

Act No. 186  
Public Acts of 2009  
Approved by the Governor  
December 17, 2009  
Filed with the Secretary of State  
December 17, 2009  
EFFECTIVE DATE: December 17, 2009

**STATE OF MICHIGAN  
95TH LEGISLATURE  
REGULAR SESSION OF 2009**

**Introduced by Reps. Valentine, Kurtz, Proos, Lori, Walsh, Leland, Ebli, Bledsoe, Bauer, Smith, Barnett,  
Haase, Liss and DeShazor**

# **ENROLLED HOUSE BILL No. 5298**

AN ACT to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1148 (MCL 380.1148).

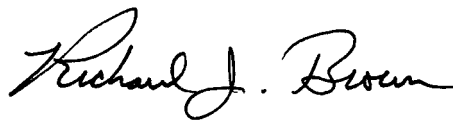
*The People of the State of Michigan enact:*

Sec. 1148. (1) Except as provided in section 1711 and subsection (2), a child whose parents or legal guardians are unable to provide a home for the child and who is placed in a licensed home or in a home of relatives in the school district for the purpose of securing a suitable home for the child and not for an educational purpose shall be considered a resident for education purposes of the school district where the home in which the child is living is located. The child shall be admitted to the school in the district.

(2) If a child who is under court jurisdiction under section 2(b) of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.2, is placed in foster care, a school district shall allow the child to enroll in and attend the appropriate grade in the school selected by the department of human services or a child placing agency without regard to whether or not the child is residing in that school district. If the selection results in a child transferring to another school, the child's school records shall be transferred as provided under section 1135.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 5299 of the 95th Legislature is enacted into law.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor

**Compiler's note:** House Bill No. 5299, referred to in enacting section 1, was filed with the Secretary of State December 17, 2009, and became 2009 PA 187, Imd. Eff. Dec. 17, 2009.