



**Senate Fiscal Agency**  
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BILL ANALYSIS



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Senate Bill 599 (Substitute S-2 as passed by the Senate)  
 Senate Bill 600 (Substitute S-1 as passed by the Senate)  
 Sponsor: Senator Christopher D. Dingell  
 Committee: Families, Mental Health and Human Services

Date Completed: 1-29-96

### RATIONALE

State statutes concerning school enrollment and school aid do not specifically address situations in which a child's divorced parents live in different school districts. Apparently, it has been the policy of the Department of Education to encourage the parents to select one school district for the child, but sometimes a district is reluctant or unwilling to enroll a child unless the parent living in that district has court-ordered custody of the child. It has been suggested that a child should be able to attend school in either of the districts in which his or her parents reside.

### CONTENT

**Senate Bills 599 (S-2) and 600 (S-1) would amend the State School Aid Act and the School Code, respectively, to provide that a child could enroll in a district in which either of his or her parents resided or in which his or her legal guardian resided.** The bills are tie-barred to each other.

Senate Bill 599 (S-2) specifies that regardless of whether a parent or legal guardian had custody of a child, if the child's parents, or his or her parent or parents and legal guardian, resided in different districts and if the child met the applicable age requirements, he or she could enroll in a district in which either of his or her parents resided or in which his or her legal guardian resided. If a child enrolled in a district under these provisions, the district would be the child's district of residence for the purposes of the Act.

Senate Bill 600 (S-1) provides that for education purposes under the Code, regardless of whether

a parent or legal guardian had custody of a child, if the child's parents, or his or her parent or parents and legal guardian, resided in different school districts, the child would be considered to be a resident of a school district in which either of the child's parents resided, or in which the child's legal guardian resided. If the child met the applicable age requirements, he or she could attend school in a school district in which either of his or her parents resided, or in which his or her legal guardian resided.

MCL 388.1603 et al. (S.B. 599)  
 Proposed MCL 380.1148a (S.B. 600)

### ARGUMENTS

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

#### Supporting Argument

The bills would codify the current policy of allowing a child to enroll in the school district in which either of his or her divorced parents live, regardless of which parent has custody. School districts could not deny enrollment based on which parent had a custody order, if a child met the applicable age requirements. Because a child would have to choose one district or the other, the State would not incur additional school aid costs, and children would not be shuttled between different schools.

Legislative Analyst: S. Margules

**FISCAL IMPACT**

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: E. Pratt  
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.