

**SENATE BILL NO. 758**

September 28, 1999, Introduced by Senators PETERS, JOHNSON and  
HAMMERSTROM and referred to the Committee on Judiciary.

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

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1586. (1) The attendance officer shall investigate  
2 each case of A CHILD'S nonattendance at school when notified by a  
3 teacher, superintendent, intermediate superintendent, or other  
4 person of a violation of this part. If the child ~~complained of~~  
5 is not exempt from public school attendance under the conditions  
6 listed in section 1561, the attendance officer shall proceed  
7 immediately in the manner provided in this part.  
8       (2) If a child is ~~repeatedly absent from school without~~  
9 ~~valid excuse, or is~~ failing in schoolwork or gives evidence of  
10 behavior problems —, and IF attempts to confer with the parent  
11 or other person in parental relationship to the child fail, the

1 superintendent of schools, or the intermediate superintendent in  
2 a SCHOOL district ~~which~~ THAT does not employ a superintendent,  
3 may request the attendance officer to notify the parent or other  
4 person in parental relationship by registered mail to come to the  
5 school or to a place designated at a time specified to discuss  
6 the child's ~~irregularity in attendance,~~ failing work ~~,~~ or  
7 behavior problems with the proper school authorities.

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

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

21       (5) IF A CHILD IS ABSENT FROM SCHOOL WITHOUT VALID EXCUSE 7  
22 OR MORE TIMES IN 30 SCHOOL DAYS OR 10 OR MORE TIMES IN THE SCHOOL  
23 YEAR, THE PARENT OR OTHER PERSON IN PARENTAL RELATIONSHIP REFUSES  
24 TO ENTER INTO AN AGREEMENT AS REQUIRED IN SUBSECTION (4), OR THE  
25 CHILD OR THE PARENT OR OTHER PERSON IN PARENTAL RELATIONSHIP  
26 BREACHES AN AGREEMENT ENTERED INTO UNDER SUBSECTION (4), THE  
27 SUPERINTENDENT OF SCHOOLS OR HIS OR HER DESIGNEE, OR THE

1 INTERMEDIATE SUPERINTENDENT OR HIS OR HER DESIGNEE IN A SCHOOL  
2 DISTRICT THAT DOES NOT EMPLOY A SUPERINTENDENT, SHALL FILE A  
3 PETITION ALLEGING THAT THE CHILD IS WITHIN THE COURT'S JURISDIC-  
4 TION UNDER SECTION 2(A)(5) OF CHAPTER XIIA OF 1939 PA 288,  
5 MCL 712A.2.

6 (6) ~~-(3)-~~ The superintendent, or the teacher in a SCHOOL  
7 district ~~which~~ THAT does not employ a superintendent, shall  
8 provide information concerning the nonattendance of each nonresi-  
9 dent pupil to the intermediate superintendent of the intermediate  
10 school district in which the nonresident pupil resides. ~~The~~  
11 ~~intermediate attendance officer, when~~ WHEN notified by the  
12 intermediate superintendent or superintendent of schools, THE  
13 INTERMEDIATE ATTENDANCE OFFICER shall investigate and proceed in  
14 all cases of nonattendance of nonresident pupils in the same  
15 manner provided in this part for enforcing attendance of pupils  
16 attending schools in districts in which they reside.

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

20 (A) A LEGAL EXCUSE UNDER THIS ACT.

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

22 (C) A VALID MEDICAL REASON.

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

24 (E) SUSPENSION OR EXPULSION FROM SCHOOL.

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

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

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

7        (B) IMPRISONMENT for not less than 2 ~~nor~~ DAYS OR more than  
8 90 days. ~~—, or both.~~

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

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

13       (a) Senate Bill No. 759.

14

15       (b) Senate Bill No. 760.

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