

# Legislative Analysis

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## SCHOOL EXPULSION: DUE PROCESS

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**House Bill 5411**

**Sponsor: Rep. Glenn Steil, Jr.**

**Committee: Education**

**Complete to 4-14-08**

## A SUMMARY OF HOUSE BILL 5411 AS INTRODUCED 11-7-07

House Bill 5411 would amend the Revised School Code (MCL 380.1312a) to require school district officials to provide students who face permanent expulsion with notice of their due process rights, and to develop policies to provide those rights.

The bill specifies that not later than the beginning of the 2008-2009 school year, the board of a school district (including the boards of intermediate school district and charter schools) to ensure that all of the following are included in the Code of Student Conduct:

- A detailed description of the due process rights that must be provided for a student or a student's parent (or legal guardian) in permanent expulsion proceedings.
- A detailed description of the school district's procedures for a permanent expulsion, including the process for reinstatement.

If board officials move to expel a student, they must provide a copy of their policies to the student and the student's parent or guardian, at the same time that notice of the charges is provided.

Under the bill, a board member having a conflict of interest is required to abstain from voting on the expulsion.

The bill specifies that this proposed section of the code would not diminish any rights under federal law of a student who had been determined to be eligible for special education programs and services.

## FISCAL IMPACT:

The bill would have no fiscal impact on State or local government.

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