  
5 PUBLIC SCHOOL PUPILS.

6        (2) AT LEAST ANNUALLY, THE DEPARTMENT OF TREASURY SHALL  
7 SUBMIT A REPORT TO THE LEGISLATURE THAT INCLUDES ALL OF THE FOL-  
8 LOWING INFORMATION FOR EACH MEAP TEST IN EACH APPLICABLE GRADE  
9 LEVEL:

1 (A) THE NUMBER OF PUBLIC SCHOOL PUPILS WHO TOOK THE TEST IN  
2 THE PREVIOUS SCHOOL YEAR AND THE AVERAGE SCORE ON THE TEST FOR  
3 ALL OF THOSE PUBLIC SCHOOL PUPILS.

4 (B) THE NUMBER OF HOME-SCHOOLED CHILDREN WHO TOOK THE TEST  
5 IN THE PREVIOUS SCHOOL YEAR AND THE AVERAGE SCORE ON THE TEST FOR  
6 ALL OF THOSE HOME-SCHOOLED CHILDREN.

7 (3) THE DEPARTMENT OF TREASURY SHALL DEVELOP AND IMPLEMENT  
8 GUIDELINES AND PROCEDURES TO ENSURE COMPLIANCE WITH  
9 SUBSECTION (1) AND ACCURATE REPORTING OF INFORMATION UNDER  
10 SUBSECTION (2), INCLUDING, BUT NOT LIMITED TO, ALL OF THE  
11 FOLLOWING:

12 (A) GUIDELINES AND PROCEDURES FOR ADMINISTRATION OF MEAP  
13 TESTS TO HOME-SCHOOLED CHILDREN.

14 (B) GUIDELINES AND PROCEDURES FOR SUBMISSION OF COMPLETED  
15 TESTS TO THE DEPARTMENT OF TREASURY.

16 (C) GUIDELINES AND PROCEDURES TO ENSURE THAT, IF A MEAP TEST  
17 IS ADMINISTERED TO A HOME-SCHOOLED CHILD BY A PUBLIC SCHOOL, THE  
18 CHILD'S TEST SCORES WILL BE INCLUDED IN CALCULATING THE INFORMA-  
19 TION REPORTED UNDER SUBSECTION (2)(B) RATHER THAN UNDER  
20 SUBSECTION (2)(A).

21 (4) AS USED IN THIS SECTION, "HOME-SCHOOLED CHILD" MEANS A  
22 CHILD DESCRIBED IN SECTION 1561(4).

23 Sec. 1561. (1) Except as otherwise provided in this sec-  
24 tion, every parent, guardian, or other person in this state  
25 having control and charge of a child from the age of 6 to the  
26 child's sixteenth birthday shall send that child to a public  
27 school during the entire school year. The child's attendance

1 shall be continuous and consecutive for the school year fixed by  
2 the school district in which the child is enrolled. In a school  
3 district that maintains school during the entire calendar year  
4 and in which the school year is divided into quarters, a child is  
5 not required to attend the public school more than 3 quarters in  
6 1 calendar year, but a child shall not be absent for 2 or more  
7 consecutive quarters.

8       (2) A child becoming 6 years of age before December 1 shall  
9 be enrolled on the first school day of the school year in which  
10 the child's sixth birthday occurs. A child becoming 6 years of  
11 age on or after December 1 shall be enrolled on the first school  
12 day of the school year following the school year in which the  
13 child's sixth birthday occurs.

14       (3) A child is not required to attend a public school in any  
15 of the following cases:

16       (a) ~~The~~ SUBJECT TO SUBSECTION (5), THE child is attending  
17 regularly and is being taught in a state approved nonpublic  
18 school, which teaches subjects comparable to those taught in the  
19 public schools to children of corresponding age and grade, as  
20 determined by the course of study for the public schools of the  
21 district within which the nonpublic school is located.

22       (b) The child is less than 9 years of age and does not  
23 reside within 2-1/2 miles by the nearest traveled road of a  
24 public school. If transportation is furnished for pupils in the  
25 school district of the child's residence, this subdivision does  
26 not apply.

1 (c) The child is age 12 or 13 and is in attendance at  
2 confirmation classes conducted for a period of 5 months or less.

3 (d) The child is regularly enrolled in a public school while  
4 in attendance at religious instruction classes for not more than  
5 2 class hours per week, off public school property during public  
6 school hours, upon written request of the parent, guardian, or  
7 person in loco parentis under rules promulgated by the state  
8 board.

9 (e) The child has graduated from high school or has ful-  
10 filled all requirements for high school graduation.

11 (f) ~~The~~ SUBJECT TO SUBSECTION (5), THE child is being edu-  
12 cated at the child's home by his or her parent or legal guardian  
13 in an organized educational program in the subject areas of read-  
14 ing, spelling, mathematics, science, history, civics, literature,  
15 writing, and English grammar.

16 (4) ~~For~~ SUBJECT TO SUBSECTION (5), FOR a child being edu-  
17 cated at the child's home by his or her parent or legal guardian,  
18 exemption from the requirement to attend public school may exist  
19 under either subsection (3)(a) or (3)(f), or both.

20 (5) FOR AN EXEMPTION FROM THE PUBLIC SCHOOL ATTENDANCE  
21 REQUIREMENTS OF THIS SECTION TO APPLY TO A CHILD BEING EDUCATED  
22 AT THE CHILD'S HOME BY HIS OR HER PARENT OR LEGAL GUARDIAN, THE  
23 CHILD MUST TAKE THE MICHIGAN EDUCATIONAL ASSESSMENT PROGRAM  
24 (MEAP) TESTS FOR EACH SUBJECT AREA IN WHICH THOSE TESTS ARE  
25 ADMINISTERED TO PUBLIC SCHOOL PUPILS IN THE CHILD'S GRADE LEVEL,  
26 AND THE CHILD'S COMPLETED TESTS MUST BE SUBMITTED TO THE  
27 DEPARTMENT OF TREASURY.