

# HOUSE BILL No. 4207

February 12, 2003, Introduced by Reps. Hardman and Plakas and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1599 (MCL 380.1599) and by adding  
section 1590.

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

1           Sec. 1590. (1) Except as otherwise provided in subsection  
2 (2), not later than 180 days after the effective date of this  
3 section, each intermediate school board and the county prosecutor  
4 for each county in the territory of the intermediate school  
5 district shall meet and confer to develop a local truancy policy  
6 under subsection (3) that will apply to all school districts  
7 within the intermediate school district except those described in  
8 subsection (2) and to discuss and plan implementation of the  
9 policy.

10           (2) If a school district employs its own attendance officer

1 or officers under section 1571, not later than 180 days after the  
2 effective date of this section, the school board of that school  
3 district and the county prosecutor for the county in which it is  
4 located shall meet and confer to develop a local truancy policy  
5 under subsection (3) that will apply to that school district and  
6 to discuss and plan implementation of the policy.

7 (3) A local truancy policy under this section shall clearly  
8 state all school attendance requirements and truancy prevention  
9 steps currently required under this part and shall address at  
10 least all of the following:

11 (a) Establishment of a definition of a truant child. This  
12 part of the policy shall allow a school district to establish its  
13 own definition of truancy as long as it is consistent with this  
14 part.

15 (b) Protocols and criteria for notifying the parents of a  
16 truant child, which shall include at least all of the following:

17 (i) The requirements and procedures for the written notice by  
18 registered mail required under section 1587.

19 (ii) Requirements for the notice concerning the response that  
20 should be requested from the parent or other person in parental  
21 relationship.

22 (iii) Requirements for the notice concerning advising the  
23 parent that if the truancy continues, the parent or other person  
24 in parental relationship may be subject to criminal prosecution.

25 (c) Protocols and criteria for notification of appropriate  
26 individuals and agencies if a parent does not respond to the  
27 written notice or continues to fail to comply with this part.

1 This part of the policy shall clearly require the attendance  
2 officer of the intermediate school district or school district,  
3 as applicable, to notify the county prosecutor in a timely  
4 fashion.

5 (d) Protocols for a school district, attendance officer, or  
6 county prosecutor to file a complaint under section 1588 or  
7 otherwise to petition an appropriate court for intervention or  
8 other action.

9 (4) Upon adoption of the local truancy policy as required  
10 under this section, an intermediate school board or school board,  
11 as applicable, shall submit its local truancy policy to the state  
12 board for approval. The state board shall promptly approve a  
13 local truancy policy if the state board determines that it is  
14 consistent with the purposes and procedures of this part. If the  
15 state board does not approve a local policy, the state board  
16 shall work with the intermediate school board or school board to  
17 develop and approve an acceptable policy as soon as possible.

18 (5) After the state board approves a local truancy policy  
19 under this section, the intermediate school district or school  
20 district, as applicable, each affected school district, and each  
21 affected county prosecutor shall begin compliance with the  
22 truancy policy.

23 (6) As used in this section:

24 (a) "School board" means the board of a school district or  
25 local act school district or the board of directors of a public  
26 school academy.

27 (b) "School district" means a school district, local act

1 school district, or public school academy.

2 Sec. 1599. (1) A parent or other person in parental  
3 ~~relation~~ **relationship** who fails to comply with this part is  
4 guilty of a misdemeanor ~~—~~ punishable by ~~a~~ **any combination of**  
5 **the following:**

6 (a) A fine of not less than ~~—\$5.00 nor more than—~~ \$50.00 ~~—~~  
7 ~~or imprisonment—~~ **or more than \$500.00.**

8 (b) **Imprisonment** for not less than 2 ~~—or—~~ **days or** more than  
9 ~~—90—~~ 93 days. ~~—, or both.~~

10 (c) **Community service** for not more than 50 hours.

11 (2) This section does not prohibit charging a person with,  
12 convicting a person of, or punishing a person for any other crime  
13 including any other violation of law arising from the same act or  
14 omission as the violation of this part.

15 Enacting section 1. This amendatory act does not take  
16 effect unless all of the following bills of the 92nd Legislature  
17 are enacted into law:

18 (a) Senate Bill No. \_\_\_\_\_ or House Bill No. 4208 (request  
19 no. 00763'03 a).

20 (b) Senate Bill No. \_\_\_\_\_ or House Bill No. 4209 (request  
21 no. 00763'03 b).