

HOUSE BILL No. 4650

May 26, 2015, Introduced by Reps. Derek Miller, Chirkun, Chang, Love, Neeley and Plawecki and referred to the Committee on Education.

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 time
2 in a ~~local~~ **SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY**, or intermediate
3 school district, the **SCHOOL** district, **PUBLIC SCHOOL ACADEMY, OR**
4 **INTERMEDIATE SCHOOL DISTRICT** shall notify in writing the person
5 enrolling the student that within 30 days he or she shall provide
6 to the ~~local~~ **SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY**, or
7 intermediate school district either of 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, **PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT**,
11 of the student's identity and age, and an affidavit explaining the

1 inability to produce a copy of the birth certificate.

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

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

16 (4) Within 14 days after enrolling a transfer student, the
17 school **IN WHICH THE STUDENT ENROLLS** shall request in writing
18 directly from the student's previous school a copy of his or her
19 school record. Any school that compiles records for each student in
20 the school and that is requested to forward a copy of a
21 transferring student's record to the new school shall comply within
22 30 days after receipt of the request unless the record has been
23 tagged ~~pursuant to~~**UNDER** section 1134. If a student record has been
24 tagged ~~pursuant to~~**UNDER** section 1134, a copy of the student record
25 shall not be forwarded, and the requested school shall notify the
26 law enforcement agency that notified the school district, **PUBLIC**
27 **SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT** of the missing

1 student pursuant to ~~UNDER~~ section 8 of Act No. 319 of the Public
2 Acts of 1968, being section 28.258 of the Michigan Compiled Laws,
3 1968 PA 319, MCL 28.258, of the request.

4 (5) IF A STUDENT TRANSFERS AWAY FROM A SCHOOL OPERATED BY A
5 SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL
6 DISTRICT AND THE SCHOOL DOES NOT RECEIVE A REQUEST FOR THE
7 STUDENT'S SCHOOL RECORD WITHIN 14 DAYS AFTER THE DATE THE STUDENT
8 TRANSFERS, THE SCHOOL FROM WHICH THE STUDENT TRANSFERRED SHALL
9 IMMEDIATELY NOTIFY THE LOCAL LAW ENFORCEMENT AGENCY AND THE
10 DEPARTMENT. A LOCAL LAW ENFORCEMENT AGENCY OR THE DEPARTMENT
11 RECEIVING A NOTIFICATION UNDER THIS SUBSECTION SHALL INVESTIGATE
12 THE SITUATION TO DETERMINE THE CHILD'S WELL-BEING.

13 (6) ~~(5)~~ A ~~local~~ SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, or
14 intermediate school district shall not disclose any personally
15 identifiable information contained in a student record to a law
16 enforcement agency, except in compliance with ~~the family~~
17 ~~educational rights and privacy act, 20 U.S.C. 1232g.~~ 20 USC 1232G,
18 COMMONLY REFERRED TO AS THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY
19 ACT.

20 Enacting section 1. This amendatory act takes effect 90 days
21 after the date it is enacted into law.