

# HOUSE BILL No. 4250

February 13, 2013, Introduced by Reps. Stanley, Santana, Durhal, Dillon and Smiley and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending sections 1561 and 1578 (MCL 380.1561 and 380.1578),  
section 1561 as amended by 2009 PA 204.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1561. (1) Except as otherwise provided in this section,  
2 for a child who turned age 11 before December 1, 2009 or who  
3 entered grade 6 before 2009, the child's parent, guardian, or other  
4 person in this state having control and charge of the child shall  
5 send that child to a public school during the entire school year  
6 from the age of 6 to the child's sixteenth birthday. Except as  
7 otherwise provided in this section, for a child who turns age 11 on  
8 or after December 1, 2009 or a child who was age 11 before that  
9 date and enters grade 6 in 2009 or later, the child's parent,

1 guardian, or other person in this state having control and charge  
2 of the child shall send the child to a public school during the  
3 entire school year from the age of 6 to the child's eighteenth  
4 birthday. The child's attendance shall be continuous and  
5 consecutive for the school year fixed by the school district in  
6 which the child is enrolled. In a school district that maintains  
7 school during the entire calendar year and in which the school year  
8 is divided into quarters, a child is not required to attend the  
9 public school more than 3 quarters in 1 calendar year, but a child  
10 shall not be absent 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, and a child becoming 6 years of age  
14 on 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 **AND THE**  
15 **PARENT OR LEGAL GUARDIAN REGISTERS AS A HOME SCHOOL WITH THE**  
16 **DEPARTMENT.**

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

21 (5) For a child who turns age 11 on or after December 1, 2009  
22 or who was age 11 before that date and enters grade 6 in 2009 or  
23 later, this section does not apply to the child if the child is at  
24 least age 16 and the child's parent or legal guardian has provided  
25 to school officials of the school district in which the child  
26 resides a written notice that the child has the permission of the  
27 parent or legal guardian to stop attending school.

1           Sec. 1578. ~~The~~ **AT THE BEGINNING OF EACH SCHOOL YEAR, THE**  
2 appropriate authority of each nonpublic school ~~at the beginning of~~  
3 ~~the school year~~ **AND EACH PERSON WHO IS EDUCATING A CHILD AT HOME**  
4 shall furnish the superintendent of schools of the district in  
5 which the nonpublic school **OR HOME SCHOOL** is situated or the  
6 intermediate superintendent:

7           (a) The name and age of each child who is enrolled at the  
8 school **OR IS BEING EDUCATED AT HOME**.

9           (b) The number or name of the school district and the city or  
10 township and county in which the parent, guardian, or person in  
11 parental relation resides.

12           (c) The name and address of the parent, guardian, or other  
13 person in parental relation.

14           (d) The name and age of each child enrolled in the **NONPUBLIC**  
15 school who is not in regular attendance.