



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 103 (Substitute S-2 as reported)
Senate Bill 104 (Substitute S-1 as reported)
Senate Bill 105 (Substitute S-1 as reported by the Committee of the Whole)
Senate Bill 106 (as reported without amendment)
Sponsor: Senator Tonya Schuitmaker (S.B. 103 & 104)
Senator Judy K. Emmons (S.B. 105 & 106)
Committee: Families, Seniors and Human Services

CONTENT

Senate Bill 103 (S-2) would amend the Revised School Code to do the following:

- Prohibit a child from being suspended or expelled solely for truancy or chronic absence from school.
- Define "truant" as a child who has at least 10 unexcused absences per school year.
- Define "chronically absent" as a pupil who is absent for at least 10% of the days school is in session in a school year.
- Provide that a pupil's first five absences would be excused if documentation of the reason for the absence were submitted and approved.
- Provide that a sixth or subsequent absence would be considered excused only for specified reasons and if documentation were submitted and approved.
- Provide that a public school would have to take measures required by Section 1586 (the section Senate Bill 104 (S-1) would amend) if a child were truant or chronically absent.
- Require a child to be "in attendance" following enrollment.

"Documentation" could include a signed note from a pupil's parent or legal guardian, a signed note from a school employee or official who spoke in person to a pupil's parent or legal guardian regarding the pupil's absence, or a note confirming a pupil's absence by a school nurse, a licensed medical professional, or a person who is exempt from medical licensure under the Public Health Code. For an absence due to a pupil's illness or medical condition, documentation from a licensed medical professional or an individual exempt from licensure would be required only if the absence lasted at least five consecutive school days in the same school year.

"In attendance" would mean, for a school day, that a pupil is present at his or her assigned school or school activity for at least 90% of the school day.

"Unexcused absence" would mean any absence that is neither an excused absence nor a disciplinary absence. The accumulation of 10 late arrivals would equal one unexcused absence.

"Disciplinary absence" would mean an absence that is the result of disciplinary action imposed by school officials and is neither an unexcused nor an excused absence. For purposes of data collection, a disciplinary absence of one to five consecutive days would have to be labeled and tracked as short-term. A disciplinary absence of six consecutive days or more would have to be labeled and tracked as long-term.

For a pupil's first five absences from school for a school year, "excused absence" would mean an absence for which documentation of the reason for the absence has been submitted and approved. For a pupil's sixth or subsequent absence for a school year, an absence would be considered excused only for one of the following reasons and only when documentation had been submitted and approved:

- The pupil's illness or medical condition.
- Medical appointment of the pupil, including medical, counseling, dental, or optometry.
- The pupil's observance of a religious holiday.
- Death in the pupil's family.
- Other emergency beyond the control of the pupil or his or her family.
- A mandated court appearance for the pupil.
- An extraordinary educational opportunity that was pre-approved by school officials in accordance with guidelines of the Department of Education.
- Military service of the pupil's parent or legal guardian.
- Homelessness.

Currently, the Code requires a child's attendance to be continuous and consecutive for the school year established by the school district where the child is enrolled. In a district that maintains school during the entire calendar year and in which the school year is divided into quarters, a child is not required to attend school more than three quarters in one calendar year, but must not be absent for two or more consecutive quarters. The bill would delete these provisions.

Senate Bill 104 (S-1) would amend the Code to do the following:

- Require, rather than allow, a school district to notify a child's parent or another person in a parental relationship with a child to attend a meeting regarding the child's attendance irregularity, failing work, or behavior problems.
- Authorize the district or intermediate superintendent to consider the reasons for a child's absence and lesser interventions before requiring a meeting with the parent.
- Require school officials, in a meeting with a parent, to offer an attendance agreement and discuss the consequences if the attendance issue were not resolved.
- Permit school officials to offer other available interventions.
- Authorize school officials to pursue appropriate court interventions if the attendance issue were not resolved or the child continued to be chronically absent, and require them to pursue court intervention if the other interventions were not effective.

Senate Bill 105 (S-1) would amend the Code to require a school board's annual report regarding expulsions to include sufficient data about suspensions, truancy, chronic absence, and disciplinary absence.

Senate Bill 106 would amend the juvenile code to extend the family court's exclusive jurisdiction to a juvenile who was found truant.

MCL 380.1311 & 380.1561 (S.B. 103)
380.1586 (S.B. 104)
380.1310a (S.B. 105)
712A.2 (S.B. 106)

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

Senate Bills 103 (S-2), 104 (S-1), & 105 (S-1) likely would have little to no fiscal impact on the State.

Senate Bills 103 (S-2) and 104 (S-1) could result in some additional local costs although the additional costs should be fairly low, since the bills are mostly clarifying in nature and would not change the basic structure in place at the current time regarding truancy or compulsory attendance.

Specifically, a fiscal impact likely could occur with the requirement under Senate Bill 104 (S-1) to investigate and notify the parents of chronically absent children even if the absences were excused. This differs from the current requirement that refers to being "repeatedly absent from school without valid excuse", and therefore would be a new instance in which investigative and notification procedures would be required. The extent to which this could be an additional administrative cost is unknown.

Local schools also likely would see additional reporting costs under Senate Bill 105 (S-1), which would require reporting of pupils suspended, truant, chronically absent, or disciplinary absent, as well as brief written statements of the data establishing that the pupils were truant, chronically absent, or disciplinary absent. This would be in addition to the current requirement to report on expulsions.

Senate Bill 106 could increase costs to local courts. To the extent that adding truancy to the family court's jurisdiction would increase the caseload of local court systems, the administrative costs to the courts could increase. The bill would have no fiscal impact on State government.

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