

Legislative Analysis



FAMILY INDEPENDENCE PROGRAM ASSISTANCE: COMPULSORY SCHOOL ATTENDANCE

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House Bill 4388

Sponsor: Rep. Al Pscholka

Committee: Families, Children, and Seniors

Complete to 4-16-13

A SUMMARY OF HOUSE BILL 4388 AS INTRODUCED 3-7-13

The bill would amend the Social Welfare Act regarding eligibility for family independence program assistance in the following ways:

- A family independence program assistance group could not receive family assistance if a member of the program group is not in compliance with the compulsory school attendance requirements of the Revised School Code with respect to a child under 16 years old.
- If a member of a program assistance group is not in compliance with compulsory school attendance requirements with respect to a child 16 years of age or older, that child would be removed from the program group.

The Department of Human Services would be required to implement policies in accordance with these provisions that would be effective and binding on all program groups and that would be exempt from the rule promulgation requirements of the Administrative Procedures Act.

[Section 1561 of the Revised School Code specifies the following:

- A child who turned 11 before December 1, 2009, or who entered 6th grade before 2009 must attend school from the age of 6 until the child's 16th birthday.
- A child who turned 11 on or after December 1, 2009, or a child who was 11 before that date and entered 6th grade in 2009 or later must attend school from the age of 6 until the child's 18th birthday.

The section contains a number of exceptions to this basic requirement, including for home-school students. It also says the section does not apply to a child who turns 11 on or after December 1, 2009, or who was age 11 before that date and enters 6th grade in 2009 or later, if that child is at least 16 years old and the child's parent or legal guardian has provided to school officials a written notice that the child has the permission of the parent or legal guardian to stop attending school.]

MCL 400.57b

FISCAL IMPACT:

Beginning October 1, 2012, the Department of Human Services implemented a similar truancy policy for family independence program assistance, so this bill would codify current policy and should have a minimal fiscal impact to state and local units of government.

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