

SENATE BILL No. 615

July 15, 2003, Introduced by Senators JACOBS, GOSCHKA, SCOTT and THOMAS and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1599 (MCL 380.1599) and by adding
section 1590.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1590. (1) Except as otherwise provided in subsection
2 (2), not later than 180 days after the effective date of this
3 section, each intermediate school board and the county prosecutor
4 for each county in the territory of the intermediate school
5 district shall meet and confer to develop a local truancy policy
6 under subsection (3) that will apply to all school districts
7 within the intermediate school district except those described in
8 subsection (2) and to discuss and plan implementation of the
9 policy.

10 (2) If a school district employs its own attendance officer

1 or officers under section 1571, not later than 180 days after the
2 effective date of this section, the school board of that school
3 district and the county prosecutor for the county in which it is
4 located shall meet and confer to develop a local truancy policy
5 under subsection (3) that will apply to that school district and
6 to discuss and plan implementation of the policy.

7 (3) A local truancy policy under this section shall clearly
8 state all school attendance requirements and truancy prevention
9 steps currently required under this part and shall address at
10 least all of the following:

11 (a) Establishment of a definition of a truant child. This
12 part of the policy shall allow a school district to establish its
13 own definition of truancy as long as it is consistent with this
14 part.

15 (b) Protocols and criteria for notifying the parents of a
16 truant child, which shall include at least all of the following:

17 (i) The requirements and procedures for the written notice by
18 registered mail required under section 1587.

19 (ii) Requirements for the notice concerning the response that
20 should be requested from the parent or other person in parental
21 relationship.

22 (iii) Requirements for the notice concerning advising the
23 parent that if the truancy continues, the parent or other person
24 in parental relationship may be subject to criminal prosecution.

25 (c) Protocols and criteria for notification of appropriate
26 individuals and agencies if a parent does not respond to the
27 written notice or continues to fail to comply with this part.

1 This part of the policy shall clearly require the attendance
2 officer of the intermediate school district or school district,
3 as applicable, to notify the county prosecutor in a timely
4 fashion.

5 (d) Protocols for a school district, attendance officer, or
6 county prosecutor to file a complaint under section 1588 or
7 otherwise to petition an appropriate court for intervention or
8 other action.

9 (4) Upon adoption of the local truancy policy as required
10 under this section, an intermediate school board or school board,
11 as applicable, shall submit its local truancy policy to the state
12 board for approval. The state board shall promptly approve a
13 local truancy policy if the state board determines that it is
14 consistent with the purposes and procedures of this part. If the
15 state board does not approve a local policy, the state board
16 shall work with the intermediate school board or school board to
17 develop and approve an acceptable policy as soon as possible.

18 (5) After the state board approves a local truancy policy
19 under this section, the intermediate school district or school
20 district, as applicable, each affected school district, and each
21 affected county prosecutor shall begin compliance with the
22 truancy policy.

23 (6) As used in this section:

24 (a) "School board" means the board of a school district or
25 local act school district or the board of directors of a public
26 school academy.

27 (b) "School district" means a school district, local act

1 school district, or public school academy.

2 Sec. 1599. (1) A parent or other person in parental
3 ~~relation~~ **relationship** who fails to comply with this part is
4 guilty of a misdemeanor ~~—~~ punishable by ~~a~~ **1 or more of the**
5 **following:**

6 (a) A fine of not less than ~~—\$5.00 nor more than—~~ \$50.00 ~~—~~
7 ~~or imprisonment—~~ **or more than \$500.00.**

8 (b) **Imprisonment** for not less than 2 ~~—nor—~~ **days or** more than
9 ~~—90—~~ 93 days. ~~—, or both.~~

10 (c) **Community service** for not more than 50 hours.

11 (2) This section does not prohibit charging a person with,
12 convicting a person of, or punishing a person for any other crime
13 including any other violation of law arising from the same act or
14 omission as the violation of this part.