

HOUSE BILL No. 5912

March 19, 2008, Introduced by Reps. Clack, Hammon, Constan, Johnson, Hammel, Vagnozzi, Alma Smith, Meadows, LeBlanc, Simpson, Robert Jones, Virgil Smith, Jackson, Leland, Bauer, Kathleen Law, Polidori, Corriveau, Ebli, Sheltroun, Wojno, Farrah, Miller and Dean 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 1996 PA 339.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

4 (2) A child becoming 6 years of age before December 1 shall be
5 enrolled on the first school day of the school year in which the
6 child's sixth birthday occurs. A child becoming 6 years of age on
7 or after December 1 shall be enrolled on the first school day of
8 the school year following the school year in which the child's
9 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 a
13 state approved nonpublic school, which teaches subjects comparable
14 to those taught in the public schools to children of corresponding
15 age and grade, as determined by the course of study for the public
16 schools of the district within which the nonpublic school is
17 located.

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

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

24 (d) The child is regularly enrolled in a public school while
25 in attendance at religious instruction classes for not more than 2
26 class hours per week, off public school property during public
27 school hours, upon written request of the parent, guardian, or

1 person in loco parentis under rules promulgated by the state board.

2 (e) The child has graduated from high school or has fulfilled
3 all requirements for high school graduation.

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

8 (4) For a child being educated at the child's home by his or
9 her parent or legal guardian, **BOTH OF THE FOLLOWING APPLY:**

10 **(A) THE** exemption from the requirement to attend public school
11 may exist under either subsection (3)(a) or (3)(f), or both.

12 **(B) THE EXEMPTION FROM THE REQUIREMENT TO ATTEND PUBLIC SCHOOL**
13 **EXISTS ONLY IF THE CHILD'S ATTENDANCE IS APPROPRIATELY REPORTED TO**
14 **PUBLIC SCHOOL OFFICIALS AS REQUIRED UNDER SECTION 1578.**

15 Sec. 1578. (1) The appropriate authority of each nonpublic
16 school at the beginning of ~~the~~**EACH** school year shall furnish **ALL**
17 **OF THE FOLLOWING TO** the superintendent of schools of the **SCHOOL**
18 district in which the nonpublic school is situated or the
19 intermediate superintendent:

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

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

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

27 (d) The name and age of each child enrolled in the school who

1 is not in regular attendance.

2 (2) THE PARENT OR LEGAL GUARDIAN OF A CHILD BEING EDUCATED AT
3 THE CHILD'S HOME BY HIS OR HER PARENT OR LEGAL GUARDIAN AS
4 DESCRIBED IN SECTION 1561(3)(F) SHALL AT THE BEGINNING OF EACH
5 SCHOOL YEAR FURNISH ALL OF THE FOLLOWING TO THE SUPERINTENDENT OF
6 SCHOOLS OF THE SCHOOL DISTRICT IN WHICH THE CHILD'S HOME IS
7 SITUATED OR THE INTERMEDIATE SUPERINTENDENT OF THE INTERMEDIATE
8 SCHOOL DISTRICT IN WHICH THE CHILD'S HOME IS SITUATED:

9 (A) THE NAME AND AGE OF EACH CHILD WHO IS BEING EDUCATED AT
10 THE HOME.

11 (B) THE NUMBER OR NAME OF THE SCHOOL DISTRICT AND THE CITY OR
12 TOWNSHIP AND COUNTY IN WHICH THE PARENT OR LEGAL GUARDIAN RESIDES.

13 (C) THE NAME AND ADDRESS OF THE PARENT OR LEGAL GUARDIAN.