

# HOUSE BILL No. 5411

November 7, 2007, Introduced by Reps. Steil, Wenke, Rick Jones, Coulouris, Hildenbrand, Green and Stahl 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 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

1 PROCEDURES FOR A PERMANENT EXPULSION, INCLUDING THE PROCESS FOR  
2 REINSTATEMENT UNDER SECTION 1311(5) OR 1311A(5).

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

10 (3) A MEMBER OF THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE  
11 SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY  
12 WHO BELIEVES OR HAS REASON TO BELIEVE THAT HE OR SHE HAS A CONFLICT  
13 OF INTEREST WITH REGARD TO AN EXPULSION SHALL ABSTAIN FROM VOTING  
14 ON THE EXPULSION.

15 (4) THIS SECTION DOES NOT DIMINISH ANY RIGHTS UNDER FEDERAL  
16 LAW OF A PUPIL WHO HAS BEEN DETERMINED TO BE ELIGIBLE FOR SPECIAL  
17 EDUCATION PROGRAMS AND SERVICES.