



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 747 (as enacted)

PUBLIC ACT 141 of 2008

Sponsor: Senator Valde Garcia

Senate Committee: Senior Citizens and Veterans Affairs

House Committee: Military and Veterans Affairs and Homeland Security

Date Completed: 8-18-08

RATIONALE

When a military outfit, including a National Guard or Reserve unit, is deployed on active duty or returns from deployment, there often is a farewell or welcome-home ceremony that includes the families of the departing or returning troops. Reportedly, some families have had difficulty bringing children to these ceremonies because some schools have refused to grant an excused absence to a student for this purpose. It was suggested that schools should be required to excuse a pupil's absence for a parent's, guardian's, or sibling's deployment or return from active duty.

CONTENT

The bill amended the Revised School Code to require school officials to consider a pupil's absence as an excused absence if the pupil is absent from school for up to one full school day because his or her parent, legal guardian, or sibling is a service member being deployed on or returning from active duty. The absence must be excused if a pupil is absent from school for up to two full school days if the location of the deployment or return is more than 300 miles from the pupil's home. The bill does not prohibit a public school from considering a longer absence to be an excused absence.

The board of a school district or intermediate school district or board of directors of a public school academy must ensure that its attendance policy is consistent with the bill.

The bill defines "service member" as a member of the armed forces, a reserve branch of the armed forces, or the Michigan National Guard (the Army National Guard or the Air National Guard). "Armed forces" means that term as defined in the Veteran Right to Employment Services Act (MCL 35.1092), i.e., the Army, Air Force, Navy, Marine Corps, Coast Guard, or other military force designated by Congress as part of the U.S. Armed Forces. "Active duty" means active duty pursuant to an Executive Order of the President of the United States, an act of Congress, or an order of the Governor.

The bill took effect on May 28, 2008.

MCL 380.1138

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

When a student's parent, guardian, or sibling is deployed for active military duty, or returns from that assignment, the student should be allowed to join his or her family for the departure or return ceremony. If attending such an event conflicts with school hours, the child should not be punished with an unexcused absence. By requiring schools to excuse a student's absence due to a parent's, guardian's, or sibling's deployment for or return from active duty, the bill allows students to participate in send-off or homecoming events, or simply spend time

with the person who is leaving or coming home, without being overly concerned about missing school. In addition, excusing the student's absence recognizes the sacrifice not only of Michigan's military personnel but also of their families.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill will have no fiscal impact on State or local government.

Fiscal Analyst: Kathryn Summers-Coty

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.