

# Legislative Analysis

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## OUT-OF-DISTRICT ENROLLMENT FOR CHILDREN PLACED IN FOSTER CARE

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**House Bill 5298 without amendment**  
**Sponsor: Rep. Mary Valentine**

**House Bill 5299 without amendment**  
**Sponsor: Rep. Kenneth Kurtz**  
**Committee: Families and Children's Services**

**Complete to 9-9-09**

## A SUMMARY OF HOUSE BILLS 5298 AND 5299 AS REPORTED FROM COMMITTEE ON 9-9-09

House Bill 5298 would amend Section 1148 of the Revised School Code (MCL 380.1148) to address the cases of children who are under court jurisdiction under Chapter 7A of the Probate Code and who are placed in foster care. In such cases, a school district would have to allow the child to enroll in and attend the appropriate grade in the school in which he or she is placed by the Department of Human Services or a child placing agency *whether or not the child is residing in that school district*. If the placement results in a child transferring to another school, the child's school records would then be transferred.

House Bill 5299 would make a complementary amendment to the State School Aid Act of 1979 (MCL 388.1606) to allow a pupil enrolled in a district other than his or her district of residence, as described in House Bill 5298, to be counted in the educating district without approval of the pupil's district of residence.

The bills are tie barred to each other meaning neither bill would take effect unless the other bill was also enacted.

### **FISCAL IMPACT:**

A fiscal analysis is in process.

### **POSITIONS:**

Department of Human Services testified in support of the bills. (9-9-09)

Michigan's Children supports the bills. (9-9-09)

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