

HOUSE BILL No. 4042

January 22, 2007, Introduced by Reps. Lemmons, Dean, Johnson, Jackson, Virgil Smith, Leland, Tobocman, Robert Jones and Hopgood 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.

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
9 in which the school year is divided into quarters, a child is not

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

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

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

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

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

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

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

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

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

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

23 (a) ~~Class 1, habitual truants~~ **A CHILD WHO IS HABITUALLY TRUANT**
24 from the school in which ~~they are~~ **HE OR SHE IS** enrolled as ~~pupils~~ **A**
25 **PUPIL.**

26 (b) ~~Class 2, children~~ **A CHILD** who, while attending school, ~~are~~
27 **IS** incorrigibly turbulent, disobedient, and insubordinate, or who

1 ~~are~~**IS** immoral in conduct.

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