



HOUSE BILL No. 5198

December 9, 1999, Introduced by Reps. Jacobs, Bovin, Gielegem, Prusi, Switalski, Hale, Kowall, Woodward, Basham and Dennis and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 1578, 1586, and 1599 (MCL 380.1578,
380.1586, and 380.1599).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1578. (1) The appropriate authority of each nonpublic
2 school at the beginning of the school year shall furnish ALL OF
3 THE FOLLOWING TO the superintendent of schools of the district in
4 which the nonpublic school is situated or the intermediate
5 superintendent:

6 (a) The name and age of each child who is enrolled at the
7 school.

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

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

3 (d) The name and age of each child enrolled in the school
4 who is not in regular attendance.

5 (2) A PARENT OR LEGAL GUARDIAN OF EACH CHILD DESCRIBED IN
6 SECTION 1561(3)(F) AT THE BEGINNING OF THE SCHOOL YEAR SHALL FUR-
7 NISH THE NAME AND AGE OF THE CHILD TO THE SUPERINTENDENT OF
8 SCHOOLS OF THE DISTRICT IN WHICH THE CHILD RESIDES OR THE INTER-
9 MEDIATE SUPERINTENDENT.

10 Sec. 1586. (1) The attendance officer shall investigate
11 each case of A CHILD'S nonattendance at school when notified by a
12 teacher, superintendent, intermediate superintendent, or other
13 person of a violation of this part. If the child ~~complained of~~
14 is not exempt from public school attendance under the conditions
15 listed in section 1561, the attendance officer shall proceed
16 immediately in the manner provided in this part.

17 (2) If a child is ~~repeatedly absent from school without~~
18 ~~valid excuse, or is~~ failing in schoolwork or gives evidence of
19 behavior problems ~~—~~ and IF attempts to confer with the parent
20 or other person in parental relationship to the child fail, the
21 superintendent of schools, or the intermediate superintendent in
22 a SCHOOL district ~~which~~ THAT does not employ a superintendent,
23 may request the attendance officer to notify the parent or other
24 person in parental relationship by registered mail to come to the
25 school or to a place designated at a time specified to discuss
26 the child's ~~irregularity in attendance,~~ failing work ~~—~~ or
27 behavior problems with the proper school authorities.

1 (3) IF A CHILD IS ABSENT FROM SCHOOL WITHOUT VALID EXCUSE
2 TWICE IN 30 SCHOOL DAYS, THE ATTENDANCE OFFICER SHALL NOTIFY THE
3 PARENT OR OTHER PERSON IN PARENTAL RELATIONSHIP BY REGISTERED
4 MAIL TO COME TO THE SCHOOL OR A PLACE DESIGNATED AT A TIME SPECI-
5 FIED TO DISCUSS THE CHILD'S ATTENDANCE.

6 (4) IF A CHILD IS ABSENT FROM SCHOOL WITHOUT VALID EXCUSE 5
7 TIMES IN 30 SCHOOL DAYS, THE SUPERINTENDENT OF SCHOOLS OR HIS OR
8 HER DESIGNEE, OR THE INTERMEDIATE SUPERINTENDENT OR HIS OR HER
9 DESIGNEE IN A SCHOOL DISTRICT THAT DOES NOT EMPLOY A SUPERINTEN-
10 DENT, SHALL ENTER INTO AN AGREEMENT WITH THE CHILD AND THE PARENT
11 OR OTHER PERSON IN PARENTAL RELATIONSHIP THAT ESTABLISHES SCHOOL
12 ATTENDANCE REQUIREMENTS AND RESOLVES THE CHILD'S ATTENDANCE
13 PROBLEM.

14 (5) IF A CHILD IS ABSENT FROM SCHOOL WITHOUT VALID EXCUSE 7
15 OR MORE TIMES IN 30 SCHOOL DAYS OR 10 OR MORE TIMES IN THE SCHOOL
16 YEAR, THE PARENT OR OTHER PERSON IN PARENTAL RELATIONSHIP REFUSES
17 TO ENTER INTO AN AGREEMENT AS REQUIRED IN SUBSECTION (4), OR THE
18 CHILD OR THE PARENT OR OTHER PERSON IN PARENTAL RELATIONSHIP
19 BREACHES AN AGREEMENT ENTERED INTO UNDER SUBSECTION (4), THE
20 SUPERINTENDENT OF SCHOOLS OR HIS OR HER DESIGNEE, OR THE INTERME-
21 DIATE SUPERINTENDENT OR HIS OR HER DESIGNEE IN A SCHOOL DISTRICT
22 THAT DOES NOT EMPLOY A SUPERINTENDENT, SHALL FILE A PETITION
23 ALLEGING THAT THE CHILD IS WITHIN THE COURT'S JURISDICTION UNDER
24 SECTION 2(A)(5) OF CHAPTER XIIA OF 1939 PA 288, MCL 712A.2.

25 (6) ~~-(3)-~~ The superintendent, or the teacher in a SCHOOL
26 district ~~which~~ THAT does not employ a superintendent, shall
27 provide information concerning the nonattendance of each

1 nonresident pupil to the intermediate superintendent of the
 2 intermediate school district in which the nonresident pupil
 3 resides. ~~The intermediate attendance officer, when~~ WHEN noti-
 4 fied by the intermediate superintendent or superintendent of
 5 schools, THE INTERMEDIATE ATTENDANCE OFFICER shall investigate
 6 and proceed in all cases of nonattendance of nonresident pupils
 7 in the same manner provided in this part for enforcing attendance
 8 of pupils attending schools in districts in which they reside.

9 (7) AS USED IN THIS SECTION, "ABSENT FROM SCHOOL WITHOUT
 10 VALID EXCUSE" MEANS THAT THE CHILD DOES NOT ATTEND ON A SCHEDULED
 11 SCHOOL DAY FOR A REASON OTHER THAN 1 OR MORE OF THE FOLLOWING:

12 (A) A LEGAL EXCUSE UNDER THIS ACT.

13 (B) AN EXCUSE AUTHORIZED BY THE SCHOOL'S POLICY.

14 (C) A VALID MEDICAL REASON.

15 (D) PERSONAL MATTERS INVOLVING THE CHILD'S FAMILY.

16 (E) SUSPENSION OR EXPULSION FROM SCHOOL.

17 (F) THE SCHOOL AND THE PARENT OR OTHER PERSON IN PARENTAL
 18 RELATIONSHIP AGREE THAT IT IS NECESSARY OR APPROPRIATE FOR THE
 19 CHILD TO BE ABSENT.

20 Sec. 1599. A parent or other person in parental ~~relation~~
 21 RELATIONSHIP who fails to comply with this part is guilty of a
 22 misdemeanor ~~—~~, punishable by ~~a~~ ANY COMBINATION OF THE
 23 FOLLOWING:

24 (A) A fine of not less than ~~\$5.00 nor more than~~ \$50.00 ~~—~~
 25 ~~or imprisonment~~ OR MORE THAN \$500.00.

26 (B) IMPRISONMENT for not less than 2 ~~—nor—~~ DAYS OR more than
 27 90 days. ~~—, or both.—~~

1 (C) COMMUNITY SERVICE FOR NOT MORE THAN 50 HOURS.

2 Enacting section 1. This amendatory act does not take
3 effect unless all of the following bills of the 90th Legislature
4 are enacted into law:

5 (a) Senate Bill No. _____ or House Bill No. 5200 (request
6 no. H02633'99 *).

7 (b) Senate Bill No. _____ or House Bill No. 5199 (request
8 no. H02634'99 a *).