

HOUSE BILL No. 5786

September 10, 2014, Introduced by Rep. Hobbs and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 1147 and 1561 (MCL 380.1147 and 380.1561),
section 1147 as amended by 2012 PA 198 and section 1561 as amended
by 2009 PA 204.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1147. ~~(1) A child who is a resident of a school district~~
2 ~~that does not provide kindergarten and who is at least 5 years of~~
3 ~~age on the first day of enrollment of the school year may attend~~
4 ~~school in the school district.~~

5 ~~—— (2) In a school district that provides kindergarten, until the~~
6 ~~2013-2014 school year, a child who is a resident of the school~~
7 ~~district may enroll in the kindergarten if the child is at least 5~~
8 ~~years of age on December 1 of the school year of enrollment.~~

9 ~~Subject to subsection (3), for the 2013-2014 school year, a child~~

1 ~~who resides in the school district may enroll in kindergarten if~~
2 ~~the child is at least 5 years of age on November 1, 2013.~~

3 **(1) A SCHOOL DISTRICT SHALL PROVIDE KINDERGARTEN. THE LENGTH**
4 **OF THE SCHOOL DAY FOR THE KINDERGARTEN PROGRAM SHALL BE THE SAME AS**
5 **FOR OTHER ELEMENTARY GRADES PROVIDED BY THE SCHOOL DISTRICT.**

6 (2) Subject to subsection (3), for the 2014-2015 school year,
7 a child who resides in the school district may enroll in
8 kindergarten if the child is at least 5 years of age on October 1,
9 2014. Subject to subsection (3), beginning with the 2015-2016
10 school year, a child who resides in the school district may enroll
11 in kindergarten if the child is at least 5 years of age on
12 September 1 of the school year of enrollment.

13 (3) If a child residing in the school district is not 5 years
14 of age on the enrollment eligibility date specified in subsection
15 (2), but will be 5 years of age not later than December 1 of a
16 school year, the parent or legal guardian of that child may enroll
17 the child in kindergarten for that school year if the parent or
18 legal guardian notifies the school district in writing not later
19 than June 1 before the beginning of the school year that he or she
20 intends to enroll the child in kindergarten. If a child described
21 in this subsection becomes a resident of the school district after
22 June 1, the child's parent or legal guardian may enroll the child
23 in kindergarten for that school year if the parent or legal
24 guardian submits this written notification to the school district
25 not later than August 1 before the beginning of that school year. A
26 school district that receives this written notification may make a
27 recommendation to the parent or legal guardian of a child described

1 in this subsection that the child is not ready to enroll in
2 kindergarten due to the child's age or other factors. However,
3 regardless of this recommendation, the parent or legal guardian
4 retains the sole discretion to determine whether or not to enroll
5 the child in kindergarten under this subsection.

6 (4) The ages prescribed in this section for a child's
7 eligibility for enrollment in a school district also apply to a
8 child's eligibility to enroll in a public school academy.

9 (5) If a school district or public school academy enrolls any
10 children in kindergarten for a school year under subsection (3),
11 the school district or public school academy shall notify the
12 department of the number of those children enrolled by not later
13 than December 31 of that school year.

14 Sec. 1561. (1) **FOR A CHILD RESIDING IN THIS STATE WHO IS AT**
15 **LEAST AGE 5, THE CHILD'S PARENT, GUARDIAN, OR OTHER PERSON IN THIS**
16 **STATE HAVING CONTROL AND CHARGE OF THE CHILD SHALL SEND THAT CHILD**
17 **TO A PUBLIC SCHOOL DURING THE ENTIRE SCHOOL YEAR AS PROVIDED IN**
18 **SUBSECTION (2).** Except as otherwise provided in this section, for a
19 child who turned age 11 before December 1, 2009 or who entered
20 grade 6 before 2009, the child's parent, guardian, or other person
21 in this state having control and charge of the child shall send
22 that child to a public school during the entire school year ~~from~~
23 ~~the age of 6 to~~ **UNTIL** the child's sixteenth birthday. Except as
24 otherwise provided in this section, for a child who turns age 11 on
25 or after December 1, 2009 or a child who was age 11 before that
26 date and enters grade 6 in 2009 or later, the child's parent,
27 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~~ **UNTIL** the child's
3 eighteenth 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 ~~6-5~~ years of age before ~~December 1~~ **THE**
11 **DATE SPECIFIED IN SECTION 1147 FOR ELIGIBILITY FOR ENROLLMENT IN**
12 **KINDERGARTEN** shall be enrolled on the first school day of the
13 school year in which the child's ~~sixth~~ **FIFTH** birthday occurs, and a
14 child becoming ~~6-5~~ years of age on or after ~~December 1~~ **THAT DATE**
15 shall be enrolled on the first school day of the school year
16 following the school year in which the child's ~~sixth~~ **FIFTH** birthday
17 occurs.

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

20 (a) The child is attending regularly and is being taught in a
21 state approved nonpublic school, which teaches subjects comparable
22 to those taught in the public schools to children of corresponding
23 age and grade, as determined by the course of study for the public
24 schools of the district within which the nonpublic school is
25 located.

26 (b) The child is less than 9 years of age and does not reside
27 within 2-1/2 miles by the nearest traveled road of a public school.

1 If transportation is furnished for pupils in the school district of
2 the child's residence, this subdivision does not apply.

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

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

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

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

16 (4) For a child being educated at the child's home by his or
17 her parent or legal guardian, exemption from the requirement to
18 attend public school may exist under either subsection (3)(a) or
19 (3)(f), or both.

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