



HOUSE BILL No. 5341

October 31, 1995, Introduced by Rep. Brewer and referred to the Committee on Education.

A bill to amend Act No. 451 of the Public Acts of 1976,
entitled as amended
"The school code of 1976,"
as amended, being sections 380.1 to 380.1852 of the Michigan
Compiled Laws, by adding section 628a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 451 of the Public Acts of 1976, as
2 amended, being sections 380.1 to 380.1852 of the Michigan
3 Compiled Laws, is amended by adding section 628a to read as
4 follows:

5 SEC. 628A. (1) THE INTERMEDIATE SCHOOL BOARD MAY ESTABLISH
6 AN ALTERNATIVE EDUCATION PROGRAM FOR PERSONS OF MIDDLE SCHOOL OR
7 HIGH SCHOOL AGE, OR BOTH, WHO HAVE BEEN EXPELLED FROM SCHOOL
8 UNDER SECTION 1311, OR WHO HAVE A HISTORY OF PERSISTENT
9 DISOBEDIENCE, OR WHO HAVE BEEN ORDERED TO ATTEND AN ALTERNATIVE

1 EDUCATION PROGRAM BY THE PROBATE COURT UNDER SECTION 18 OF
2 CHAPTER XIIIA OF ACT NO. 288 OF THE PUBLIC ACTS OF 1939, BEING
3 SECTION 712A.18 OF THE MICHIGAN COMPILED LAWS. THE INTERMEDIATE
4 SCHOOL BOARD MAY LEASE OR PURCHASE SITES; BUILD OR LEASE FACILI-
5 TIES; AND EMPLOY THE PERSONNEL NECESSARY TO OPERATE THE PROGRAM.
6 AN INTERMEDIATE SCHOOL DISTRICT MAY AUTHORIZE A PUBLIC SCHOOL
7 ACADEMY UNDER PART 6A OR 6B TO IMPLEMENT A PROGRAM DESCRIBED IN
8 THIS SECTION.

9 (2) IF THE INTERMEDIATE SCHOOL BOARD ESTABLISHES A PROGRAM
10 DESCRIBED IN THIS SECTION, ALL OF THE FOLLOWING APPLY TO THE
11 PROGRAM:

12 (A) THE PROGRAM SHALL PROVIDE A CORE CURRICULUM AS DESCRIBED
13 IN SECTION 1278.

14 (B) THE PROGRAM SHALL BE CHARACTERIZED AS HIGH-DISCIPLINE,
15 INCLUDING PHYSICALLY STRENUOUS WORK AND EXERCISE; HOWEVER, CORPO-
16 RAL PUNISHMENT AS DESCRIBED IN SECTION 1312 MAY NOT BE USED AS A
17 MEANS OF DISCIPLINE.

18 (C) THE PROGRAM SHALL OPERATE YEAR-ROUND.

19 (D) THE PROGRAM SHALL INCLUDE ALL OF THE FOLLOWING:

20 (i) AS A CONDITION OF A PUPIL'S ADMISSION TO THE PROGRAM, A
21 PARENTAL AGREEMENT TO PARTICIPATE IN THE PROGRAM THAT INCLUDES
22 CONTINUOUS PERIODIC PERFORMANCE REVIEWS AND ASSESSMENTS OF
23 PERFORMANCE.

24 (ii) AN ATTENDANCE REQUIREMENT OF 97% FOR THE PUPIL.

25 (iii) CONTINUOUS PERIODIC PERFORMANCE REVIEWS AND ASSESS-
26 MENTS OF THE PERFORMANCE OF THE PUPIL.

1 (2) IF A PUPIL SUCCESSFULLY COMPLETES AN ALTERNATIVE
2 EDUCATION PROGRAM UNDER THIS SECTION, ALL OF THE FOLLOWING APPLY:

3 (A) THE PUPIL SHALL BE GRANTED MIDDLE SCHOOL CREDIT OR HIGH
4 SCHOOL CREDIT, AS APPROPRIATE, FOR THE PROGRAM.

5 (B) THE PUPIL MAY BE READMITTED TO A REGULAR EDUCATION
6 PROGRAM.

7 (3) A PUPIL ADMITTED TO AN ALTERNATIVE EDUCATION PROGRAM
8 UNDER THIS SECTION WHO FAILS TO WORK DILIGENTLY AND PRODUCTIVELY
9 OR WHO FAILS TO OBEY THE BEHAVIOR RULES ESTABLISHED FOR THE PRO-
10 GRAM MAY BE DISCHARGED FROM THE PROGRAM.

11 (4) AN OFFICIAL OF THE INTERMEDIATE SCHOOL DISTRICT OR
12 PUBLIC SCHOOL ACADEMY, AS APPROPRIATE, OR THE OFFICIAL'S DESIG-
13 NEE, SHALL REFER A PUPIL WHO IS OF COMPULSORY SCHOOL AGE UNDER
14 SECTION 1561 AND WHO WAS ADMITTED TO AN ALTERNATIVE EDUCATION
15 PROGRAM DESCRIBED IN THIS SECTION AFTER BEING EXPELLED UNDER
16 SECTION 1311 AND WHO WAS DISCHARGED FROM THE PROGRAM AS DESCRIBED
17 IN SUBSECTION (3) TO AND SHALL FILE A PETITION IN THE JUVENILE
18 DIVISION OF THE PROBATE COURT UNDER SECTION 2 OF CHAPTER XIIA OF
19 ACT NO. 288 OF THE PUBLIC ACTS OF 1939, BEING SECTION 712A.2 OF
20 THE MICHIGAN COMPILED LAWS.