

Legislative Analysis



EDUCATIONAL REQUIREMENTS FOR CHILDREN IN FOSTER CARE

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bills 4676 and 4677 as enacted
Public Acts 23 and 10 of 2024
Sponsor: Rep. Stephanie A. Young

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4678 as enacted
Public Act 11 of 2024
Sponsor: Rep. Kimberly Edwards

House Committee: Families, Children and Seniors
Senate Committee: Housing and Human Services
Complete to 4-1-24

SUMMARY:

House Bill 4676 amends the Foster Care and Adoption Services Act to require that the children's assurance of quality foster care policy developed by the Department of Health and Human Services (DHHS) ensure that children placed in foster care are provided with an education that prioritizes meeting the graduation requirements of the Michigan Merit Curriculum content standards (the requirements for a high school diploma under the Revised School Code), as well as the ability to receive educational records, to the same extent as all students who are not in foster care. The bill also amends a previous requirement that children placed in foster care be provided with timely enrollment in school to instead require they be provided with enrollment in school within five school days after an initial placement or any placement change, unless extenuating circumstances exist. Like the previous provisions, the bill requires consistent placement in the same school when possible.

MCL 722.958b

House Bill 4677 amends the same act to require, beginning September 30, 2024, and annually thereafter, DHHS to provide a report in collaboration with the Department of Education (MDE) and the Center for Educational Performance and Information (CEPI). The report must be provided to the House and Senate appropriation committees for the DHHS budget, standing committees on human services, and fiscal agencies, and must include all of the following:

- The total number of children in foster care, identified by grade of instruction.
- The number of children in foster care who transferred to a different school district during the academic school year.
- The number of children in foster care who were suspended or expelled from school during the academic school year.
- The number of children in foster care who are identified by chronic absenteeism, by truancy, or as drop-outs.
- The percentage of children in foster care who meet the following criteria, broken down by public schools, public school academies, private schools, and schools at *child caring institutions*:
 - Meet academic standards on state standardized assessments.
 - Are enrolled in an alternative education school receiving special education services.

- Are assigned to advanced placement, early middle college, or dual enrollment.
- Are assigned to career and technical education.
- Graduated or obtained a high school equivalency diploma (this would also include children who engaged in foster care in the last five years).

Child caring institution means a child care facility that is organized for the purpose of receiving minor children for care, maintenance, and supervision, usually on a 24-hour basis, in buildings maintained by the child caring institution for that purpose, and that operates throughout the year. An educational program may be provided, but should not be the facility’s primary purpose. Child caring institution includes the following:

- A maternity home for the care of unmarried mothers who are minors.
- An agency group home owned, leased, or rented by a licensed agency providing care for more than four but fewer than 13 minor children.
- An institution for developmentally disabled or emotionally disturbed minor children.

MCL 722.958e

House Bill 4678 amends the Revised School Code to require that MDE regularly review any educational program provided in a child caring institution (defined as above) to ensure that the educational program complies with the Revised School Code and rules promulgated under it.

MCL 380.1281c

FISCAL IMPACT:

House Bill 4676 would have a negligible fiscal impact on state expenditures to DHHS and local units of government. Child caring institutions may contract with local public schools to provide appropriate curriculum for children placed in their care to receive both on-site and offsite schooling. Child caring institutions that contract with DHHS are required to comply with MDE rules and requirements if they operate a school on-site. There is currently \$10.5 million Gross allocated in the School Aid budget to reimburse school districts and ISDs for on-site education programming for youth placed by the courts in juvenile detention facilities or child caring institutions.

House Bill 4677 would not have a significant fiscal impact on state expenditures to DHHS or local units of government.

MDE has noted that they will need 3.0 FTEs (full-time equated positions) to fully implement the requirements of HB 4677 and HB 4678. The department estimates the cost for 2.0 FTE consultants and 1.0 FTE analyst at \$600,000.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.