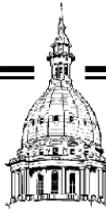




**Senate Fiscal Agency**  
**P. O. Box 30036**  
**Lansing, Michigan 48909-7536**

**BILL ANALYSIS**



**Telephone: (517) 373-5383**  
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Senate Bill 599 (as enacted)  
 Sponsor: Senator Christopher D. Dingell  
 Senate Committee: Families, Mental Health and Human Services  
 House Committee: Appropriations

**PUBLIC ACT 372 of 1996**

Date Completed: 7-9-96

**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**

The bill amends the State School Aid Act to provide that regardless of whether a parent or legal guardian has custody of a child, if the child's parents, or his or her parent or parents and legal guardian, reside in different districts and if the child meets the applicable age requirements, he or she may enroll in a district in which either of his or her parents resides or in which his or her legal guardian resides. If a child enrolls in a district under these provisions, the district is the child's district of residence for the purposes of the Act.

The bill also makes supplemental appropriations for grants to intermediate districts for the 1995-96 fiscal year. (In addition, the enrolled version of the bill would have made appropriations for adult education, as well as adjustments to the foundation allowances for certain districts that operated special education center programs in 1993-94. The Governor vetoed these items.)

The bill will take effect September 1, 1996.

MCL 388.1611b et al.

**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 bill will codify the current policy of allowing a child to enroll in the school district in which either of his or her divorced parents lives, regardless of which parent has custody. School districts may not deny enrollment based on which parent has a custody order, if a child meets the applicable age requirements. Because a child must choose one district or the other, the State will not incur additional school aid costs, and children will not be shuttled between different schools.

Legislative Analyst: S. Margules

**FISCAL IMPACT**

The provisions of the bill concerning a child's residency will have no fiscal impact on State or local government. The bill also provides a supplemental appropriation of \$2,300,000 General Fund/General Purpose in FY 1995-96 for payments to intermediate districts. The payments may be used by intermediate districts for the 1995-96 or 1996-97 fiscal years. Each intermediate district's payment will be a proportion of the \$2,300,000 based on a district's share of FY 1995-96 funding from the appropriation for intermediate district general operations.

Fiscal Analyst: E. Pratt  
 J. Carrasco

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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.