

HOUSE BILL No. 4132

February 4, 2009, Introduced by Rep. Lemmons 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~~ **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**

1 ENTERS GRADE 9 IN 2008 OR LATER, THE CHILD'S PARENT, GUARDIAN, OR
2 OTHER PERSON IN THIS STATE HAVING CONTROL AND CHARGE OF THE CHILD
3 SHALL SEND THE CHILD TO A PUBLIC SCHOOL DURING THE ENTIRE SCHOOL
4 YEAR FROM THE AGE OF 6 TO THE CHILD'S EIGHTEENTH BIRTHDAY. The
5 child's attendance shall be continuous and consecutive for the
6 school year fixed by the school district in which the child is
7 enrolled. In a school district that maintains school during the
8 entire calendar year and in which the school year is divided into
9 quarters, a child is not required to attend the public school more
10 than 3 quarters in 1 calendar year, but a child shall not be absent
11 for 2 or more consecutive quarters.

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

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

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

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

1 If transportation is furnished for pupils in the school district of
2 the child's residence, this subdivision does not apply.

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

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

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

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

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

20 Sec. 1596. (1) The board of a school district other than a
21 primary school district may establish 1 or more ungraded schools
22 for the instruction of certain pupils classified in subsection (2).
23 The board may require the pupils to attend an ungraded school or a
24 department of the school as the board directs.

25 ~~(2) The following cases of persons, aged~~ **A CHILD AGE 7 to the**
26 **HIS OR HER** sixteenth birthday, ~~residing~~ **OR HIS OR HER EIGHTEENTH**
27 **BIRTHDAY IF THE CHILD TURNS AGE 14 ON OR AFTER DECEMBER 1, 2007 OR**

1 IS AGE 14 BEFORE THAT DATE AND ENTERS GRADE 9 IN 2008 OR LATER, WHO
2 RESIDES in the school district ~~shall be deemed~~ AND WHO MEETS 1 OR
3 MORE OF THE FOLLOWING IS CONSIDERED A juvenile disorderly persons
4 PERSON and in the judgment of the proper school authorities may be
5 assigned to the ungraded school or department:

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

9 (b) ~~Class 2, children~~ A CHILD who, while attending school, are
10 IS incorrigibly turbulent, disobedient, and insubordinate, or who
11 are IS immoral in conduct.

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