

# SENATE BILL NO. 776

December 07, 2021, Introduced by Senators CHANG, BRINKS, POLEHANKI, GEISS, ALEXANDER, WOJNO, BAYER and HOLLIER and referred to the Committee on Education and Career Readiness.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
(MCL 380.1 to 380.1852) by adding section 1258.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1258. (1) Not later than March 1, 2023, the board of a  
2 school district or intermediate school district or board of  
3 directors of a public school academy shall adopt and implement a  
4 policy that prescribes procedures that the school district,  
5 intermediate school district, or public school academy must follow

1 before closing a school building. These procedures must address at  
2 least all of the following:

3 (a) Reporting of data to the department as required by law.

4 (b) Transition of pupils and their records, including academic  
5 and medical records, to new schools.

6 (c) The selection of a records repository for the purposes of  
7 subsection (3) and the submission of pupil records to that  
8 repository.

9 (d) Timely notification to the parents and legal guardians of  
10 pupils enrolled in the school and employees working at the school.  
11 These procedures must include at least a 1-month notice before a  
12 school is closed and at least 1 public meeting. For a public school  
13 academy that receives notification from its authorizing body of an  
14 intent to revoke or not renew the public school academy's contract,  
15 these procedures also must include notice within 1 month after that  
16 notification. For a school district or intermediate school  
17 district, the notification to parents also must include information  
18 regarding the reassignment of pupils to other schools operated by  
19 the school district or intermediate school district. For a public  
20 school academy, the notification to parents also must include  
21 information about options for placement of their children in other  
22 public schools along with contact information and important  
23 timelines for enrollment in other public schools. The policy must  
24 provide for notices described in this subdivision to be made by  
25 first-class mail unless that method of notice is not financially  
26 feasible, in which case an alternative method may be used such as  
27 electronic notice, sending notice home with pupils, or contracting  
28 with a third party to provide notice.

29 (e) Distribution of assets and proper securing of the closed

1 school building within 60 days after it is closed, if it is not  
2 anticipated to be leased or sold in a timely manner. The procedure  
3 for distribution of assets must include at least an accounting of  
4 the assets of the school building and a report to the board of the  
5 school district or intermediate school district or to the  
6 authorizing body of the public school academy, as applicable, that  
7 inventories those assets. However, except as otherwise provided  
8 under this act, for a public school that has been incorporated  
9 under the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to  
10 450.3192, the procedure must comply with that act with respect to  
11 distribution of assets.

12 (f) A provision that, if a decision to close a school building  
13 is based on financial projections made during the normal budget  
14 development process for the school fiscal year beginning on the  
15 next July 1, the closure decision must be made and the notification  
16 procedures under subdivision (d) must be started not later than  
17 that next July 1.

18 (g) A provision that, if a decision to close a school building  
19 is made for a reason other than finances, the closure decision must  
20 be made and the notification procedures under subdivision (d) must  
21 be started not later than the end of the school fiscal year. This  
22 provision must prohibit a closure during the next school year for a  
23 reason other than finances unless this deadline is met.

24 (h) A provision allowing for the closure of a school building  
25 during the school year only if there is an extenuating circumstance  
26 that would endanger the health or safety of the pupils in  
27 attendance at the school building. For a closure allowed under this  
28 subdivision, the notification procedures under subdivision (d) must  
29 be started as soon as possible after the discovery of the

1     extenuating circumstance.

2             (2) Not later than January 1, 2023, the department shall  
3     develop and make available a model policy for the purposes of this  
4     section that complies with subsection (1).

5             (3) A policy adopted under subsection (1) must include the  
6     selection of a records repository to provide long-term storage and  
7     maintenance of the records of pupils of the closed school building  
8     that are not delivered to new schools under subsection (1)(b). The  
9     board of the school district or intermediate school district or  
10    board of directors of the public school academy may select any of  
11    the following as its records repository under this subsection:

12            (a) The intermediate school district in which the closed  
13    school building is located, if the intermediate school district  
14    agrees to act as the records repository for those records.

15            (b) If the closed school building is a public school academy,  
16    the school district or intermediate school district in which the  
17    closed school building is located, if the school district or  
18    intermediate school district agrees to act as the records  
19    repository for those records.

20            (c) Another person that agrees to act as the records  
21    repository for those records, if the person demonstrates to the  
22    satisfaction of the board or board of directors that it has the  
23    expertise to provide long-term storage and maintenance of those  
24    records.

25            (d) The department. The department shall act as a central  
26    records repository and provide long-term storage and maintenance of  
27    those pupil records from school buildings that have been closed  
28    that have not been submitted to another records repository selected  
29    under this subsection.

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