

SENATE BILL No. 1076

January 20, 2010, Introduced by Senators RICHARDVILLE, NOFS, CROPSEY, PAPPAGEORGE, KAHN, JANSEN, HARDIMAN, GILBERT and JELINEK 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), 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~~ **THE** parent, guardian, or
4 other person in this state having control and charge of ~~the~~ **A** child
5 shall send that child to a public school during the entire school
6 year 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,~~

~~guardian, or other person in this state having control and charge of the child shall send the child to a public school during the entire school year from the age of 6 to the child's eighteenth birthday.~~ The child's attendance shall be continuous and consecutive for the school year fixed by the school district in which the child is enrolled. In a school district that maintains school during the entire calendar year and in which the school year is divided into quarters, a child is not required to attend the public school more than 3 quarters in 1 calendar year, but a child shall not be absent for 2 or more consecutive quarters.

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

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

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

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

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

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

26 Sec. 1596. (1) The board of a school district other than a
27 primary school district may establish 1 or more ungraded schools

1 for the instruction of certain pupils classified in subsection (2).
2 The board may require the pupils to attend an ungraded school or a
3 department of the school as the board directs.

4 (2) A child aged 7 to his or her sixteenth birthday, ~~or his or~~
5 ~~her eighteenth birthday if the child turns age 11 on or after~~
6 ~~December 1, 2009 or is age 11 before that date and enters grade 6~~
7 ~~in 2009 or later,~~ who resides in the school district and who meets
8 1 or more of the following, is considered a juvenile disorderly
9 person and in the judgment of the proper school authorities may be
10 assigned to the ungraded school or department:

11 (a) ~~Except for a child described in section 1561(5), a~~ **A** child
12 who is habitually truant from the school in which he or she is
13 enrolled as a pupil.

14 (b) A child who, while attending school, is incorrigibly
15 turbulent, disobedient, and insubordinate, or who is immoral in
16 conduct.

17 (c) A child who is not attending school and who habitually
18 frequents streets and other public places, having no lawful
19 business, employment, or occupation.