

SENATE BILL NO. 44

January 26, 1999, Introduced by Senator A. SMITH 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, and by adding section
1591.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1561. (1) Except as otherwise provided in this sec-
2 tion, every parent, guardian, or other person in this state
3 having control and charge of a child from the age of 6 to the
4 child's ~~sixteenth~~ EIGHTEENTH birthday shall send that child to
5 a public school during the entire school year. The child's
6 attendance shall be continuous and consecutive for the school
7 year fixed by the school district in which the child is
8 enrolled. In a school district that maintains school during the
9 entire calendar year and in which the school year is divided into

1 quarters, a child is not required to attend the public school
2 more than 3 quarters in 1 calendar year, but a child shall not be
3 absent for 2 or more consecutive quarters.

4 (2) A child becoming 6 years of age before December 1 shall
5 be enrolled on the first school day of the school year in which
6 the child's sixth birthday occurs. A child becoming 6 years of
7 age on or after December 1 shall be enrolled on the first school
8 day of the school year following the school year in which the
9 child's sixth birthday occurs.

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

12 (a) The child is attending regularly and is being taught in
13 a state approved nonpublic school, which teaches subjects com-
14 parable to those taught in the public schools to children of cor-
15 responding age and grade, as determined by the course of study
16 for the public schools of the district within which the nonpublic
17 school is located.

18 (b) The child is less than 9 years of age and does not
19 reside within 2-1/2 miles by the nearest traveled road of a
20 public school. If transportation is furnished for pupils in the
21 school district of the child's residence, this subdivision does
22 not apply.

23 (c) The child is age 12 or 13 and is in attendance at con-
24 firmation classes conducted for a period of 5 months or less.

25 (d) The child is regularly enrolled in a public school while
26 in attendance at religious instruction classes for not more than
27 2 class hours per week, off public school property during public

1 school hours, upon written request of the parent, guardian, or
2 person in loco parentis under rules promulgated by the state
3 board.

4 (e) The child has graduated from high school or has ful-
5 filled all requirements for high school graduation.

6 (f) The child is being educated at the child's home by his
7 or her parent or legal guardian in an organized educational pro-
8 gram in the subject areas of reading, spelling, mathematics,
9 science, history, civics, literature, writing, and English
10 grammar.

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

15 (5) IF THE PROGRAM IS OFFERED IN THE SCHOOL DISTRICT IN
16 WHICH THE PUPIL RESIDES, A CHILD AGE 16 OR 17 MAY SATISFY THE
17 SCHOOL ATTENDANCE REQUIREMENTS OF THIS SECTION BY ATTENDING A
18 PROGRAM UNDER SECTION 1591 ACCORDING TO THE REQUIREMENTS OF THAT
19 SECTION.

20 (6) IF A CHILD AGE 16 OR 17 PROVIDES TO THE SCHOOL DISTRICT
21 PROOF THAT HE OR SHE IS ENGAGED IN REGULAR EMPLOYMENT AVERAGING
22 25 OR MORE HOURS PER WEEK AND THAT THE EMPLOYMENT IS NECESSITATED
23 BY ECONOMIC HARDSHIP OR FAMILY NEED, THE CHILD MAY SATISFY THE
24 SCHOOL ATTENDANCE REQUIREMENTS OF THIS SECTION BY ATTENDING A
25 PUBLIC SCHOOL AT LEAST 15 HOURS PER WEEK.

26 SEC. 1591. (1) A SCHOOL BOARD MAY OFFER ANY OF THE
27 FOLLOWING, AND A PUPIL AGE 16, 17, OR 18 MAY COMPLETE SOME OR ALL

1 OF THE REQUIREMENTS FOR A HIGH SCHOOL DIPLOMA BY SUCCESSFULLY
2 COMPLETING 1 OR A COMBINATION OF THE FOLLOWING:

3 (A) AN ALTERNATIVE EDUCATION PROGRAM APPROVED BY THE
4 DEPARTMENT.

5 (B) A PROGRAM OF VOCATIONAL EDUCATION THAT INCLUDES APPREN-
6 TICESHIP OR WORK STUDY AND THAT REQUIRES THE PUPIL TO ATTEND
7 SCHOOL AT LEAST 10 HOURS PER WEEK FOR THE ENTIRE SCHOOL YEAR.

8 (C) A PROGRAM OF INDEPENDENT STUDY THAT IS APPROVED BY THE
9 SCHOOL DISTRICT AND MEETS STATE BOARD GUIDELINES FOR INDEPENDENT
10 STUDY.

11 (D) ACADEMIC COURSEWORK AT A COMMUNITY COLLEGE.

12 (2) A COMMUNITY COLLEGE OR, UPON REQUEST BY THE BOARD OF A
13 CONSTITUENT SCHOOL DISTRICT, AN INTERMEDIATE SCHOOL BOARD, EITHER
14 SOLELY OR AS PART OF A CONSORTIUM OF INTERMEDIATE SCHOOL DIS-
15 TRICTS, MAY PROVIDE SERVICES OR CONDUCT COOPERATIVE EDUCATIONAL
16 PROGRAMS RELATED TO A PROGRAM DESCRIBED IN SUBSECTION (1). AN
17 INTERMEDIATE SCHOOL BOARD MAY CHARGE A CONSTITUENT SCHOOL DIS-
18 TRICT FOR THE COSTS OF SERVICES PROVIDED UNDER THIS SUBSECTION.

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

24 (2) ~~The following cases of persons, aged~~ A CHILD AGE 7 to
25 ~~the sixteenth~~ HIS OR HER EIGHTEENTH birthday ~~residing~~ WHO
26 RESIDES in the school district ~~shall be deemed~~ AND WHO MEETS 1
27 OR MORE OF THE FOLLOWING IS CONSIDERED A juvenile disorderly

1 ~~persons~~ PERSON and in the judgment of the proper school
2 authorities may be assigned to the ungraded school or
3 department:

4 (a) ~~Class 1, habitual truants~~ A HABITUAL TRUANT from the
5 school in which ~~they are~~ HE OR SHE IS enrolled as ~~pupils~~ A
6 PUPIL.

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

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