

# HOUSE BILL No. 5921

June 21, 1990, Introduced by Reps. Kulchitsky, Bartnik, Runco, Dunaskiss, Bender, Hoekman, Stopczynski, Willis Bullard, Dolan, Law, Muxlow, Krause, Niederstadt and Jaye and referred to the Committee on Social Services and Youth.

A bill to amend Act No. 280 of the Public Acts of 1939, entitled as amended  
"The social welfare act,"  
as amended, being sections 400.1 to 400.121 of the Michigan Compiled Laws, by adding sections 57, 57a, 57b, 57c, 57d, 57e, 57f, and 57g.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 280 of the Public Acts of 1939, as  
2 amended, being sections 400.1 to 400.121 of the Michigan Compiled  
3 Laws, is amended by adding sections 57, 57a, 57b, 57c, 57d, 57e,  
4 57f, and 57g to read as follows:

5 SEC. 57. FOR PURPOSES OF THIS SECTION AND SECTIONS 57A TO  
6 57G:

7 (A) "CARETAKER RELATIVE" MEANS THE MOTHER, FATHER,  
8 GRANDMOTHER, GRANDFATHER, BROTHER, SISTER, STEPMOTHER,

1 STEPFATHER, STEPBROTHER, STEPSISTER, UNCLE, AUNT, FIRST COUSIN,  
2 NEPHEW, OR NIECE OF A CHILD WITH WHOM THE CHILD IS LIVING IN A  
3 PLACE OF RESIDENCE MAINTAINED BY THE CARETAKER RELATIVE AS HIS OR  
4 HER OWN HOME.

5 (B) "CEASED TO ATTEND" MEANS THAT A CHILD HAS 20 CONSECUTIVE  
6 FULL SCHOOL DAYS OF UNEXCUSED ABSENCE.

7 (C) "CHILD" MEANS A PERSON WHO IS RECEIVING AID TO FAMILIES  
8 WITH DEPENDENT CHILDREN OR GENERAL ASSISTANCE UNDER THIS ACT AND  
9 IS EITHER OF THE FOLLOWING:

10 (i) REQUIRED TO ATTEND SCHOOL PURSUANT TO SECTION 1561 OF  
11 THE SCHOOL CODE OF 1976, BEING SECTION 380.1561 OF THE MICHIGAN  
12 COMPILED LAWS.

13 (ii) AT LEAST AGE 16 AND LESS THAN AGE 18.

14 (D) "DROPOUT" MEANS A CHILD WHO IS 16 YEARS OF AGE OR OLDER  
15 WHO HAS CEASED TO ATTEND SCHOOL, DOES NOT ATTEND ANOTHER SCHOOL,  
16 HAS NOT GRADUATED FROM HIGH SCHOOL OR PASSED A GRADUATE EQUIVA-  
17 LENCY EXAMINATION APPROVED BY THE STATE BOARD OF EDUCATION, AND  
18 IS NOT EXEMPTED FROM SCHOOL ATTENDANCE UNDER SECTION 1561 OF THE  
19 SCHOOL CODE OF 1976.

20 (E) "EXCUSED ABSENCE" MEANS AN ABSENCE THAT MEETS THE  
21 SCHOOL'S OR SCHOOL DISTRICT'S DEFINITION OF AN ABSENCE FOR WHICH  
22 THERE IS A VALID REASON NOT TO ATTEND SCHOOL.

23 (F) "GOOD CAUSE" MEANS A REASON DESCRIBED IN SECTION 57E FOR  
24 THE CHILD'S FAILURE TO MEET THE SCHOOL ATTENDANCE REQUIREMENTS OF  
25 SECTION 57B.

26 (G) "FULL DAY" MEANS THE ENTIRE SCHOOL DAY AS DEFINED BY THE  
27 SCHOOL OR SCHOOL DISTRICT.

1 (H) "MONTHLY ATTENDANCE REQUIREMENT" MEANS A REQUIREMENT  
2 THAT THE CHILD HAVE NO MORE THAN 2 FULL DAYS OF UNEXCUSED  
3 ABSENCES IN A CALENDAR MONTH.

4 (I) "MOST PROGRAM" MEANS THE MICHIGAN OPPORTUNITY AND SKILLS  
5 TRAINING PROGRAM ESTABLISHED BY THE STATE DEPARTMENT IN ACCORD-  
6 ANCE WITH SECTION 402(a)(19) OF THE SOCIAL SECURITY ACT, 42  
7 U.S.C. 602 (a)(19).

8 (J) "SCHOOL" MEANS ALL OF THE FOLLOWING:

9 (i) A PUBLIC SCHOOL OPERATED BY A SCHOOL DISTRICT.

10 (ii) A NONPUBLIC SCHOOL AS DEFINED IN SECTION 5 OF THE  
11 SCHOOL CODE OF 1976, BEING SECTION 380.5 OF THE MICHIGAN COMPILED  
12 LAWS.

13 (iii) A GENERAL EDUCATIONAL DEVELOPMENT TESTING PREPARATION  
14 PROGRAM AS DEFINED IN SECTION 4 OF THE STATE SCHOOL AID ACT OF  
15 1979, ACT NO. 94 OF THE PUBLIC ACTS OF 1979, BEING SECTION  
16 388.1604 OF THE MICHIGAN COMPILED LAWS.

17 (K) "SCHOOL ATTENDANCE OFFICER" MEANS A PERSON EMPLOYED PUR-  
18 SUANT TO SECTION 1571 OF THE SCHOOL CODE OF 1976, BEING SECTION  
19 380.1571 OF THE MICHIGAN COMPILED LAWS, OR THE PERSON CHARGED  
20 WITH KEEPING ATTENDANCE RECORDS IN A SCHOOL.

21 (L) "SCHOOL CODE OF 1976" MEANS ACT NO. 451 OF THE PUBLIC  
22 ACTS OF 1976, BEING SECTIONS 380.1 TO 380.1852 OF THE MICHIGAN  
23 COMPILED LAWS.

24 (M) "SCHOOL DISTRICT" MEANS THAT TERM AS DEFINED IN SECTION  
25 6 OF THE SCHOOL CODE OF 1976, BEING SECTION 380.6 OF THE MICHIGAN  
26 COMPILED LAWS, A LOCAL ACT SCHOOL DISTRICT AS DEFINED IN SECTION  
27 5 OF THE SCHOOL CODE OF 1976, BEING SECTION 380.5 OF THE MICHIGAN

1 COMPILED LAWS, OR AN INTERMEDIATE SCHOOL DISTRICT AS DEFINED IN  
2 SECTION 4 OF THE SCHOOL CODE OF 1976, BEING SECTION 380.4 OF THE  
3 MICHIGAN COMPILED LAWS.

4 (N) "UNEXCUSED ABSENCE" MEANS AN ABSENCE THAT MEETS THE  
5 SCHOOL'S OR SCHOOL DISTRICT'S DEFINITION OF AN ABSENCE FOR WHICH  
6 THERE IS NOT A VALID REASON FOR THE CHILD NOT TO ATTEND SCHOOL.

7 SEC. 57A. (1) A CHILD SHALL ATTEND SCHOOL IN ACCORDANCE  
8 WITH SECTION 57B AS A CONDITION OF RECEIVING AID TO FAMILIES WITH  
9 DEPENDENT CHILDREN OR GENERAL ASSISTANCE UNDER THIS ACT UNLESS 1  
10 OR MORE OF THE FOLLOWING APPLY:

11 (A) THE CHILD HAS GRADUATED FROM A PUBLIC OR PRIVATE HIGH  
12 SCHOOL OR PASSED A GRADUATE EQUIVALENCY EXAMINATION APPROVED BY  
13 THE STATE BOARD OF EDUCATION.

14 (B) THE CHILD IS EXCUSED FROM ATTENDING SCHOOL UNDER SECTION  
15 1561 OF THE SCHOOL CODE OF 1976, BEING SECTION 380.1561 OF THE  
16 MICHIGAN COMPILED LAWS.

17 (C) THE CHILD IS A PARENT OF AN INFANT OF 90 DAYS OF AGE OR  
18 LESS.

19 (D) IF CHILD CARE SERVICES ARE NECESSARY IN ORDER FOR THE  
20 CHILD TO ATTEND SCHOOL, CHILD CARE AND TRANSPORTATION TO AND FROM  
21 THE CHILD CARE SERVICES ARE NOT AVAILABLE.

22 (E) THE CHILD IS PROHIBITED FROM ATTENDING SCHOOL DURING A  
23 SUSPENSION OR DURING THE PENDENCY OF AN EXPULSION UNDER SECTION  
24 1311 OF THE SCHOOL CODE OF 1976, BEING SECTION 380.1311 OF THE  
25 MICHIGAN COMPILED LAWS.

1 (F) IF THE CHILD WAS EXPELLED FROM A SCHOOL UNDER SECTION  
2 1311 OF THE SCHOOL CODE OF 1976, THERE IS NOT ANOTHER SCHOOL  
3 AVAILABLE THAT THE CHILD CAN ATTEND.

4 (G) THE CHILD HAS GOOD CAUSE FOR FAILING TO ATTEND SCHOOL.

5 (2) A CHILD WHO FAILS TO ATTEND SCHOOL AS REQUIRED UNDER  
6 SUBSECTION (1), OR THE CHILD'S CARETAKER RELATIVE, IS SUBJECT TO  
7 SANCTIONS AS PROVIDED IN SECTION 57F.

8 SEC. 57B. (1) A CHILD WHO IS REQUIRED TO ATTEND SCHOOL PUR-  
9 SUANT TO SECTION 57A IS MEETING THE SCHOOL ATTENDANCE REQUIREMENT  
10 ON THE EFFECTIVE DATE OF THIS ACT IF HE OR SHE HAS FEWER THAN 10  
11 FULL DAYS OF UNEXCUSED ABSENCES FROM SCHOOL DURING THE MOST  
12 RECENTLY COMPLETED SCHOOL SEMESTER OR THE EQUIVALENT OF A  
13 SEMESTER.

14 (2) IF THE SCHOOL THAT THE CHILD IS ENROLLED IN DOES NOT  
15 KEEP DAILY ATTENDANCE RECORDS, THE CHILD IS CONSIDERED TO BE  
16 MEETING THE SCHOOL ATTENDANCE REQUIREMENT IF THE SCHOOL VERIFIES  
17 THE CONTINUING ENROLLMENT OF THE CHILD IN THE SEMESTER OR ITS  
18 EQUIVALENT UNDER REVIEW.

19 (3) A CHILD WHO HAS 10 OR MORE FULL DAYS OF UNEXCUSED  
20 ABSENCES FROM SCHOOL DURING THE SCHOOL SEMESTER OR ITS EQUIVALENT  
21 UNDER REVIEW OR WHO WAS A DROPOUT AND RETURNED TO SCHOOL DURING  
22 THE SEMESTER OR ITS EQUIVALENT UNDER REVIEW OR WHO IS UNABLE TO  
23 VERIFY PREVIOUS ATTENDANCE SHALL COMPLY WITH THE MONTHLY  
24 ATTENDANCE REQUIREMENT.

25 (4) EXCEPT IN A CASE IN WHICH SUBSECTION (2) APPLIES, IF  
26 INFORMATION ABOUT A CHILD'S PREVIOUS SCHOOL ATTENDANCE IS NOT  
27 AVAILABLE OR CANNOT BE VERIFIED, THE CHILD SHALL MEET THE MONTHLY

1 ATTENDANCE REQUIREMENT FOR 1 SEMESTER OR ITS EQUIVALENT OR UNTIL  
2 THE INFORMATION IS OBTAINED.

3 (5) A CHILD IS NOT REQUIRED TO COMPLY WITH ATTENDANCE  
4 REQUIREMENTS WHEN THE SCHOOL THE CHILD IS ATTENDING IS NOT IN  
5 REGULAR SESSION.

6 (6) A CHILD OR THE CHILD'S CARETAKER RELATIVE SHALL COOPER-  
7 ATE IN PROVIDING INFORMATION NEEDED TO VERIFY ENROLLMENT INFORMA-  
8 TION OR GOOD CAUSE. IF NEITHER ONE COOPERATES, THE CHILD OR  
9 CARETAKER RELATIVE IS SUBJECT TO SANCTION AS PROVIDED UNDER SEC-  
10 TION 57F.

11 (7) A CHILD OR THE CHILD'S CARETAKER RELATIVE SHALL NOTIFY  
12 THE STATE DEPARTMENT IF THE CHILD DROPS OUT OF SCHOOL.

13 (8) A CHILD'S OR CARETAKER RELATIVE'S CONSENT TO THE RELEASE  
14 OF SCHOOL ATTENDANCE RECORDS IS A CONDITION OF ELIGIBILITY FOR  
15 AID TO FAMILIES WITH DEPENDENT CHILDREN OR GENERAL ASSISTANCE.

16 SEC. 57C. FOR EACH CASE THAT INCLUDES A CHILD, THE STATE  
17 DEPARTMENT SHALL DO ALL OF THE FOLLOWING:

18 (A) REVIEW ATTENDANCE INFORMATION AT THE INITIAL ELIGIBILITY  
19 DETERMINATION, AT THE END OF EACH SEMESTER OR ITS EQUIVALENT, AND  
20 FOR THOSE INDIVIDUALS WHO ARE SUBJECT TO THE MONTHLY ATTENDANCE  
21 REQUIREMENT, AT MONTHLY INTERVALS.

22 (B) NOTIFY THE CARETAKER RELATIVE OF THE CHILD OF ALL OF THE  
23 FOLLOWING:

24 (i) THAT, UNLESS EXEMPTED OR EXCUSED, THE CHILD IS REQUIRED  
25 TO ATTEND SCHOOL AS A CONDITION OF ELIGIBILITY FOR AID TO FAMI-  
26 LIES WITH DEPENDENT CHILDREN OR GENERAL ASSISTANCE, AND THAT  
27 SANCTIONS MAY BE APPLIED EITHER TO THE CHILD OR TO THE CARETAKER

1 RELATIVE IF A CHILD HAS MORE THAN 2 UNEXCUSED ABSENCES DURING A  
2 MONTH THAT SCHOOL IS IN SESSION.

3 (ii) THAT, AS A CONDITION OF RECEIVING ASSISTANCE, THE CHILD  
4 AND CARETAKER RELATIVE ARE REQUIRED TO COOPERATE IN PROVIDING  
5 INFORMATION NEEDED TO VERIFY ENROLLMENT INFORMATION, AND TO CON-  
6 SENT TO THE RELEASE OF ATTENDANCE INFORMATION FROM THE SCHOOL.

7 (iii) THAT A CHILD WHO IS A DROPOUT OR THAT CHILD'S CARE-  
8 TAKER RELATIVE IS REQUIRED TO NOTIFY THE STATE DEPARTMENT IF THE  
9 CHILD DROPS OUT OF SCHOOL.

10 (iv) THAT THE CHILD OR CARETAKER RELATIVE SHOULD CONTACT THE  
11 SCHOOL FOR A DEFINITION OF EXCUSED AND UNEXCUSED ABSENCES.

12 (v) THAT THE CHILD OR CARETAKER RELATIVE HAS A RIGHT TO A  
13 HEARING UNDER SUBDIVISION (E)

14 (C) REQUEST INFORMATION FROM THE SCHOOL ATTENDANCE OFFICER  
15 FOR A CHILD'S SCHOOL REGARDING THE CHILD'S ATTENDANCE DURING EACH  
16 SEMESTER OR ITS EQUIVALENT.

17 (D) FOR EACH CHILD WHO IS SUBJECT TO THE MONTHLY ATTENDANCE  
18 REQUIREMENT, REQUEST INFORMATION FROM THE SCHOOL ATTENDANCE OFFI-  
19 CER FOR THE CHILD'S SCHOOL REGARDING THE CHILD'S ATTENDANCE  
20 DURING THE MONTH. THE REQUEST SHALL BE SENT IN WRITING TO THE  
21 SCHOOL ATTENDANCE OFFICER ON THE LAST DAY OF EACH MONTH.

22 (E) IF REQUESTED, REVIEW AND DETERMINE IN A HEARING HELD IN  
23 ACCORDANCE WITH CHAPTER 4 OF THE ADMINISTRATIVE PROCEDURES ACT OF  
24 1969, ACT NO. 306 OF THE PUBLIC ACTS OF 1969, BEING SECTIONS  
25 24.271 TO 24.287 OF THE MICHIGAN COMPILED LAWS, THE CLAIM OF A  
26 CHILD OR CARETAKER RELATIVE THAT THE CHILD'S UNEXCUSED ABSENCE  
27 WAS FOR GOOD CAUSE.

1 (F) DETERMINE WHETHER A CHILD EXCUSED FROM ATTENDING SCHOOL  
2 FOR GOOD CAUSE SHOULD BE REFERRED TO THE MOST PROGRAM FOR OTHER  
3 ACTIVITIES.

4 (G) ADMINISTER CHILD CARE AND TRANSPORTATION FUNDS AVAILABLE  
5 TO A CHILD WHO IS A PARENT, AS PROVIDED UNDER THE PROGRAM OF AID  
6 TO FAMILIES WITH DEPENDENT CHILDREN.

7 SEC. 57D. (1) THE APPROPRIATE AUTHORITY OF A SCHOOL OR, IN  
8 THE CASE OF A PUBLIC SCHOOL, THE BOARD OF A SCHOOL DISTRICT ON  
9 BEHALF OF ITS SCHOOLS SHALL DETERMINE STANDARD DEFINITIONS FOR  
10 EXCUSED AND UNEXCUSED ABSENCES AND SHALL PROVIDE THAT INFORMA-  
11 TION, UPON REQUEST, TO THE STATE DEPARTMENT.

12 (2) THE APPROPRIATE AUTHORITY OF EACH SCHOOL OR, IN THE CASE  
13 OF A PUBLIC SCHOOL, THE BOARD OF A SCHOOL DISTRICT ON BEHALF OF  
14 ITS SCHOOLS, SHALL DEFINE HOW MANY HOURS OF ATTENDANCE COUNT AS A  
15 FULL DAY AND SHALL PROVIDE THAT INFORMATION, UPON REQUEST, TO THE  
16 STATE DEPARTMENT.

17 (3) IN REPORTING ATTENDANCE, THE SCHOOL OR SCHOOL DISTRICT  
18 SHALL NOT ADD PARTIAL DAY ABSENCES TOGETHER TO CONSTITUTE A FULL  
19 DAY OF ABSENCE.

20 (4) SUBJECT TO THE REQUIREMENTS OF THE FAMILY EDUCATIONAL  
21 RIGHTS AND PRIVACY ACT OF 1974, SECTION 438 OF SUBPART 2 OF  
22 PART C OF THE GENERAL EDUCATION PROVISIONS ACT, TITLE IV OF  
23 PUBLIC LAW 90-247, 20 U.S.C. 1232g, A SCHOOL ATTENDANCE OFFICER  
24 SHALL PROVIDE INFORMATION TO THE STATE DEPARTMENT ABOUT THE  
25 ATTENDANCE OF A CHILD WHO IS ENROLLED IN A SCHOOL UNDER HIS OR  
26 HER JURISDICTION. THE INFORMATION SHALL BE PROVIDED WITHIN 5



1 WORKING DAYS AFTER THE ATTENDANCE OFFICER RECEIVES A WRITTEN  
2 REQUEST FROM THE STATE DEPARTMENT.

3 SEC. 57E. (1) A CHILD HAS GOOD CAUSE TO BE ABSENT FROM  
4 SCHOOL UNDER 1 OR MORE OF THE FOLLOWING CIRCUMSTANCES:

5 (A) THE CHILD IS THE PARENT OF AN INFANT AND 1 OR MORE OF  
6 THE FOLLOWING APPLY:

7 (i) THE INFANT IS LESS THAN 90 DAYS OLD.

8 (ii) CHILD CARE SERVICES ARE NECESSARY FOR THE CHILD TO  
9 ATTEND SCHOOL AND CHILD CARE IS NOT AVAILABLE.

10 (iii) TRANSPORTATION TO AND FROM CHILD CARE IS NECESSARY AND  
11 THERE IS NO PUBLIC OR PRIVATE TRANSPORTATION AVAILABLE.

12 (B) THE CHILD IS TEMPORARILY EXCUSED FROM SCHOOL ATTENDANCE  
13 BY THE SCHOOL DISTRICT UNDER SECTION 1561 OF THE SCHOOL CODE OF  
14 1976, BEING SECTION 380.1561 OF THE MICHIGAN COMPILED LAWS.

15 (C) THE CHILD IS PROHIBITED BY A SCHOOL OR SCHOOL DISTRICT  
16 FROM ATTENDING SCHOOL DURING A SUSPENSION OR WHILE AN EXPULSION  
17 IS PENDING UNDER SECTION 1311 OF THE SCHOOL CODE OF 1976, BEING  
18 SECTION 380.1311 OF THE MICHIGAN COMPILED LAWS. THIS EXEMPTION  
19 NO LONGER APPLIES ONCE THE CHILD HAS BEEN FORMALLY EXPELLED.

20 (D) THE CHILD IS UNABLE TO ATTEND SCHOOL BECAUSE HE OR SHE  
21 WAS EXPELLED UNDER SECTION 1311 OF THE SCHOOL CODE OF 1976 AND  
22 ANOTHER SCHOOL IS NOT AVAILABLE FOR 1 OR MORE OF THE FOLLOWING  
23 REASONS:

24 (i) THERE IS NO PUBLIC OR PRIVATE SCHOOL WITHIN 2-1/2 MILES  
25 FROM THE CHILD'S RESIDENCE BY THE NEAREST TRAVELED ROAD THAT WILL  
26 ACCEPT THE CHILD.

1       (ii) THERE IS NO PUBLIC OR PRIVATE TRANSPORTATION AVAILABLE  
2 TO ANOTHER SCHOOL.

3       (iii) THERE IS A PUBLIC OR PRIVATE SCHOOL AVAILABLE THAT  
4 WILL ACCEPT THE CHILD BUT THE TUITION CHARGE IS PROHIBITIVE AND  
5 THE CHILD'S SCHOOL DISTRICT REFUSES TO PAY THE TUITION.

6       SEC. 57F. (1) UPON DETERMINING THAT A CHILD HAS FAILED  
7 WITHOUT GOOD CAUSE TO MEET THE MONTHLY ATTENDANCE REQUIREMENT OF  
8 SECTION 57B(3), THE AGENCY SHALL SEND WRITTEN NOTICE TO THE CARE-  
9 TAKER RELATIVE AND TO THE CHILD THAT SPECIFIES ALL OF THE  
10 FOLLOWING:

11       (A) THAT THE CHILD OR THE CARETAKER RELATIVE WILL BE REMOVED  
12 FROM THE ASSISTANCE GRANT IN THE NEXT POSSIBLE PAYMENT MONTH  
13 BECAUSE THE CHILD FAILED TO MEET THE MONTHLY ATTENDANCE  
14 REQUIREMENT. IF THE CHILD IS OLDER THAN 12 YEARS OF AGE AND IS  
15 THE ONLY CHILD IN THE GRANT AND CONTINUATION UNDER SUBSECTION (6)  
16 DOES NOT APPLY, THE NOTICE SHALL ALSO STATE THAT THE ENTIRE GRANT  
17 WILL BE DISCONTINUED.

18       (B) THE BEGINNING DATE OF THE SANCTION, AND THE CHILD OR  
19 CARETAKER RELATIVE TO WHOM THE SANCTION APPLIES.

20       (C) THE CHILD'S OR CARETAKER RELATIVE'S RIGHT TO REQUEST A  
21 HEARING UNDER SUBSECTION (2).

22       (2) THE CHILD OR CARETAKER RELATIVE MAY REQUEST A HEARING IN  
23 ACCORDANCE WITH CHAPTER 4 OF THE ADMINISTRATIVE PROCEDURES ACT OF  
24 1969, ACT NO. 306 OF THE PUBLIC ACTS OF 1969, BEING SECTIONS  
25 24.271 TO 24.287 OF THE MICHIGAN COMPILED LAWS, ON THE STATE  
26 DEPARTMENT'S DETERMINATION THAT THE CHILD HAS FAILED WITHOUT GOOD  
27 CAUSE TO MEET THE MONTHLY ATTENDANCE REQUIREMENT.

1 (3) IF A CHILD WHO HAS FAILED WITHOUT GOOD CAUSE TO MEET THE  
2 MONTHLY ATTENDANCE REQUIREMENT, OR THE CHILD'S CARETAKER RELA-  
3 TIVE, DOES NOT REQUEST A HEARING UNDER SUBSECTION (2), OR IF,  
4 AFTER A HEARING HAS BEEN HELD, THE HEARING OFFICER FINDS THAT THE  
5 CHILD HAS FAILED WITHOUT GOOD CAUSE TO MEET THE MONTHLY  
6 ATTENDANCE REQUIREMENT, THE STATE DEPARTMENT SHALL DO THE  
7 FOLLOWING:

8 (A) IF THE CHILD IS 12 YEARS OLD OR LESS, REMOVE THE NEEDS  
9 OF THE CARETAKER RELATIVE FROM THE PAYMENT AMOUNT FOR THE NEXT  
10 POSSIBLE PAYMENT MONTH IN WHICH A SANCTION IS NOT ALREADY BEING  
11 APPLIED.

12 (B) IF THE CHILD IS OLDER THAN 12 YEARS OLD, REMOVE THE  
13 NEEDS OF THE CHILD FROM THE PAYMENT AMOUNT FOR THE NEXT POSSIBLE  
14 PAYMENT MONTH IN WHICH A SANCTION IS NOT ALREADY BEING APPLIED.

15 (4) A SANCTION APPLIED UNDER SUBSECTION (3) IS EFFECTIVE FOR  
16 1 MONTH FOR EACH MONTH THE CHILD FAILS TO MEET THE MONTHLY  
17 ATTENDANCE REQUIREMENT.

18 (5) IF A CHILD WHO HAS DROPPED OUT OF SCHOOL, OR THE CHILD'S  
19 CARETAKER RELATIVE, DOES NOT REQUEST A HEARING UNDER SUBSECTION  
20 (2), OR IF, AFTER A HEARING HAS BEEN HELD, THE HEARING OFFICER  
21 FINDS THAT THE CHILD IS A DROPOUT, THE STATE DEPARTMENT SHALL  
22 REMOVE THE NEEDS OF THE CHILD FROM THE PAYMENT AMOUNT IN THE NEXT  
23 POSSIBLE PAYMENT MONTH AFTER THE CHILD DROPPED OUT. A SANCTION  
24 APPLIED UNDER THIS SUBSECTION IS EFFECTIVE UNTIL THE CHILD WHO IS  
25 A DROPOUT PROVIDES WRITTEN VERIFICATION FROM THE SCHOOL THAT HE  
26 OR SHE HAS RE-ENROLLED AND HAS MET THE MONTHLY ATTENDANCE  
27 REQUIREMENT FOR 1 CALENDAR MONTH. ANY MONTH IN WHICH SCHOOL IS

1 IN SESSION AT LEAST 10 DAYS DURING THAT MONTH MAY BE USED TO MEET  
2 THE MONTHLY ATTENDANCE REQUIREMENT, INCLUDING ATTENDANCE AT  
3 SUMMER SCHOOL. THE SANCTION SHALL BE REMOVED IN THE NEXT POSSI-  
4 BLE PAYMENT MONTH AFTER THE WRITTEN VERIFICATION IS PROVIDED AND  
5 THE MONTHLY ATTENDANCE REQUIREMENT MET.

6 (6) IF A CHILD WHO IS OLDER THAN 12 YEARS OF AGE AND WHO HAS  
7 FAILED TO MEET THE MONTHLY ATTENDANCE REQUIREMENT OR WHO HAS  
8 DROPPED OUT OF SCHOOL IS THE ONLY DEPENDENT CHILD IN THE FAMILY,  
9 AND REMOVAL OF THE CHILD'S NEEDS WOULD CLOSE THE CASE, THE STATE  
10 DEPARTMENT MAY CONTINUE PAYMENTS TO MEET THE NEED OF THE CARE-  
11 TAKER RELATIVE FOR UP TO 3 MONTHS IF THE CARETAKER RELATIVE IS  
12 OTHERWISE ELIGIBLE. THIS SUBSECTION ONLY APPLIES THE FIRST TIME  
13 THE CHILD IS SANCTIONED.

14 (7) IF THE CHILD AND THE CHILD'S CARETAKER RELATIVE FAIL TO  
15 COOPERATE IN PROVIDING INFORMATION NEEDED TO VERIFY ENROLLMENT  
16 INFORMATION OR GOOD CAUSE, OR IF THE CHILD AND THE CHILD'S CARE-  
17 TAKER RELATIVE FAIL TO CONSENT TO THE RELEASE OF SCHOOL  
18 ATTENDANCE RECORDS, THE STATE DEPARTMENT SHALL DO 1 OF THE  
19 FOLLOWING:

20 (A) IF THE CHILD IS 12 YEARS OLD OR LESS, REMOVE THE NEEDS  
21 OF THE CARETAKER RELATIVE FROM THE PAYMENT AMOUNT FOR THE NEXT  
22 POSSIBLE PAYMENT MONTH IN WHICH A SANCTION IS NOT ALREADY BEING  
23 APPLIED.

24 (B) IF THE CHILD IS OLDER THAN 12 YEARS OLD, REMOVE THE  
25 NEEDS OF THE CHILD FROM THE PAYMENT AMOUNT FOR THE NEXT POSSIBLE  
26 PAYMENT MONTH IN WHICH A SANCTION IS NOT ALREADY BEING APPLIED.

1 (8) A SANCTION APPLIED UNDER SUBSECTION (7) IS EFFECTIVE  
2 UNTIL THE CHILD OR CARETAKER RELATIVE COOPERATES IN PROVIDING  
3 VERIFICATION OF ENROLLMENT OR GOOD CAUSE OR CONSENTS TO THE  
4 RELEASE OF SCHOOL ATTENDANCE INFORMATION.

5 (9) IF THE STATE DEPARTMENT FINDS A SANCTION TO BE APPLICA-  
6 BLE FOR A MONTH OR MONTHS IN WHICH THE CHILD OR CARETAKER RELA-  
7 TIVE WAS INCLUDED IN THE GRANT, THE PAYMENT AMOUNT COVERING THE  
8 NEEDS OF THE CHILD OR THE CARETAKER RELATIVE, AS APPLICABLE, IS  
9 AN OVERPAYMENT SUBJECT TO RECOUPMENT.

10 SEC. 57G. (1) THE STATE DEPARTMENT SHALL REQUEST A WAIVER  
11 FROM THE SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH AND  
12 HUMAN SERVICES UNDER SECTION 1115(a) OF THE SOCIAL SECURITY ACT,  
13 42 U.S.C. 1315(a), TO PERMIT THE APPLICATION OF THE SCHOOL  
14 ATTENDANCE REQUIREMENTS OF SECTIONS 57 TO 57F TO RECIPIENTS OF  
15 AID TO FAMILIES WITH DEPENDENT CHILDREN. THE STATE DEPARTMENT  
16 SHALL REQUEST THE WAIVER FOR A PERIOD OF 36 MONTHS OR FOR THE  
17 PERIOD THE SECRETARY FINDS NECESSARY TO ENABLE THE STATE TO CARRY  
18 OUT THE PROGRAM DESCRIBED IN SECTIONS 57 TO 57F.

19 (2) A PROVISION OF SECTIONS 57 TO 57F FOR WHICH A FEDERAL  
20 WAIVER IS REQUIRED SHALL NOT BE APPLIED TO A RECIPIENT OF AID TO  
21 FAMILIES WITH DEPENDENT CHILDREN UNLESS THE FEDERAL WAIVER IS IN  
22 EFFECT. IF A WAIVER IS GRANTED FOR PARTS OF THE PROGRAM  
23 DESCRIBED IN SECTIONS 57 TO 57F BUT NOT FOR OTHERS, THE STATE  
24 DEPARTMENT SHALL IMPLEMENT THOSE PARTS OF THE PROGRAM FOR WHICH  
25 THE WAIVER HAS BEEN GRANTED.