

HOUSE BILL No. 5904

March 22, 2006, Introduced by Reps. Palmer, Pastor, Garfield, Gosselin, Drolet, Sheen, Hoogendyk, Kooiman and Stahl and referred to the Committee on Government Operations.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1561 (MCL 380.1561), 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 birthday shall send that child to a public school during
5 the entire school year. The child's attendance shall be continuous
6 and consecutive for the school year fixed by the school district in
7 which the child is enrolled. In a school district that maintains

1 school during the entire calendar year and in which the school year
2 is divided into quarters, a child is not required to attend the
3 public school more than 3 quarters in 1 calendar year, but a child
4 shall not be absent for 2 or more 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 **(G) THE CHILD IS AGE 15 AND ENROLLED IN A STATE UNIVERSITY OR**
10 **COMMUNITY COLLEGE UNDER THE MICHIGAN ACCELERATED COLLEGE EDUCATION**
11 **ACT.**

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

16 Enacting section 1. This amendatory act does not take effect
17 unless Senate Bill No. _____ or House Bill No. 5903(request no.
18 05879'06) of the 93rd Legislature is enacted into law.