

REPRINT

SUBSTITUTE FOR

HOUSE BILL NO. 5139

(As passed the House, October 23, 2001)

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
(MCL 380.1 to 380.1852) by adding section 1139.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        SEC. 1139. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION  
2 (2), THE SCHOOL OFFICIALS OF A PUBLIC HIGH SCHOOL SHALL PROVIDE  
3 AT LEAST THE SAME ACCESS TO THE HIGH SCHOOL CAMPUS AND TO PUPIL  
4 DIRECTORY INFORMATION OF THE PUPILS ENROLLED IN THE HIGH SCHOOL  
5 AS IS PROVIDED TO OTHER ENTITIES OFFERING EDUCATIONAL OR EMPLOY-  
6 MENT OPPORTUNITIES TO OFFICIAL RECRUITING REPRESENTATIVES OF ALL  
7 OF THE FOLLOWING FOR THE PURPOSE OF INFORMING PUPILS OF EDUCA-  
8 TIONAL AND CAREER OPPORTUNITIES AVAILABLE IN THE FOLLOWING:  
9        (A) THE ARMED FORCES OF THE UNITED STATES.  
10       (B) THE SERVICE ACADEMIES OF THE ARMED FORCES OF THE UNITED  
11 STATES.

**HB 5139, As Passed Senate, February 28, 2002**

House Bill No. 5139

2

1       (2) IF A HIGH SCHOOL PUPIL OR THE PARENT OR LEGAL GUARDIAN  
2 OF A HIGH SCHOOL PUPIL SUBMITS A SIGNED, WRITTEN REQUEST TO  
3 SCHOOL OFFICIALS OF A PUBLIC HIGH SCHOOL THAT INDICATES THAT THE  
4 PUPIL OR THE PARENT OR LEGAL GUARDIAN DOES NOT WANT THE PUPIL'S  
5 DIRECTORY INFORMATION TO BE ACCESSIBLE TO OFFICIAL RECRUITING  
6 REPRESENTATIVES UNDER SUBSECTION (1), THEN THE SCHOOL OFFICIALS  
7 OF THE HIGH SCHOOL SHALL NOT ALLOW THAT ACCESS TO THE PUPIL'S  
8 DIRECTORY INFORMATION. THE GOVERNING BOARD OF THE SCHOOL DIS-  
9 TRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY  
10 OPERATING THE HIGH SCHOOL SHALL ENSURE THAT PUPILS AND PARENTS  
11 AND GUARDIANS ARE NOTIFIED OF THE PROVISIONS OF THIS SUBSECTION.

12       (3) THE SCHOOL OFFICIALS OF A PUBLIC HIGH SCHOOL SHALL PRO-  
13 VIDE ANY PUBLIC NOTICE REQUIRED TO BE GIVEN UNDER SECTION 444 OF  
14 SUBPART 4 OF PART C OF THE GENERAL EDUCATION PROVISIONS ACT,  
15 TITLE IV OF PUBLIC LAW 90-247, 20 U.S.C. 1232g, COMMONLY REFERRED  
16 TO AS THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, IN  
17 ORDER TO COMPLY WITH THIS SECTION AND FEDERAL LAW.

18       (4) THE SCHOOL OFFICIALS OF A PUBLIC HIGH SCHOOL MAY REQUIRE  
19 AN OFFICIAL RECRUITING REPRESENTATIVE DESCRIBED IN SUBSECTION (1)  
20 TO PAY A FEE, NOT TO EXCEED THE ACTUAL COSTS INCURRED BY THE HIGH  
21 SCHOOL, FOR COPYING AND MAILING PUPIL DIRECTORY INFORMATION UNDER  
22 THIS SECTION.

23       (5) AN OFFICIAL RECRUITING REPRESENTATIVE WHO RECEIVES PUPIL  
24 DIRECTORY INFORMATION UNDER THIS SECTION SHALL USE THAT INFORMA-  
25 TION ONLY TO PROVIDE INFORMATION TO PUPILS CONCERNING EDUCATIONAL  
26 AND CAREER OPPORTUNITIES AVAILABLE IN THE ARMED FORCES OF THE  
27 UNITED STATES OR THE SERVICE ACADEMIES OF THE ARMED FORCES OF THE

**HB 5139, As Passed Senate, February 28, 2002**

House Bill No. 5139

3

1 UNITED STATES. AN OFFICIAL RECRUITING REPRESENTATIVE WHO  
2 RECEIVES PUPIL DIRECTORY INFORMATION UNDER THIS SECTION SHALL NOT  
3 RELEASE THAT INFORMATION TO A PERSON WHO IS NOT INVOLVED IN  
4 RECRUITING PUPILS FOR THE ARMED FORCES OF THE UNITED STATES OR  
5 THE SERVICE ACADEMIES OF THE ARMED FORCES OF THE UNITED STATES.

6 (6) PUBLIC SCHOOLS ARE ENCOURAGED TO ASSIGN 1 OR MORE SCHOOL  
7 EMPLOYEES TO NOTIFY MALE PUPILS AGE 18 OR OLDER THAT THEY ARE  
8 REQUIRED TO REGISTER FOR THE SELECTIVE SERVICE.

9 (7) THE ARMED FORCES OF THE UNITED STATES ARE ENCOURAGED TO  
10 WORK WITH EACH OTHER TO DEVELOP AND USE A STANDARDIZED FORM FOR  
11 REQUESTING ACCESS TO A HIGH SCHOOL CAMPUS AND FOR REQUESTING A  
12 TIME FOR THE ACCESS.

13 (8) AS USED IN THIS SECTION:

14 (A) "ARMED FORCES OF THE UNITED STATES" MEANS THE ARMED  
15 FORCES OF THE UNITED STATES AND THEIR RESERVE COMPONENTS AND THE  
16 UNITED STATES COAST GUARD.

17 (B) "PUPIL DIRECTORY INFORMATION" MEANS A PUPIL'S NAME AND  
18 ADDRESS AND, IF IT IS A LISTED OR PUBLISHED TELEPHONE NUMBER, THE  
19 PUPIL'S TELEPHONE NUMBER.