

HOUSE BILL No. 4498

April 21, 2015, Introduced by Reps. Chang, Gay-Dagnogo, Garrett, Liberati, Hoadley, Geiss, Wittenberg, Zemke, Greig, Derek Miller, Yanez, Durhal and Santana 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 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 parent, guardian, or other
4 person in this state having control and charge of the child shall
5 send that child to a public school during the entire school year
6 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,
10 guardian, or other person in this state having control and charge

1 of the child shall send the child to a public school during the
2 entire school year from the age of 6 to the child's eighteenth
3 birthday. The child's attendance shall be continuous and
4 consecutive for the school year fixed by the school district in
5 which the child is enrolled. In a school district that maintains
6 school during the entire calendar year and in which the school year
7 is divided into quarters, a child is not required to attend the
8 public school more than 3 quarters in 1 calendar year, but a child
9 shall not be absent for 2 or more consecutive quarters.

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

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

18 (a) ~~The~~ **SUBJECT TO SUBSECTION (4), THE** child is attending
19 regularly and is being taught in a state approved nonpublic school
20 ~~, which~~ **THAT** teaches subjects comparable to those taught in the
21 public schools to children of corresponding age and grade, as
22 determined by the course of study for the public schools of the
23 **SCHOOL** district within which the nonpublic school is located.

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

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

3 (d) The child is regularly enrolled in a public school while
4 in attendance at religious instruction classes for not more than 2
5 class hours per week, off public school property during public
6 school hours, upon written request of the parent, guardian, or
7 person in loco parentis under rules promulgated by the state board.

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

10 (f) ~~The~~ **SUBJECT TO SUBSECTION (4), THE** child is being educated
11 at the child's home by his or her parent or legal guardian in an
12 organized educational program in the subject areas of reading,
13 spelling, mathematics, science, history, civics, literature,
14 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. **HOWEVER, THIS EXEMPTION FOR A CHILD BEING EDUCATED**
19 **AT HOME BY HIS OR HER PARENT OR LEGAL GUARDIAN DOES NOT EXIST UNDER**
20 **EITHER SUBSECTION (3)(A) OR (3)(F) UNLESS THE PARENT OR LEGAL**
21 **GUARDIAN COMPLIES WITH SECTION 1578.**

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

1 parent or legal guardian to stop attending school.

2 Sec. 1578. (1) ~~The~~ **AT THE BEGINNING OF EACH SCHOOL YEAR, THE**
3 appropriate authority of each nonpublic school ~~at the beginning of~~
4 ~~the school year~~ **AND EACH PERSON WHO IS EDUCATING A CHILD AT HOME**
5 shall furnish the superintendent of schools of the **SCHOOL** district
6 in which the nonpublic school **OR HOME SCHOOL** is situated or the
7 intermediate superintendent:

8 (a) The name and age of each child who is enrolled at the
9 school **OR IS BEING EDUCATED AT HOME.**

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

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

15 (d) The name and age of each child enrolled in the **NONPUBLIC**
16 school who is not in regular attendance.

17 (2) **IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (1), IF A**
18 **CHILD IS BEING EDUCATED AT HOME, THE CHILD'S PARENT OR LEGAL**
19 **GUARDIAN SHALL ENSURE THAT ALL OF THE FOLLOWING ARE MET:**

20 **(A) THE CHILD MEETS IN PERSON AT LEAST TWICE A YEAR WITH A**
21 **PHYSICIAN, LICENSED SOCIAL WORKER, PHYSICIAN'S ASSISTANT,**
22 **INDIVIDUAL EMPLOYED IN A PROFESSIONAL CAPACITY IN ANY OFFICE OF THE**
23 **FRIEND OF THE COURT, SCHOOL COUNSELOR OR TEACHER, AUDIOLOGIST,**
24 **PSYCHOLOGIST, LAW ENFORCEMENT OFFICER, MARRIAGE AND FAMILY**
25 **THERAPIST, MEMBER OF THE CLERGY, OR REGULATED CHILD CARE PROVIDER.**

26 **(B) THE PARENT OR LEGAL GUARDIAN MAINTAINS AND MAKES AVAILABLE**
27 **UPON REQUEST RECORDS OF THE MEETINGS REQUIRED UNDER SUBDIVISION**

1 (A), INCLUDING SIGNED DOCUMENTATION FROM THE INDIVIDUAL MEETING
2 WITH THE CHILD.

3 Enacting section 1. This amendatory act takes effect 90 days
4 after the date it is enacted into law.