

# Legislative Analysis

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

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**House Bill 5298 as enrolled  
Public Act 186 of 2009  
Sponsor: Rep. Mary Valentine**

**House Bill 5299 as enrolled  
Public Act 187 of 2009  
Sponsor: Rep. Kenneth Kurtz**

**Committee: Families and Children's Services  
Complete to 2-2-10**

### **A SUMMARY OF HOUSE BILL 5298 AND HOUSE BILL 5299 AS ENROLLED**

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, under the bill, a school district would have to allow the child to enroll in and attend the appropriate grade in the school selected by the Department of Human Services or a child placing agency whether or not the child is residing in that school district. If the selection 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 the 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.

### **FISCAL IMPACT:**

The bill would have minimal fiscal impact on the State and local school districts. There may be some negligible cost increases or decreases for the State depending on whether a student is transferring to a district with a higher or lower foundation allowance and depending on the proportion of the state/local mix of a district's foundation allowance. Local school districts would see nominal changes in per pupil funding depending on whether they were losing or gaining a pupil.

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