

HOUSE BILL No. 5792

April 21, 2004, Introduced by Reps. Palmer, Hoogendyk, Stahl, Moolenaar, Drolet, Voorhees and Ruth Johnson and referred to the Committee on Higher Education.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1561. (1) Except as otherwise provided in this
2 section, 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 birthday shall send that child to a public
5 school during the entire school year. The child's attendance
6 shall be continuous and consecutive for the school year fixed by
7 the school district in which the child is enrolled. In a school
8 district that maintains school during the entire calendar year
9 and in which the school year is divided into quarters, a child is
10 not required to attend the public school more than 3 quarters in

1 1 calendar year, but a child shall not be absent for 2 or more
2 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 a
12 state approved nonpublic school, which teaches subjects
13 comparable to those taught in the public schools to children of
14 corresponding 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 reside
18 within 2-1/2 miles by the nearest traveled road of a public
19 school. If transportation is furnished for pupils in the school
20 district of the child's residence, this subdivision does not
21 apply.

22 (c) The child is age 12 or 13 and is in attendance at
23 confirmation 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 fulfilled
4 all requirements for high school graduation.

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

9 **(g) The child is age 15 and enrolled in a state university or**
10 **community college under the Michigan accelerated college**
11 **education act.**

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

16 Enacting section 1. This amendatory act does not take
17 effect unless Senate Bill No. _____ or House Bill No. 5791
18 (request no. 05675'03) of the 92nd Legislature is enacted into
19 law.