



HOUSE BILL No. 5113

November 9, 1999, Introduced by Reps. Daniels, Hale, Allen, Howell, Richner, Thomas, Vaughn, Reeves, Brater, Martinez, Bogardus, Basham, Neumann, Hardman, Rison, Clark, Garza, Bovin, Clarke, Green, Woronchak, Patterson, Brewer, Julian, DeRossett, Hager, Kowall, Byl, Hart, Mead, Mortimer, Faunce, Shulman, DeWeese, Ruth Johnson, Woodward, Sanborn, Cassis, DeHart, Kilpatrick, Rick Johnson, Quarles, Geiger, Kelly, LaForge, Scranton, Gielegthem, Dennis, Mans and O'Neil and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 1561 and 1596 (MCL 380.1561 and 380.1596),
section 1561 as amended by 1996 PA 339.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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1 Sec. 1561. (1) Except as otherwise provided in this sec-
2 tion, every parent, guardian, or other person in this state
3 having control and charge of a child from the age of 6 to the
4 child's ~~sixteenth~~ EIGHTEENTH birthday shall send that child to
5 a public school during the entire school year. The child's
6 attendance shall be continuous and consecutive for the school
7 year fixed by the school district in which the child is
8 enrolled. In a school district that maintains school during the
9 entire calendar year and in which the school year is divided into
10 quarters, a child is not required to attend the public school

1 more than 3 quarters in 1 calendar year, but a child shall not be
2 absent for 2 or more consecutive quarters.

3 (2) A child becoming 6 years of age before December 1 shall
4 be enrolled on the first school day of the school year in which
5 the child's sixth birthday occurs. A child becoming 6 years of
6 age on or after December 1 shall be enrolled on the first school
7 day of the school year following the school year in which the
8 child's sixth birthday occurs.

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

11 (a) The child is attending regularly and is being taught in
12 a state approved nonpublic school, which teaches subjects com-
13 parable to those taught in the public schools to children of cor-
14 responding age and grade, as determined by the course of study
15 for the public schools of the district within which the nonpublic
16 school is located.

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

22 (c) The child is age 12 or 13 and is in attendance at con-
23 firmation classes conducted for a period of 5 months or less.

24 (d) The child is regularly enrolled in a public school while
25 in attendance at religious instruction classes for not more than
26 2 class hours per week, off public school property during public
27 school hours, upon written request of the parent, guardian, or

1 person in loco parentis under rules promulgated by the state
2 board.

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

5 (f) The child is being educated at the child's home by his
6 or her parent or legal guardian in an organized educational pro-
7 gram in the subject areas of reading, spelling, mathematics,
8 science, history, civics, literature, writing, and English
9 grammar.

10 (4) For a child being educated at the child's home by his or
11 her parent or legal guardian, exemption from the requirement to
12 attend public school may exist under either subsection (3)(a) or
13 (3)(f), or both.

14 Sec. 1596. (1) The board of a school district other than a
15 primary school district may establish 1 or more ungraded schools
16 for the instruction of certain pupils classified in subsection
17 (2). The board may require the pupils to attend an ungraded
18 school or a department of the school as the board directs.

19 (2) ~~The following cases of persons, aged~~ A CHILD AGE 7 to
20 ~~the sixteenth~~ HIS OR HER EIGHTEENTH birthday ~~residing~~ WHO
21 RESIDES in the school district ~~shall be deemed~~ AND WHO MEETS 1
22 OR MORE OF THE FOLLOWING IS CONSIDERED A juvenile disorderly
23 ~~persons~~ PERSON and in the judgment of the proper school author-
24 ities may be assigned to the ungraded school or department:

25 (a) ~~Class 1, habitual truants~~ A CHILD WHO IS HABITUALLY
26 TRUANT from the school in which ~~they are~~ HE OR SHE IS enrolled
27 as ~~pupils~~ A PUPIL.

1 (b) ~~Class 2, children~~ A CHILD who, while attending school,
2 ~~are~~ IS incorrigibly turbulent, disobedient, and insubordinate,
3 or who ~~are~~ IS immoral in conduct.

4 (c) ~~Class 3, children~~ A CHILD who ~~are~~ IS not attending
5 school and who habitually ~~frequent~~ FREQUENTS streets and other
6 public places, having no lawful business, employment, or
7 occupation.