



**House  
Legislative  
Analysis  
Section**

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**LIMITS ON TESTING OUT  
OF HIGH SCHOOL COURSES**

**House Bill 4772 (Substitute H-1)  
First Analysis (5-15-96)**

**Sponsor: Rep. William R. Bryant, Jr.  
Committee: Education**

***THE APPARENT PROBLEM:***

The School Code currently requires a school board to grant high school credit in a course for any student who, although not enrolled in the course, exhibits a reasonable level of mastery of the subject by attaining a grade of at least C+ in a final exam in the course, or if there is no final exam, by exhibiting that mastery through the basic assessment used in the course, which could consist of a portfolio, performance, paper, project, or presentation. Credit is based on a "pass" grade and is not included in computation of grade point average. Credit earned in this way may or may not count toward graduation, as the local school board determines, but the board's determination must apply equally to all such credit for all pupils. Further, credit earned in this way is to be counted toward fulfillment of a requirement for a subject area course and is to be counted toward fulfillment of a requirement as to course sequence.

The apparent justification for this provision, added by PA 335 of 1993 as part of a major revision to the School Code, and retained in the Revised School Code created by PA 289 of 1995, was to allow academically advanced or highly motivated high school students to bypass courses that do not offer them sufficient challenge so that they can seek out more appropriate courses or pursuits. In other words, it permits students to test out of classes which impart information or skills they have already acquired. As written, however, this "test out" provision does not offer schools any guidance as to which courses students should be allowed to test out of and which not, and, in particular, whether students can test out of courses that all high school students are required to take in order to graduate. There is also concern that students not be allowed to test out of courses that in large part involve student discussion and discourse, where the "conversation" between students and between students and teacher is itself of educational value rather than merely the information imparted. Reportedly, there has also been confusion over the nature of the tests or demonstrations to be used in displaying the required level of mastery. Legislation has been introduced to address these and related issues.

***THE CONTENT OF THE BILL:***

The bill would amend Section 1279b of the School Code, which requires that high schools allow students to "test out" of classes. It would provide that the requirement would not apply to courses in music, physical education, driver education, and creative writing; to science courses that predominantly consist of graded laboratory work; to courses exempted for all high schools by state board of education rule and generally identified as those whose essential nature is discourse between students and between students and one or more teachers, including, but not limited to a sex education course, age of majority course, critical thinking course, or forensics course; or to courses that a student is required by law to take or the passage of which fulfills a statutory high school graduation requirement, including, but not limited to, civics or American history.

Also under the bill, the C+ grade would have to be earned in a "comprehensive" final examination, and if there was no such examination, mastery could be exhibited through the basic assessment used in the course, which could include "one or more tests, portfolios, performances, papers, projects, or presentations, or a combination of these." Currently, the code says the course assessment can consist of "a portfolio, performance, paper, project, or presentation." The code now says that a student can take the final examination in any course in order to earn credit in this way. Under the bill, a student could take any comprehensive final examination or complete another required assessment in any course, except the courses excluded by the bill, as referred to above.

MCL 380.1279b

***FISCAL IMPLICATIONS:***

There is no information at present.

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**ARGUMENTS:**

***For:***

The bill provides a list of courses that do not seem suitable candidates for students to be able to test out of under the School Code's provision that allows students to gain credit for courses that they have not taken but in which they can demonstrate a required level of mastery. These courses include some that are required for all students to attend in order to graduate; some that consist in large part of student discussion or discourse; some, like creative writing and laboratory science, that are "hands on" or "learning by doing" courses in large part; and others, such as music, that are collaborative ventures and "school spirit" oriented. The bill also clarifies what kinds of examinations and other demonstrations are appropriate.

***Response:***

While supporting the idea of the bill, some might question the appropriateness of the list. Why shouldn't a student be able to "test out" of music based on their proficiency if they can test out of art classes? Or, should art be included on the list along with creative writing? Also, why shouldn't a student be able to test out of civics or American history if he or she is already familiar with the material to be covered? The point of the test out provision is to help prevent advanced or knowledgeable students from being bored and unchallenged.

***Against:***

Is it appropriate, given the emphasis in the Revised School Code on empowering school districts, for the state to impose a mandatory "test out" provision in the first place?

**POSITIONS:**

The Michigan Association of Secondary School Principals supports the bill. (5-14-96)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.