

**SENATE BILL NO. 1351**

November 5, 1998, Introduced by Senators DE BEAUSSAERT, HART  
and BYRUM and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
(MCL 380.1 to 380.1852) by adding section 1310.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        SEC. 1310. (1) EACH SCHOOL BOARD SHALL ADOPT A WRITTEN DIS-  
2 TRICTWIDE SCHOOL DISCIPLINE POLICY WHICH SHALL INCLUDE AT LEAST  
3 ALL OF THE MATTERS DESCRIBED IN SUBSECTION (4).

4        (2) THE POLICY REQUIRED UNDER THIS SECTION SHALL BE DEVEL-  
5 OPED WITH THE PARTICIPATION OF ADMINISTRATORS, TEACHERS, EMPLOY-  
6 EES, PUPILS, PARENTS, COMMUNITY MEMBERS, AND OTHER INDIVIDUALS OR  
7 ORGANIZATIONS THE SCHOOL BOARD DETERMINES APPROPRIATE. IF A PAR-  
8 TICULAR SCHOOL HAS A SCHOOL SITE COUNCIL CONSISTING OF THE TYPE  
9 OF PERSONS DESCRIBED IN THIS SUBSECTION, WITH THE APPROVAL OF THE  
10 SCHOOL BOARD THE SCHOOL SITE COUNCIL MAY INCLUDE PROVISIONS IN  
11 THE POLICY IN ADDITION TO THOSE REQUIRED UNDER THIS SECTION.

1 (3) THE PROVISIONS OF THE POLICY REQUIRED UNDER SUBSECTION  
2 (4)(C) SHALL ESTABLISH THE VARIOUS GROUNDS FOR WHICH A PUPIL MAY  
3 BE REMOVED FROM A CLASS FOR A PERIOD OF TIME PURSUANT TO THE PRO-  
4 CEDURES SPECIFIED IN THE POLICY. THE GROUNDS IN THE POLICY SHALL  
5 INCLUDE AT LEAST ALL OF THE FOLLOWING AS WELL AS OTHER GROUNDS  
6 DETERMINED APPROPRIATE BY THE SCHOOL BOARD:

7 (A) WILLFUL CONDUCT THAT MATERIALLY AND SUBSTANTIALLY DIS-  
8 RUPTS THE RIGHTS OF OTHERS TO AN EDUCATION.

9 (B) WILLFUL CONDUCT THAT ENDANGERS SCHOOL DISTRICT EMPLOY-  
10 EES, THE PUPIL OR OTHER PUPILS, OR THE PROPERTY OF THE SCHOOL.

11 (C) WILLFUL VIOLATION OF ANY RULE OF CONDUCT SPECIFIED IN  
12 THE DISCIPLINE POLICY ADOPTED BY THE SCHOOL BOARD.

13 (4) THE POLICY REQUIRED UNDER THIS SECTION SHALL INCLUDE AT  
14 LEAST ALL OF THE FOLLOWING COMPONENTS:

15 (A) RULES GOVERNING PUPIL CONDUCT, INCLUDING THE CODE OF  
16 STUDENT CONDUCT REQUIRED UNDER SECTION 1312(8), AND PROCEDURES  
17 FOR INFORMING PUPILS OF THESE RULES.

18 (B) THE GROUNDS AND PROCEDURES FOR REMOVAL OF A PUPIL FROM A  
19 CLASS, AS DESCRIBED IN SUBSECTION (3).

20 (C) THE AUTHORITY OF THE CLASSROOM TEACHER TO REMOVE PUPILS  
21 FROM THE CLASSROOM PURSUANT TO PROCEDURES AND RULES ESTABLISHED  
22 IN THE SCHOOL DISTRICT'S POLICY.

23 (D) PROCEDURES FOR REMOVAL OF A PUPIL FROM A CLASS BY A  
24 TEACHER, SCHOOL ADMINISTRATOR, OR OTHER SCHOOL DISTRICT  
25 EMPLOYEE.

1 (E) THE PERIOD OF TIME FOR WHICH A PUPIL MAY BE REMOVED FROM  
2 A CLASS, WHICH SHALL NOT EXCEED 5 CLASS PERIODS FOR A VIOLATION  
3 OF A RULE OF CONDUCT.

4 (F) PROVISIONS RELATING TO THE RESPONSIBILITY FOR AND CUS-  
5 TODY OF A PUPIL REMOVED FROM A CLASS.

6 (G) PROCEDURES FOR RETURN OF A PUPIL TO THE SPECIFIED CLASS  
7 FROM WHICH THE PUPIL HAS BEEN REMOVED.

8 (H) PROCEDURES FOR NOTIFYING A PUPIL AND THE PUPIL'S PARENTS  
9 OR LEGAL GUARDIAN OF VIOLATIONS OF THE RULES OF CONDUCT AND OF  
10 RESULTING DISCIPLINARY ACTIONS.

11 (I) ANY PROCEDURES DETERMINED APPROPRIATE FOR ENCOURAGING  
12 EARLY INVOLVEMENT OF PARENTS OR LEGAL GUARDIANS IN ATTEMPTS TO  
13 IMPROVE A PUPIL'S BEHAVIOR.

14 (J) ANY PROCEDURES DETERMINED APPROPRIATE FOR ENCOURAGING  
15 EARLY DETECTION OF BEHAVIORAL PROBLEMS.

16 (K) ANY PROCEDURES DETERMINED APPROPRIATE FOR REFERRING A  
17 PUPIL IN NEED OF SPECIAL EDUCATION SERVICES TO THOSE SERVICES.

18 (L) PROCEDURES FOR CONSIDERATION OF WHETHER THERE IS A NEED  
19 FOR A FURTHER ASSESSMENT OR OF WHETHER THERE IS A NEED FOR A  
20 REVIEW OF THE ADEQUACY OF A CURRENT INDIVIDUAL EDUCATION PLAN OF  
21 A PUPIL WITH A DISABILITY WHO IS REMOVED FROM CLASS.

22 (M) PROCEDURES FOR DETECTING AND ADDRESSING CHEMICAL ABUSE  
23 PROBLEMS OF A PUPIL WHILE ON THE SCHOOL PREMISES.

24 (N) THE MINIMUM CONSEQUENCES FOR VIOLATIONS OF THE RULES OF  
25 CONDUCT.

26 (O) PROCEDURES FOR IMMEDIATE AND APPROPRIATE INTERVENTIONS  
27 TIED TO VIOLATIONS OF THE RULES.

1       (5) AS USED IN THIS SECTION, "SCHOOL BOARD" INCLUDES THE  
2 BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY AND "SCHOOL  
3 DISTRICT" INCLUDES A PUBLIC SCHOOL ACADEMY.