

SUBSTITUTE FOR
HOUSE BILL NO. 4030

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~~ **FOR A CHILD WHO TURNED AGE 14 BEFORE DECEMBER 1, 2007 OR WHO**
3 **ENTERED GRADE 9 BEFORE 2008, THE CHILD'S** parent, guardian, or other
4 person in this state having control and charge of a ~~THE~~ child ~~from~~
5 ~~the age of 6 to the child's sixteenth birthday~~ shall send that
6 child to a public school during the entire school year **FROM THE AGE**
7 **OF 6 TO THE CHILD'S SIXTEENTH BIRTHDAY. EXCEPT AS OTHERWISE**
8 **PROVIDED IN THIS SECTION, FOR A CHILD WHO TURNS AGE 14 ON OR AFTER**
9 **DECEMBER 1, 2007 OR A CHILD WHO WAS AGE 14 BEFORE THAT DATE AND**
10 **ENTERS GRADE 9 IN 2008 OR LATER, THE CHILD'S PARENT, GUARDIAN, OR**

1 OTHER PERSON IN THIS STATE HAVING CONTROL AND CHARGE OF THE CHILD
2 SHALL SEND THE CHILD TO A PUBLIC SCHOOL DURING THE ENTIRE SCHOOL
3 YEAR FROM THE AGE OF 6 TO THE CHILD'S EIGHTEENTH BIRTHDAY. The
4 child's attendance shall be continuous and consecutive for the
5 school year fixed by the school district in which the child is
6 enrolled. In a school district that maintains school during the
7 entire calendar year and in which the school year is divided into
8 quarters, a child is not required to attend the public school more
9 than 3 quarters in 1 calendar year, but a child shall not be absent
10 for 2 or more consecutive quarters.

11 (2) A child becoming 6 years of age before December 1 shall be
12 enrolled on the first school day of the school year in which the
13 child's sixth birthday occurs. A child becoming 6 years of age on
14 or after December 1 shall be enrolled on the first school day of
15 the school year following the school year in which the child's
16 sixth birthday occurs.

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

19 (a) The child is attending regularly and is being taught in a
20 state approved nonpublic school, which teaches subjects comparable
21 to those taught in the public schools to children of corresponding
22 age and grade, as determined by the course of study for the public
23 schools of the district within which the nonpublic school is
24 located.

25 (b) The child is less than 9 years of age and does not reside
26 within 2-1/2 miles by the nearest traveled road of a public school.
27 If transportation is furnished for pupils in the school district of

1 the child's residence, this subdivision does not apply.

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

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

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

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

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

19 **(5) FOR A CHILD WHO TURNS AGE 14 ON OR AFTER DECEMBER 1, 2007**
20 **OR WHO WAS AGE 14 BEFORE THAT DATE AND ENTERS GRADE 9 IN 2008 OR**
21 **LATER, THIS SECTION DOES NOT APPLY TO THE CHILD IF THE CHILD IS AT**
22 **LEAST AGE 16 AND THE CHILD'S PARENT OR LEGAL GUARDIAN HAS PROVIDED**
23 **TO SCHOOL OFFICIALS OF THE SCHOOL DISTRICT IN WHICH THE CHILD**
24 **RESIDES A WRITTEN NOTICE THAT THE CHILD HAS THE PERMISSION OF THE**
25 **PARENT OR LEGAL GUARDIAN TO STOP ATTENDING SCHOOL.**

26 Enacting section 1. This amendatory act does not take effect
27 unless House Bill No. 4132 of the 95th Legislature is enacted into

1 law.