

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 673, Page 10, Section 160.261, Line 239, by
2 inserting after all of said section and line the following:
3

4 "167.031. 1. Every parent, guardian, or other person in this state having charge, control, or
5 custody of a child not enrolled in a public, private, parochial, parish school, or full-time equivalent attendance
6 in a combination of such schools and between the ages of ~~seven~~ five years and the compulsory attendance
7 age for the district is responsible for enrolling the child in a program of academic instruction which complies
8 with subsection 2 of this section. Any parent, guardian, or other person who enrolls a child ~~[between the~~
9 ~~ages]~~ of five ~~[and seven]~~ years of age in a public school program of academic instruction shall cause such
10 child to attend the academic program on a regular basis, according to this section. Nonattendance by such
11 child shall cause such parent, guardian, or other responsible person to be in violation of the provisions of
12 section 167.061, except as provided by this section. A parent, guardian, or other person in this state having
13 charge, control, or custody of a child between the ages of ~~seven~~ five years of age and the compulsory
14 attendance age for the district shall cause the child to attend regularly some public, private, parochial, parish,
15 home school, or a combination of such schools not less than the entire school term of the school which the
16 child attends; except that:

17 (1) A child who, to the satisfaction of the superintendent of public schools of the district in which
18 ~~[he]~~ the child resides, or if there is no superintendent then the chief school officer, is determined to be
19 mentally or physically incapacitated may be excused from attendance at school for the full time required, or
20 any part thereof; or

21 (2) A child between fourteen years of age and the compulsory attendance age for the district may be
22 excused from attendance at school for the full time required, or any part thereof, by the superintendent of
23 public schools of the district, or if there is none then by a court of competent jurisdiction, when legal
24 employment has been obtained by the child and found to be desirable, and after the parents or guardian of the
25 child have been advised of the pending action~~;~~or

26 ~~———(3) A child between five and seven years of age shall be excused from attendance at school if a~~
27 ~~parent, guardian or other person having charge, control or custody of the child makes a written request that~~
28 ~~the child be dropped from the school's rolls].~~

29 2. (1) As used in sections 167.031 to 167.071, a "home school" is a school, whether incorporated or
30 unincorporated, that:

- 31 (a) Has as its primary purpose the provision of private or religious-based instruction;
32 (b) Enrolls pupils between the ages of ~~seven~~ five years and the compulsory attendance age for the
33 district, of which no more than four are unrelated by affinity or consanguinity in the third degree; and
34 (c) Does not charge or receive consideration in the form of tuition, fees, or other remuneration in a
35 genuine and fair exchange for provision of instruction.

36 (2) As evidence that a child is receiving regular instruction, the parent shall, except as otherwise
37 provided in this subsection:

38 (a) Maintain the following records:

- 39 a. A plan book, diary, or other written record indicating subjects taught and activities engaged in;
40 and

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1 b. A portfolio of samples of the child's academic work; and
2 c. A record of evaluations of the child's academic progress; or
3 d. Other written, or credible evidence equivalent to subparagraphs a., b. and c.; and
4 (b) Offer at least one thousand hours of instruction, at least six hundred hours of which will be in
5 reading, language arts, mathematics, social studies and science or academic courses that are related to the
6 aforementioned subject areas and consonant with the pupil's age and ability. At least four hundred of the six
7 hundred hours shall occur at the regular home school location.

8 (3) The requirements of subdivision (2) of this subsection shall not apply to any pupil above the age
9 of sixteen years.

10 3. Nothing in this section shall require a private, parochial, parish, or home school to include in its
11 curriculum any concept, topic, or practice in conflict with the school's religious doctrines or to exclude from
12 its curriculum any concept, topic, or practice consistent with the school's religious doctrines. Any other
13 provision of the law to the contrary notwithstanding, all departments or agencies of the state of Missouri shall
14 be prohibited from dictating through rule, regulation, or other device any statewide curriculum for private,
15 parochial, parish, or home schools.

16 4. A school year begins on the first day of July and ends on the thirtieth day of June following.

17 5. The production by a parent of a daily log showing that a home school has a course of instruction
18 which satisfies the requirements of this section or, in the case of a pupil over the age of sixteen years who
19 attended a metropolitan school district the previous year, a written statement that the pupil is attending home
20 school in compliance with this section shall be a defense to any prosecution under this section and to any
21 charge or action for educational neglect brought pursuant to chapter 210.

22 6. (1) As used in sections 167.031 to 167.051, the term "compulsory attendance age for the district"
23 shall mean:

24 ~~[(1)]~~ (a) Seventeen years of age for any metropolitan school district for which the school board
25 adopts a resolution to establish such compulsory attendance age; provided that such resolution shall take
26 effect no earlier than the school year next following the school year during which the resolution is adopted;
27 and

28 ~~[(2)]~~ (b) Seventeen years of age or having successfully completed sixteen credits towards high
29 school graduation in all other cases.

30 (2) The school board of a metropolitan school district for which the compulsory attendance age is
31 seventeen years may adopt a resolution to lower the compulsory attendance age to sixteen years; provided
32 that, such resolution shall take effect no earlier than the school year next following the school year during
33 which the resolution is adopted.

34 7. For purposes of subsection 2 of this section as applied in subsection 6 ~~herein~~ of this section, a
35 "completed credit towards high school graduation" shall be defined as one hundred hours or more of
36 instruction in a course. Home school education enforcement and records pursuant to this section, and
37 sections 210.167 and 211.031, shall be subject to review only by the local prosecuting attorney."; and
38

39 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.