

HOUSE BILL No. 6674

November 19, 2008, Introduced by Rep. Alma Smith 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, and by adding section 1591.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1561. (1) Except as otherwise provided in this section,
2 every parent, guardian, or other person in this state having
3 control and charge of a child from the age of 6 to the child's
4 ~~sixteenth~~**EIGHTEENTH** birthday shall send that child to a public
5 school during the entire school year. The child's attendance shall
6 be continuous and consecutive for the school year fixed by the
7 school district in which the child is enrolled. In a school
8 district that maintains school during the entire calendar year and

1 in which the school year is divided into quarters, a child is not
2 required to attend the public school more than 3 quarters in 1
3 calendar year, but a child shall not be absent for 2 or more
4 consecutive quarters.

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

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

13 (a) The child is attending regularly and is being taught in a
14 state approved nonpublic school, which teaches subjects comparable
15 to those taught in the public schools to children of corresponding
16 age and grade, as determined by the course of study for the public
17 schools of the district within which the nonpublic school is
18 located.

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

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

25 (d) The child is regularly enrolled in a public school while
26 in attendance at religious instruction classes for not more than 2
27 class hours per week, off public school property during public

1 school hours, upon written request of the parent, guardian, or
2 person in loco parentis under rules promulgated by the state 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 in
7 the subject areas of reading, spelling, mathematics, science,
8 history, civics, literature, writing, and English grammar.

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

13 (5) IF THE PROGRAM IS OFFERED IN THE SCHOOL DISTRICT IN WHICH
14 THE PUPIL RESIDES, A CHILD AGE 16 OR 17 MAY SATISFY THE SCHOOL
15 ATTENDANCE REQUIREMENTS OF THIS SECTION BY ATTENDING A PROGRAM
16 UNDER SECTION 1591 ACCORDING TO THE REQUIREMENTS OF THAT SECTION.

17 (6) IF A CHILD AGE 16 OR 17 PROVIDES TO THE SCHOOL DISTRICT
18 PROOF THAT HE OR SHE IS ENGAGED IN REGULAR EMPLOYMENT AVERAGING 25
19 OR MORE HOURS PER WEEK AND THAT THE EMPLOYMENT IS NECESSITATED BY
20 ECONOMIC HARDSHIP OR FAMILY NEED, THE CHILD MAY SATISFY THE SCHOOL
21 ATTENDANCE REQUIREMENTS OF THIS SECTION BY ATTENDING A PUBLIC
22 SCHOOL AT LEAST 15 HOURS PER WEEK.

23 (7) THIS SECTION DOES NOT APPLY TO A CHILD WHO IS AT LEAST AGE
24 16 IF THE CHILD'S PARENT OR LEGAL GUARDIAN HAS PROVIDED TO SCHOOL
25 OFFICIALS OF THE SCHOOL DISTRICT IN WHICH THE CHILD RESIDES A
26 WRITTEN NOTICE THAT THE CHILD HAS THE PERMISSION OF THE PARENT OR
27 LEGAL GUARDIAN TO STOP ATTENDING SCHOOL. THE NOTICE SHALL INCLUDE

1 AN EXPLANATION OF THE REASON OR REASONS WHY THE CHILD IS LEAVING
2 SCHOOL BEFORE GRADUATION.

3 (8) IF A SCHOOL DISTRICT RECEIVES A NOTICE UNDER SUBSECTION
4 (7), THE BOARD OF THE SCHOOL DISTRICT SHALL PROVIDE TO THE STATE
5 BOARD A REPORT THAT INCLUDES ALL OF THE FOLLOWING:

6 (A) A DESCRIPTION OF THE TYPE AND NUMBER OF INTERVENTION
7 ATTEMPTS MADE TO KEEP THE CHILD IN SCHOOL, WHICH MAY INCLUDE OFFERS
8 OF TRANSFER TO ANOTHER SCHOOL OR TO AN ALTERNATIVE EDUCATION
9 PROGRAM.

10 (B) FOLLOW-UP DOCUMENTATION OF THE CHILD'S EDUCATIONAL AND
11 EMPLOYMENT STATUS AFTER THE CHILD LEAVES SCHOOL. THIS DOCUMENTATION
12 SHALL BE SUBMITTED FOR THE DATE 6 MONTHS AFTER THE CHILD STOPPED
13 ATTENDING SCHOOL, THE DATE 1 YEAR AFTER THE CHILD STOPPED ATTENDING
14 SCHOOL, THE DATE 18 MONTHS AFTER THE CHILD STOPPED ATTENDING
15 SCHOOL, AND THE DATE 2 YEARS AFTER THE CHILD STOPPED ATTENDING
16 SCHOOL, UNTIL THE CHILD HAS REACHED AGE 18.

17 (9) THE STATE BOARD SHALL PROMULGATE RULES SPECIFYING THE
18 REQUIREMENTS FOR THE NOTICE UNDER SUBSECTION (7) AND SPECIFYING THE
19 FORM AND MANNER OF THE REPORT UNDER SUBSECTION (8).

20 SEC. 1591. (1) A SCHOOL BOARD MAY OFFER ANY OF THE FOLLOWING,
21 AND A PUPIL AGE 16, 17, OR 18 MAY COMPLETE SOME OR ALL OF THE
22 REQUIREMENTS FOR A HIGH SCHOOL DIPLOMA BY SUCCESSFULLY COMPLETING 1
23 OR A COMBINATION OF THE FOLLOWING:

24 (A) AN ALTERNATIVE EDUCATION PROGRAM APPROVED BY THE
25 DEPARTMENT.

26 (B) A PROGRAM OF VOCATIONAL EDUCATION THAT INCLUDES
27 APPRENTICESHIP OR WORK STUDY AND THAT REQUIRES THE PUPIL TO ATTEND

1 SCHOOL AT LEAST 10 HOURS PER WEEK FOR THE ENTIRE SCHOOL YEAR.

2 (C) A PROGRAM OF INDEPENDENT STUDY THAT IS APPROVED BY THE
3 SCHOOL DISTRICT AND MEETS STATE BOARD GUIDELINES FOR INDEPENDENT
4 STUDY.

5 (D) ACADEMIC COURSEWORK AT A COMMUNITY COLLEGE.

6 (2) A COMMUNITY COLLEGE OR, UPON REQUEST BY THE BOARD OF A
7 CONSTITUENT DISTRICT, AN INTERMEDIATE SCHOOL BOARD, EITHER SOLELY
8 OR AS PART OF A CONSORTIUM OF INTERMEDIATE SCHOOL DISTRICTS, MAY
9 PROVIDE SERVICES OR CONDUCT COOPERATIVE EDUCATIONAL PROGRAMS
10 RELATED TO A PROGRAM DESCRIBED IN SUBSECTION (1). AN INTERMEDIATE
11 SCHOOL BOARD MAY CHARGE A CONSTITUENT DISTRICT FOR THE COSTS OF
12 SERVICES PROVIDED UNDER THIS SUBSECTION.

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

18 (2) ~~The following cases of persons, aged~~ EXCEPT FOR A CHILD
19 DESCRIBED IN SECTION 1561(7), A CHILD AGE 7 to ~~the sixteenth~~ HIS OR
20 HER EIGHTEENTH birthday ~~residing~~ WHO RESIDES in the school district
21 ~~shall be deemed~~ AND WHO MEETS 1 OR MORE OF THE FOLLOWING IS
22 CONSIDERED A juvenile disorderly ~~persons~~ PERSON and in the judgment
23 of the proper school authorities may be assigned to the ungraded
24 school or department:

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

27 (b) ~~Class 2, children~~ A CHILD who, while attending school, are

1 **IS** incorrigibly turbulent, disobedient, and insubordinate ~~7~~ or who
2 ~~are~~**IS** immoral in conduct.

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