

SENATE BILL NO. 268

March 18, 2021, Introduced by Senators MACDONALD, HORN, LASATA, THEIS, ZORN, VICTORY, DALEY, SCHMIDT and VANDERWALL and referred to the Committee on Education and Career Readiness.

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

1 pupil enrolled in the school district, ~~public school academy,~~
2 university school, ~~or~~ intermediate school district, **or public**
3 **school academy** may do all of the following:

4 (a) Review the curriculum, textbooks, and teaching materials
5 of the school in which the pupil is enrolled at a reasonable time
6 and place and in a reasonable manner.

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

12 (c) **For the 2021-2022 school year, cause the pupil to be**
13 **enrolled in the grade level that the pupil was enrolled in for the**
14 **2020-2021 school year. To exercise this right, the parent or legal**
15 **guardian must submit a written request by not later than July 1,**
16 **2021 to the school district, university school, intermediate school**
17 **district, or public school academy in which the pupil is enrolled.**

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

29 (3) **If a request under subsection (1)(c) is received by a**

1 school district, university school, intermediate school district,
2 or public school academy by not later than July 1, 2021, the board
3 of the school district, university school, or intermediate school
4 district or board of directors of the public school academy shall
5 ensure that, for the 2021-2022 school year, the pupil is enrolled
6 in the grade level in which he or she was enrolled in the 2020-2021
7 school year. If a request under subsection (1)(c) is received by a
8 school district, university school, intermediate school district,
9 or public school academy after July 1, 2021, but before the first
10 day of the 2021-2022 school year, the board of the school district,
11 university school, or intermediate school district or board of
12 directors of the public school academy may, for the 2021-2022
13 school year, enroll the pupil in the grade level in which he or she
14 was enrolled in the 2020-2021 school year.

15 (4) The board of each school district and intermediate school
16 district and the board of directors of each public school academy
17 shall ensure that a statement explaining a parent's or legal
18 guardian's right under subsection (1)(c), including notice of
19 applicable deadlines under subsection (1)(c), is included with the
20 written summary assessments provided to parents, legal guardians,
21 or pupils under section 1281c.

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

25 (a) Senate Bill No. 260.

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27 (b) Senate Bill No. 267.

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29 (c) Senate Bill No. 261.

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- 2 (d) Senate Bill No. 262.
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- 4 (e) Senate Bill No. 263.
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- 6 (f) Senate Bill No. 264.
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- 8 (g) Senate Bill No. 266.
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- 10 (h) Senate Bill No. 265.
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- 12 (i) Senate Bill No. 56.
- 13 (j) Senate Bill No. 57.