

SUBSTITUTE FOR
HOUSE BILL NO. 4975

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1135 (MCL 380.1135), as added by 1987 PA 84.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1135. (1) Upon enrollment of a student for the first
2 time in a local or intermediate school district **or a public**
3 **school academy**, the **school** district **or public school academy**
4 shall notify in writing the person enrolling the student that
5 within 30 days he or she shall provide to the local or
6 intermediate school district **or public school academy** either of
7 the following:
8 (a) A certified copy of the student's birth certificate.
9 (b) Other reliable proof, as determined by the school
10 district **or public school academy**, of the student's identity and
11 age, and an affidavit explaining the inability to produce a copy

1 of the birth certificate.

2 (2) If a person enrolling a student fails to comply with
 3 subsection (1), the local or intermediate school district **or**
 4 **public school academy** shall notify the person enrolling the
 5 student in writing that, unless he or she complies within 30 days
 6 after the notification, the case shall be referred to the local
 7 law enforcement agency for investigation. If the person
 8 enrolling the student fails to comply within that 30-day period,
 9 the local or intermediate school district **or public school**
 10 **academy** shall notify the local law enforcement agency.

11 (3) ~~The~~ **A** local or intermediate school district **or public**
 12 **school academy** shall immediately report to the local law
 13 enforcement agency any affidavit received pursuant to this
 14 section that appears inaccurate or suspicious in form or
 15 content.

16 (4) Within 14 days after enrolling a transfer student, ~~the~~
 17 **a school district, intermediate school district, public school**
 18 **academy, or nonpublic school** shall request in writing directly
 19 from the student's previous school a copy of his or her school
 20 record. Any **school district, intermediate school district,**
 21 **public school academy, or nonpublic** school that compiles
 22 ~~records~~ **a school record** for each student ~~in the school~~ and
 23 that is requested to forward a copy of a transferring student's
 24 **school** record to the new school shall comply within 30 days after
 25 receipt of the request unless the **school** record has been tagged
 26 pursuant to section 1134. If a ~~student~~ **student's school** record
 27 has been tagged pursuant to section 1134, a copy of the ~~student~~

1 **student's school** record shall not be forwarded, and the requested
2 school shall notify the law enforcement agency that notified the
3 school district of the missing student pursuant to section 8 of
4 ~~Act No. 319 of the Public Acts of 1968, being section 28.258 of~~
5 ~~the Michigan Compiled Laws 1968 PA 319, MCL 28.258,~~ of the
6 request.

7 (5) A local or intermediate school district shall not
8 disclose any personally identifiable information contained in a
9 ~~student~~ **student's school** record to a law enforcement agency,
10 except in compliance with the family educational rights and
11 privacy act, 20 ~~U.S.C.~~ USC 1232g.

12 (6) As used in this section, "school record" includes, but is
13 not limited to, the following records maintained by a school
14 district, intermediate school district, public school academy, or
15 nonpublic school regarding a specific student:

16 (a) Attendance record or summary.

17 (b) Academic record showing grades completed and courses
18 passed.

19 (c) Disciplinary record that includes all final, pending, and
20 initiated suspensions or expulsions; a description of the primary
21 incident or incidents that led to each suspension or expulsion;
22 the date when each of these incidents occurred; and any other
23 information that is related to the suspension or expulsion and is
24 considered appropriate by school officials of the school from
25 which the student is transferring. The information required by
26 this subdivision may be presented in summary form.

27 (d) Health records and information that are part of the

1 student's education record.

2 (e) The student's current individualized education program,

3 if any.