

SUBSTITUTE FOR
HOUSE BILL NO. 5411

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1312a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1312A. (1) NOT LATER THAN THE BEGINNING OF THE 2008-2009
2 SCHOOL YEAR, THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL
3 DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL
4 ENSURE THAT ALL OF THE FOLLOWING ARE INCLUDED IN THE CODE OF
5 STUDENT CONDUCT UNDER SECTION 1312:

6 (A) A DETAILED DESCRIPTION OF THE DUE PROCESS RIGHTS THAT MUST
7 BE PROVIDED FOR A PUPIL OR A PUPIL'S PARENT OR LEGAL GUARDIAN IN
8 PERMANENT EXPULSION PROCEEDINGS.

9 (B) A DETAILED DESCRIPTION OF THE SCHOOL DISTRICT'S,
10 INTERMEDIATE SCHOOL DISTRICT'S, OR PUBLIC SCHOOL ACADEMY'S
11 PROCEDURES FOR A PERMANENT EXPULSION, INCLUDING THE PROCESS FOR
12 REINSTATEMENT UNDER SECTION 1311(5) OR 1311A(5).

1 (2) IF PROCEEDINGS ARE INITIATED TO PERMANENTLY EXPEL A PUPIL,
2 THE BOARD OF THE SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT OR
3 BOARD OF DIRECTORS OF THE PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT A
4 COPY OF THE INFORMATION REQUIRED UNDER SUBSECTION (1) IS PROVIDED
5 TO THE PUPIL AND THE PUPIL'S PARENT OR LEGAL GUARDIAN AT THE SAME
6 TIME AS THE NOTICE OF THE CHARGES AGAINST THE PUPIL IS PROVIDED TO
7 THE PUPIL AND THE PUPIL'S PARENT OR LEGAL GUARDIAN.

8 (3) THIS SECTION DOES NOT DIMINISH ANY RIGHTS UNDER FEDERAL
9 LAW OF A PUPIL WHO HAS BEEN DETERMINED TO BE ELIGIBLE FOR SPECIAL
10 EDUCATION PROGRAMS AND SERVICES.

11 Enacting section 1. This amendatory act does not take effect
12 unless House Bill No. 5832 of the 94th Legislature is enacted into
13 law.