

**SUBSTITUTE FOR
SENATE BILL NO. 268**

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1137 (MCL 380.1137), as added by 1995 PA 289.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1137. (1) In recognition of the rights of parents and
2 legal guardians, the board of a school district ~~, public school~~
3 ~~academy, university school,~~ or intermediate school district **or**
4 **board of directors of a public school academy** shall ensure that a
5 parent or legal guardian responsible for the care and custody of a
6 pupil enrolled in the school district, ~~public school academy,~~
7 ~~university school,~~ or intermediate school district, **or public**
8 **school academy** may do all of the following:

9 (a) Review the curriculum, textbooks, and teaching materials

1 of the school in which the pupil is enrolled at a reasonable time
2 and place and in a reasonable manner.

3 (b) Be present, to a reasonable degree, and at reasonable
4 times and subject to reasonable restrictions, controls, and limits,
5 to observe instructional activity in a class or course in which the
6 pupil is enrolled and present. As used in this subdivision,
7 "instructional activity" does not include testing.

8 (c) **Beginning with the 2021-2022 school year, cause the pupil**
9 **to be enrolled in the grade level that the pupil was enrolled in**
10 **for the immediately preceding school year. By not later than July**
11 **1, 2021 for enrollment for the 2021-2022 school year, and by not**
12 **later than July 1 each year thereafter for enrollment for the**
13 **school year following that July 1, to exercise this right, the**
14 **parent or legal guardian must submit a written request to the**
15 **school district, intermediate school district, or public school**
16 **academy in which the pupil is enrolled.**

17 (2) The board of a school district ~~, public school academy,~~
18 ~~university school,~~ or intermediate school district **or board of**
19 **directors of a public school academy** may adopt reasonable policies
20 or guidelines under this section. Those policies or guidelines
21 ~~shall~~**must** not unreasonably prevent the exercise of the rights set
22 forth in subsection (1) and ~~shall~~**must** not create an unreasonable
23 obstacle to teaching or learning, or to administering or
24 maintaining proper discipline, in a school or school program. If a
25 board adopts policies or guidelines under this subsection, the
26 board shall make the policies or guidelines available to the
27 public.

28 (3) **If a request under subsection (1)(c) is received by a**
29 **school district, intermediate school district, or public school**

1 academy by not later than July 1, as required under subsection
2 (1) (c), the board of the school district or intermediate school
3 district or board of directors of the public school academy shall
4 ensure that, for the school year following that July 1, the pupil
5 is enrolled in the grade level in which he or she was enrolled in
6 the school year immediately preceding that July 1. If a request
7 under subsection (1) (c) is received by a school district,
8 intermediate school district, or public school academy after July
9 1, but before the first day of the school year following that July
10 1, the board of the school district or intermediate school district
11 or board of directors of the public school academy may, for the
12 school year following that July 1, enroll the pupil in the grade
13 level in which he or she was enrolled in the school year
14 immediately preceding that July 1.

15 (4) By not later than June 14, 2021, and by not later than
16 June 14 each year thereafter, the board of each school district and
17 intermediate school district and the board of directors of each
18 public school academy shall ensure that a statement explaining a
19 parent's or legal guardian's right under subsection (1) (c),
20 including notice of applicable deadlines under subsection (1) (c),
21 is provided to the parents and legal guardians of pupils enrolled
22 in the district.

23 Enacting section 1. This amendatory act does not take effect
24 unless all of the following bills of the 101st Legislature are
25 enacted into law:

26 (a) Senate Bill No. 265.

27 (b) Senate Bill No. _____ or House Bill No. _____ (request no.
28 01440'21).