

HOUSE BILL No. 5298

September 2, 2009, Introduced by Reps. Valentine, Kurtz, Proos, Lori, Walsh, Leland, Ebli, Bledsoe, Bauer, Smith, Barnett, Haase, Liss and DeShazor and referred to the Committee on Families and Children's Services.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1148 (MCL 380.1148).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1148. (1) Except as provided in section 1711 **AND**
2 **SUBSECTION (2)**, ~~a child placed under the order or direction of a~~
3 ~~court or child placing agency in a licensed home, or a child whose~~
4 parents or legal guardians are unable to provide a home for the
5 child and who is placed in a licensed home or in a home of
6 relatives in the school district for the purpose of securing a
7 suitable home for the child and not for an educational purpose -
8 shall be considered a resident for education purposes of the school
9 district where the home in which the child is living is located.

1 The child shall be admitted to the school in the district.

2 (2) IF A CHILD WHO IS UNDER COURT JURISDICTION UNDER SECTION
3 2(B) OF CHAPTER XIIIA OF THE PROBATE CODE OF 1939, 1939 PA 288, MCL
4 712A.2, IS PLACED IN FOSTER CARE, A SCHOOL DISTRICT SHALL ALLOW THE
5 CHILD TO ENROLL IN AND ATTEND THE APPROPRIATE GRADE IN THE SCHOOL
6 IN WHICH HE OR SHE IS PLACED BY THE DEPARTMENT OF HUMAN SERVICES OR
7 A CHILD PLACING AGENCY WITHOUT REGARD TO WHETHER OR NOT THE CHILD
8 IS RESIDING IN THAT SCHOOL DISTRICT. IF THE PLACEMENT RESULTS IN A
9 CHILD TRANSFERRING TO ANOTHER SCHOOL, THE CHILD'S SCHOOL RECORDS
10 SHALL BE TRANSFERRED AS PROVIDED UNDER SECTION 1135.

11 Enacting section 1. This amendatory act does not take effect
12 unless Senate Bill No. _____ or House Bill No. 5299 (request no.
13 04332'09) of the 95th Legislature is enacted into law.