

HOUSE BILL No. 5721

February 21, 2002, Introduced by Rep. Kuipers and referred to the Committee on House Oversight and Operations.

A bill to amend 1893 PA 123, entitled

"An act to provide for the maintenance, supervision and government of the Michigan school for the blind, and to repeal all acts and parts of acts inconsistent herewith,"

by amending sections 9 and 10 (MCL 393.109 and 393.110).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9. (1) ~~It shall be the duty of the~~ THE secretary of
2 state ~~to make out and forward~~ SHALL PROVIDE to the superinten-
3 dent of the Michigan school for the blind, on or before the first
4 day of November in each year, on blanks prepared for that pur-
5 pose, a copy in detail of ~~so much of the~~ statistical informa-
6 tion received by ~~him~~ THE SECRETARY OF STATE by virtue of any
7 law of this state as relates to the blind. ~~It shall be the duty~~
8 ~~of each~~ EACH school census enumerator provided for in the
9 general school laws of ~~the~~ THIS state, within the ~~district,~~
10 ~~ward, or portion thereof,~~ TERRITORY allotted to him OR HER, ~~to~~

1 SHALL procure the name, age, residence, and the name and
2 residence of the parents or guardians or persons in control or in
3 charge of each blind child, and of each child whose vision is so
4 defective as to make it impossible to properly educate such child
5 in the public schools, between the ages of 7 and 19 years.

6 (2) ~~(a)~~ The ~~said~~ SCHOOL CENSUS enumerators, in addition
7 to their duties now prescribed in the general school laws, shall
8 make a list of the names of all blind children, or children whose
9 vision is so defective as to make it impossible to properly edu-
10 cate them in the public schools, together with the data herein
11 authorized to be secured. ~~, which~~ THE list shall be verified by
12 oath or affirmation of the person taking ~~such~~ THE census, by
13 affidavit appended thereto, or inserted thereon, setting forth
14 that it is a correct list of the names of all the children herein
15 designated, residing within ~~the~~ THAT PERSON'S particular
16 ~~school district, ward, or portion thereof~~ TERRITORY. ~~Said~~
17 THE affidavit may be made before the township clerk or any other
18 officer authorized by law to take acknowledgments. Blanks for
19 this purpose shall be furnished by the department of ~~public~~
20 ~~instruction~~ EDUCATION to the secretary of every school board
21 within the state. The ~~said~~ list shall, after it has been prop-
22 erly verified, and within the time prescribed by the general
23 school laws for the filing of census lists, be forwarded by the
24 secretaries of the ~~said~~ school boards to the superintendent of
25 public instruction and a copy ~~thereof~~ shall be filed with the
26 proper officer of the township or city, as the case may be. The
27 ~~said~~ superintendent of public instruction shall, immediately

1 upon receipt of the various lists, prepare and tabulate a report
 2 containing the name, age, and residence of each blind child, and
 3 each child whose vision is so defective as to make it impossible
 4 for it to be properly educated in the schools for the seeing
 5 within this state, together with the names and residences of the
 6 parents, guardian, or person having the control of any such
 7 child, ~~which report shall be forwarded~~ AND SHALL FORWARD THIS
 8 REPORT to the superintendent of the Michigan school for the
 9 blind.

10 (3) ~~(b) It shall be the duty of every~~ A parent, guardian,
 11 or other person ~~,~~ having control or charge of any child ~~or~~
 12 ~~children in the state of Michigan~~ IN THIS STATE, between the
 13 ages of 7 and 19 years who ~~are~~ IS blind, or whose vision is so
 14 defective as to make it impossible to have them properly educated
 15 in the schools for the seeing, ~~to~~ SHALL send ~~such~~ THE child
 16 ~~, or children,~~ to the Michigan school for the blind, to be
 17 received at that school in accordance with the provisions of ~~the~~
 18 ~~statute,~~ THIS ACT and the rules and regulations which are or may
 19 be prescribed by the board of control. ~~of said school:~~

20 ~~Provided, That the parents~~ HOWEVER, A PARENT, guardian, or
 21 person having control of any such child ~~shall not be~~ IS NOT
 22 required to send ~~them~~ THE CHILD to the Michigan school for the
 23 blind ~~when they come within any 1 of the following classes~~ IF
 24 THE CHILD MEETS ANY OF THE FOLLOWING:

25 (A) ~~(1) Any~~ THE child ~~or children~~ IS being educated in
 26 ~~any~~ A private or parochial school. ~~→~~

1 (B) ~~-(2) Any~~ THE child ~~or children~~ IS physically or
2 mentally incompetent of being educated. ~~→~~

3 (C) ~~-(3) Any~~ THE child ~~or children~~ IS over the age of 17
4 years ~~who have~~ AND HAS been taught and ~~are~~ IS employed and
5 ~~are~~ working at a trade. ~~→~~

6 (D) ~~-(4) Any~~ THE child ~~or children of the~~ IS AT LEAST age
7 ~~of~~ 18 years AND IS employed at the Michigan employment institu-
8 tion for the blind.

9 (4) ~~-(c) It shall be the duty of the~~ THE superintendent of
10 the Michigan school for the blind ~~to~~ SHALL furnish to the
11 ~~county commissioner of schools of every county, and to the sec-~~
12 ~~retary of the~~ EACH LOCAL AND INTERMEDIATE school board ~~in~~
13 ~~every city or village,~~ a list of the names of ~~such~~ children
14 within ~~such county, city or village, as come within the provi-~~
15 ~~sions of~~ THE LOCAL OR INTERMEDIATE SCHOOL DISTRICT WHO ARE
16 SUBJECT TO this act. Each truant officer shall, when notified by
17 the board of control, or by the superintendent of the Michigan
18 school for the blind, or by anyone appointed or designated by
19 them, or by the ~~county commissioner of schools,~~ INTERMEDIATE
20 SCHOOL DISTRICT that there are within ~~such village, city or~~
21 ~~county, as the case may be,~~ THE LOCAL OR INTERMEDIATE SCHOOL
22 BOARD children who ~~come within the provisions of~~ ARE SUBJECT TO
23 this act, investigate all such cases and report the conditions
24 found to exist to the superintendent of the Michigan school for
25 the blind and the ~~commissioners of schools of the county~~
26 INTERMEDIATE SCHOOL BOARD. The superintendent of the Michigan
27 school for the blind shall, upon receipt of such report from any

1 truant officer, determine whether or not the children in question
2 are ~~included within the provisions of~~ SUBJECT TO this act, and
3 if in his OR HER judgment ~~such~~ THE children are ~~included~~
4 ~~within the provisions of~~ SUBJECT TO this act, and are not
5 included within the exempted classes named ~~herein, he~~ IN SUB-
6 SECTION (3), shall notify the proper truant officer, who, upon
7 receipt of ~~such~~ THE notice, shall take ~~such~~ THE steps against
8 the ~~parents~~ PARENT, guardian, or other person having charge or
9 control of ~~any such~~ THE child or children ~~,~~ to enforce ~~the~~
10 ~~provisions of~~ this act, as are now prescribed in ~~Act 200 of the~~
11 ~~Public Acts of 1905, as amended, relative to compulsory education~~
12 ~~under the general school law~~ PART 24 OF THE REVISED SCHOOL CODE,
13 1976 PA 451, MCL 380.1561 TO 380.1599.

14 (5) ~~(d) In case when such~~ IF A parent, guardian, or other
15 person, on account of indigent circumstances, ~~are~~ IS unable to
16 furnish ~~such~~ A child or children with transportation to and
17 from ~~such~~ THE MICHIGAN school FOR THE BLIND, the board of
18 trustees of the Michigan school for the blind shall provide
19 ~~such~~ transportation each year, and the ~~said~~ board of trustees
20 may include therewith transportation for such parent, guardian,
21 or other person to ~~said~~ AND FROM THE school ~~and return, when~~
22 IF the child is under 12 years of age. ~~, and for that~~ FOR THIS
23 purpose, THE BOARD OF CONTROL may issue a certificate ~~directed~~
24 to the ~~auditor general~~ STATE TREASURER that said amount is nec-
25 essary for the benefit of such individuals. ~~, who~~ THE STATE
26 TREASURER shall draw his OR HER warrant ~~upon the state~~
27 ~~treasurer~~ therefor, and any such sums are hereby appropriated,

1 and shall be paid out of any ~~moneys~~ MONEY in the general fund
 2 ~~—~~ not otherwise appropriated, and the ~~auditor general~~ STATE
 3 TREASURER shall charge all ~~such moneys~~, MONEY so drawn ~~—~~ to
 4 the county of which ~~such~~ THE parent, guardian, or other person
 5 is a resident, or to which he or she shall belong, to be col-
 6 lected and returned to the general fund, the same as any state
 7 taxes are required to be by law.

8 (6) ~~(e)~~ Anyone refusing to comply with any of the provi-
 9 sions of this act, and any parent, guardian, or other person who
 10 ~~shall wilfully refuse~~ WILLFULLY REFUSES to send any ~~children~~
 11 ~~coming within the provisions of~~ CHILD SUBJECT TO this act and
 12 not herein expressly exempted ~~—~~ to the Michigan school for the
 13 blind, or who ~~shall detain any such children~~ DETAINS ANY CHILD
 14 who should be in attendance at ~~said~~ THE school, ~~shall, upon~~
 15 ~~conviction by any court of competent authority, be deemed~~ IS
 16 guilty of a misdemeanor and shall be subject to ~~such~~ THE penal-
 17 ties ~~as are~~ prescribed in ~~said Act 200 of the Public Acts of~~
 18 ~~1905 as amended for the violation of any of its provisions. All~~
 19 ~~provisions of said Act 200 of the Public Acts of 1905 are made~~
 20 ~~applicable hereto except in so far as they may be inconsistent~~
 21 ~~herewith~~ PART 24 OF THE REVISED SCHOOL CODE, 1976 PA 451, MCL
 22 380.1561 TO 380.1599.

23 Sec. 10. ~~In all cases where persons, residents of this~~
 24 ~~state, who are blind, but who, on account of poverty, are~~ IF A
 25 RESIDENT OF THIS STATE WHO IS BLIND IS FINANCIALLY unable to fur-
 26 nish ~~themselves~~ HIMSELF OR HERSELF with suitable clothing and
 27 other necessary expenses for attending school at the Michigan

1 school for the blind, the board of control ~~shall have~~
2 ~~discretionary power to render them such~~ MAY PROVIDE FINANCIAL
3 assistance, not exceeding ~~50 dollars~~ \$50.00 per annum for each
4 person, and for that purpose may issue a certificate, directed to
5 the ~~auditor general~~ STATE TREASURER, that such amount is neces-
6 sary for the benefit of ~~such individuals, who~~ THE PERSON. THE
7 STATE TREASURER shall draw his OR HER warrant ~~upon the state~~
8 ~~treasurer therefor; and any such~~ FOR THAT SUM. THESE sums ~~as~~
9 are hereby appropriated ~~,~~ AND shall be paid out of any ~~moneys~~
10 MONEY in the general fund not otherwise appropriated, and the
11 ~~auditor general~~ STATE TREASURER shall charge all such ~~moneys~~
12 ~~so~~ MONEY drawn to the county of which ~~such~~ THE person is a
13 resident, or to which he or she belongs, to be collected and
14 returned to the general fund, as any state taxes are required to
15 be by law.