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Senate Bill 285 (Substitute S-1)
Sponsor: Senator Dayna Polehanki
Committee: Education

Date Completed: 3-18-24

CONTENT

The bill would amend the Revised School Code to require school districts and public school academies (PSAs) to provide kindergarten and to require children in the State to enroll in kindergarten at the age of five beginning in the 2025-2026 school year.

The bill would take effect 90 days after its enactment.

Kindergarten Requirements for School Districts

Generally, the Revised School Code provides for the powers and duties of school districts, compulsory school attendance, and other related educational requirements.

The Code does not require a school district or PSA to provide kindergarten if it does not do so already. The bill would delete this provision. Instead, it would require each school district or PSA that offered first grade to provide kindergarten.

Age Requirements for Kindergarten

Generally, the Code allows a child to enroll in kindergarten if that child is at least five years old on September 1 of the current school year and resides in the appropriate school district. If a child resides in a community district or a school district that does not directly operate schools of its own, that child may be enrolled in another public school located within the geographic boundaries of the school district. The bill would specify that this provision would apply to a child who was eligible to enroll in and be counted as a nonresident member of another school district.¹

Under the bill, beginning the 2025-2026 school year, a child who was at least five years of age on September 1 would be *required* to enroll in kindergarten following these guidelines. A parent, legal guardian, or other person in Michigan that had control and charge of a child residing in Michigan who was at least five years old would have to send that child to a public school during the entire school year.

Currently, a child who turns six years old *before* December 1 of the current school year must be enrolled in school on the first day of that school year. A child turning six years old on or *after* December 1 of the current year must be enrolled on the first school day of the *following* school year.

¹ Generally, the State School Aid Act provides for school of choice by allowing a school district to decide to accept applications for enrollment by students and families residing within or contiguous to the pupil's intermediate school district. For more information, see MCL 388.1705 and 388.105c.

The bill would modify this provision by applying it to a child turning five years old. A child turning five years old between September 1 and December 1 could be enrolled on the first school day of the following school year *or* could be enrolled in kindergarten for the current school year at the discretion of the child's parent or legal guardian.

MCL 380.1147 & 380.1561

Legislative Analyst: Abby Schneider

FISCAL IMPACT

The bill would have a negative fiscal impact on the State and no net fiscal impact on school districts. If all five-year-olds were required to be enrolled in kindergarten, districts would see an increase in students, increasing costs. Those costs should be offset by the increased funding those districts would receive through the foundation allowance and other per-pupil categorical spending.

The increased cost to the State would depend on how many additional kindergarten pupils attended districts and public school academies because of the new requirement. It is unknown exactly how many five-year-olds attend kindergarten at nonpublic schools or are home-schooled, but it is estimated that 95% are either attending district kindergarten or are exempted under the current statute. Using first-grade pupil counts as a proxy for entering kindergarten counts, requiring kindergarten for all five-year-olds could increase statewide pupil count by approximately 4,500 pupils. At the Fiscal Year 2023-24 target foundation allowance of \$9,608, this would be a cost increase of approximately \$43.3 million per year, or a foundation allowance increase of 0.4%.

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