

FAMILY INDEPENDENCE PROGRAM ASSISTANCE: SCHOOL ATTENDANCE REQUIREMENT

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House Bill 4041 as introduced
Sponsor: Rep. Al Pscholka
Committee: Families, Children, and Seniors
Complete to 3-9-15

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

The bill would amend the Social Welfare Act regarding eligibility for Family Independence Program assistance in the following ways:

- A family independence program assistance group could not receive family assistance if a member of the program group under 16 years old does not meet the attendance requirements of the Revised School Code.
- If a member of a program assistance group 16 years of age or older does not meet the attendance requirements, that child would be removed from the program group.
- The Department of Human Services would be required to implement policies in accordance with these provisions that would be effective and binding on all program groups and that would be exempt from the rule promulgation requirements of the Administrative Procedures Act.

[Section 1561 of the Revised School Code specifies the following:

- A child who turned 11 before December 1, 2009, or who entered 6th grade before 2009 must attend school from the age of 6 until the child's 16th birthday.
- A child who turned 11 on or after December 1, 2009, or a child who was 11 before that date and entered 6th grade in 2009 or later must attend school from the age of 6 until the child's 18th birthday.

The section of the School Code contains a number of exceptions to this basic requirement, including for home-school students. It also says the section does not apply to a child who turns 11 on or after December 1, 2009, or who was age 11 before that date and enters 6th grade in 2009 or later, if that child is at least 16 years old and the child's parent or legal guardian has provided to school officials a written notice that the child has the permission of the parent or legal guardian to stop attending school.]

MCL 400.57b

FISCAL IMPACT:

Beginning October 1, 2012, the Department of Human Services implemented a similar truancy policy in its Bridges Eligibility Manual for the Family Independent Program (FIP). The current policy states that a dependent child age 6 through 15 must attend school full-time or the entire FIP group is not eligible to receive FIP assistance. A dependent child age 16 or 17 who is not attending high school full-time is disqualified from the FIP group. Finally, an 18-year-old dependent child must attend school full-time until graduating or turning 19 to remain in the FIP benefit group.

House Bill 4041 would codify the department's current policy and should have a minimal fiscal impact to the state and to local units of government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.