

# SENATE BILL No. 1306

June 14, 2006, Introduced by Senators CLARK-COLEMAN, SCOTT, LELAND, THOMAS, JACOBS, SWITALSKI, SCHAUER, BASHAM, BRATER, EMERSON, WHITMER and BARCIA and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending sections 1147 and 1561 (MCL 380.1147 and 380.1561),  
section 1561 as amended by 1996 PA 339.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1147. ~~—(1) A person, resident of a school district not~~  
2 ~~maintaining a kindergarten and at least 5 years of age on the first~~  
3 ~~day of enrollment of the school year, shall have a right to attend~~  
4 ~~school in the district.~~

5       ~~—(2) In a school district where provision is made for~~  
6 ~~kindergarten work, a child, resident of the district,~~

7       (1) A SCHOOL DISTRICT SHALL PROVIDE KINDERGARTEN. THE LENGTH  
8 OF THE SCHOOL DAY FOR THE KINDERGARTEN PROGRAM SHALL BE THE SAME AS

1 FOR OTHER ELEMENTARY GRADES PROVIDED BY THE SCHOOL DISTRICT.

2 (2) A CHILD WHO RESIDES IN THE SCHOOL DISTRICT is entitled to  
3 enroll in the kindergarten if the child is at least 5 years of age  
4 on December 1 of the school year of enrollment. In a school  
5 district ~~which~~ **THAT** has semiannual promotions, a child ~~—~~  
6 ~~resident of the district,~~ **WHO RESIDES IN THE SCHOOL DISTRICT** is  
7 entitled to enroll in kindergarten for the second semester if the  
8 child is at least 5 years of age on March 1 of the year of  
9 enrollment.

10 Sec. 1561. (1) Except as otherwise provided in this section,  
11 every parent, guardian, or other person in this state having  
12 control and charge of a child from the age of ~~—6—~~ 5 to the child's  
13 sixteenth birthday shall send that child to a public school during  
14 the entire school year. The child's attendance shall be continuous  
15 and consecutive for the school year fixed by the school district in  
16 which the child is enrolled. In a school district that maintains  
17 school during the entire calendar year and in which the school year  
18 is divided into quarters, a child is not required to attend the  
19 public school more than 3 quarters in 1 calendar year, but a child  
20 shall not be absent for 2 or more consecutive quarters.

21 (2) A child becoming ~~—6—~~ 5 years of age before December 1  
22 shall be enrolled on the first school day of the school year in  
23 which the child's ~~—sixth—~~ **FIFTH** birthday occurs. A child becoming  
24 ~~6—~~ 5 years of age on or after December 1 shall be enrolled on the  
25 first school day of the school year following the school year in  
26 which the child's ~~—sixth—~~ **FIFTH** birthday occurs.

27 (3) A child is not required to attend a public school in any

1 of the following cases:

2 (a) The child is attending regularly and is being taught in a  
3 state approved nonpublic school, which teaches subjects comparable  
4 to those taught in the public schools to children of corresponding  
5 age and grade, as determined by the course of study for the public  
6 schools of the district within which the nonpublic school is  
7 located.

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

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

14 (d) The child is regularly enrolled in a public school while  
15 in attendance at religious instruction classes for not more than 2  
16 class hours per week, off public school property during public  
17 school hours, upon written request of the parent, guardian, or  
18 person in loco parentis under rules promulgated by the state board.

19 (e) The child has graduated from high school or has fulfilled  
20 all requirements for high school graduation.

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

25 (4) For a child being educated at the child's home by his or  
26 her parent or legal guardian, exemption from the requirement to  
27 attend public school may exist under either subsection (3)(a) or

1 (3) (f), or both.