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REENACT GRADE CHANGING PROCEDURE

House Bill 5340
Sponsor: Rep. David Woodward
Committee: Education

Complete to 11-5-01

A SUMMARY OF HOUSE BILL 5340 AS INTRODUCED 10-25-01

House Bill 5340 would amend the Revised School Code to reenact a grade change procedure which was previously in the code. (The provision was repealed by Public Act 289 of 1995, which repealed many specific provisions in the code and granted “general powers” to school districts.) Under the procedure, a unilateral grade change on a student’s record would be prohibited; however, a review panel could change a student’s grade in certain circumstances. The bill defines “grade” to mean a grade given for a final examination, or a grade given at the conclusion of a marking period, semester, or term. A more detailed explanation of the grade change procedure follows.

Under the bill, the board of a school district or intermediate school district would be required to give each secondary school teacher an opportunity to review the official transcript of each student the teacher taught. Further, the board could not permit other school personnel (specifically, any board member, superintendent, assistant superintendent, principal, assistant principal, guidance director, teacher, or any other person) to change a grade given by a teacher, unless the teacher who gave it was informed of the reasons why.

Review Panel. Under the bill, a review panel (requested by a teacher, a counselor, or in some instances a principal) could be convened if there were disagreement about a proposed grade change. A person convening the review panel would be required to file a notice to that effect with the board, and the review panel would meet within 20 days after the filing. The majority of the review panel could approve, disapprove, or modify a grade; however, a grade could not be changed unless the review panel found that the proponent of the grade change had met the burden of establishing that there was no rational basis for the challenged grade under the teacher’s established grading procedures.

The bill specifies that a principal could not cause a review panel to convene unless the proponent of a grade change submitted a request for the change in writing (setting forth reasons), within 30 days after the student received the grade. If the principal decided to convene a review panel, he or she would be required to do so within 30 days after receiving the written request.

Review Panel membership. The bill specifies that a review panel would be composed of three teachers selected by their bargaining unit, one board member selected by the board, and the district superintendent (or the superintendent’s designee). A person who had caused a review panel to convene could not serve, and if a member of the panel was involved in the proposed grade change, that member would be replaced by an alternate.

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Appeal of Review Panel decision. The teacher who gave the grade, or the proponent of the change, could appeal the decision of the review panel to the board, not later than 30 days after the date of decision. The board would be required to consider the appeal at a meeting during which reasons for and against the change were reviewed. A majority of the board members elected and serving could approve or disapprove the decision of the panel, and that decision would be final. (If there were not timely appeal after the review panel made a decision, that decision would be final.)

Notice to student, family, and teacher. The bill specifies that a student and a student's parent or guardian and the teacher who gave the grade would be informed of a decision on the proposed change. It also would require that a review of a grade change comply with provisions of the federal Family Educational Rights and Privacy Act. If a student's grade were changed by a review panel, a notation would be made in the student's record indicating whether it had been changed by a review panel or the school board. However, the bill specifies that this provision would not prevent a school district from having a local procedure that permitted a student to request a grade change, or that permitted the student's parent or legal guardian to attend a review panel meeting, or to make an oral or written presentation to the review panel.

Disciplinary action. Under the bill the board of a school district or intermediate school district would be required to establish and enforce a disciplinary procedure to be invoked if a person violated the grade changing procedure.

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