

Legislative Analysis



KINDERGARTEN ENROLLMENT: NONRESIDENT DEADLINE & NOTICE

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Senate Bill 492 (Substitute S-1)
Sponsor: Sen. Bruce Caswell
House Committee: Education
Senate Committee: Education

(Enacted as Public Act 479 of 2014)

Complete to 12-17-14

A SUMMARY OF SENATE BILL 492 AS REPORTED FROM HOUSE COMMITTEE

Under the Revised School Code, a parent or legal guardian can enroll a child who turns five by December 1 by providing timely written notification. Otherwise a child must meet an earlier birthdate requirement. The Code refers to "a child residing in the school district." Senate Bill 492 (S-1) would amend the Code to extend this kindergarten age exception to a child who enrolls in a school district in which the child does not reside. (The bill would make the School Code consistent with provisions in the State School Aid Act.)

The bill also would delete the current June 1 and August 1 written notice deadlines for parents and guardians, and instead simply require that a parent or legal guardian notify the school district in writing of the intention to enroll a child in kindergarten for that school year. (This is also consistent with the State School Aid Act.)

Specifically under the bill, the age-requirement exception would be extended to all children who were eligible to enroll in and be counted in membership in a school district under Section 105 or 105c of the State School Aid Act—the sections that address enrolling a child in a school district in which the child does not reside ("schools of choice").

MCL 380.1147

FISCAL IMPACT:

Senate Bill 492, would have no fiscal impact on state or local government. As noted, the bill would align the Revised School Code with existing language in the State School Aid Act, which was previously amended by PA 130 of 2013 to provide payment to districts for any child who is five before December 1.

BACKGROUND INFORMATION:

Under the Revised School Code, a parent may enroll a child in kindergarten if the child will be five years old by a certain date: for the current school year, if the child turned five before October 1, and in the 2015-1016 school year, if the child will turn five before September 1. Both the Revised School Code and the State School Aid Act allow an exception; however, they are somewhat different. (The School Code prescribes birthdate

eligibility criteria, while the School Aid Act prescribes requirements for allocating funds based on enrollment and membership.)

For example, under the School Aid Act, a recent amendment allows any child who will be five years old by December 1 to be enrolled in kindergarten if the parent or legal guardian has notified the district of the intention to enroll the child for that school year.

The Revised School Code provides that if a child *residing in a school district* will be five by December 1 of a school year, a parent may enroll the child, if the parent gives written notice to the school district *by June 1*. (If a child becomes a school district resident after June 1, then the deadline for the written notice is August 1.) School district officials may make a recommendation that the child is not ready to enroll due to age or other factors; however, the decision to enroll the child rests with the parent. As noted, the bill would make the Revised School Code language consistent with provisions in the State School Aid Act by extending the exception to children from out of district and eliminating the notification deadlines.

HOUSE COMMITTEE ACTION:

The members of the House Education Committee reported out the Senate-passed version of the bill without amendment.

POSITIONS:

Oakland Schools supports the bill. (12-17-14)

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