

SUBSTITUTE FOR
HOUSE BILL NO. 5415

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1307f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1307F. THE STATE POLICY UNDER SECTION 1307A SHALL INCLUDE
2 AT LEAST ALL OF THE FOLLOWING PROVISIONS CONCERNING DATA
3 COLLECTION:
4 (A) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY, OR AN
5 INTERMEDIATE SCHOOL DISTRICT PROGRAM IN WHICH PUPILS ARE ENROLLED,
6 IN ACCORDANCE WITH DEPARTMENT GUIDELINES, SHALL COLLECT AND REPORT
7 DATA ON AND RELATED TO THE USE OF RESTRAINT AND SECLUSION IN THE
8 SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL
9 DISTRICT PROGRAM. IN COLLECTING AND REPORTING THIS DATA, A SCHOOL
10 DISTRICT, PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT

1 PROGRAM SHALL USE EXISTING DATA COLLECTION AND REPORTING SYSTEMS
2 WHENEVER POSSIBLE. INCIDENTS OF USE SHALL, AT A MINIMUM, BE
3 REPORTED BY RACE, AGE, GRADE, GENDER, DISABILITY STATUS, MEDICAL
4 CONDITION, IDENTITY OF THE SCHOOL PERSONNEL INITIATING THE USE OF
5 THE RESTRAINT OR SECLUSION, AND IDENTITY OF THE SCHOOL OR PROGRAM
6 WHERE THE USE OCCURRED.

7 (B) ALL OF THE FOLLOWING SHOULD OCCUR WITH RESPECT TO THE DATA
8 COLLECTED UNDER SUBDIVISION (A) :

9 (i) THE DATA SHOULD BE ANALYZED BY THE SCHOOL AND SCHOOL
10 DISTRICT, PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT IN
11 WHICH THE PUPIL IS ENROLLED TO DETERMINE THE EFFICACY OF THE
12 SCHOOL'S SCHOOLWIDE SYSTEM OF BEHAVIORAL SUPPORT.

13 (ii) THE DATA SHOULD BE ANALYZED BY THE SCHOOL AND SCHOOL
14 DISTRICT, PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT IN
15 THE CONTEXT OF ATTENDANCE, SUSPENSION, EXPULSION, AND DROPOUT DATA.

16 (iii) THE DATA SHOULD BE ANALYZED BY THE SCHOOL AND SCHOOL
17 DISTRICT, PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT
18 FOR THE PURPOSES OF CONTINUOUS IMPROVEMENT OF TRAINING AND
19 TECHNICAL ASSISTANCE TOWARD THE ELIMINATION OF SECLUSION AND
20 RESTRAINT.

21 (iv) THE DATA SHOULD BE ANALYZED BY THE SCHOOL AND SCHOOL
22 DISTRICT, PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT ON
23 A SCHEDULE DETERMINED BY THE DEPARTMENT.

24 (v) THE DATA SHOULD BE REPORTED ELECTRONICALLY TO THE
25 DEPARTMENT IN ACCORDANCE WITH DEPARTMENT GUIDELINES BY THE SCHOOL
26 DISTRICT, PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT.

27 (C) THE DEPARTMENT SHALL MAKE AVAILABLE REDACTED, AGGREGATE

1 DATA ON THE REPORTED USE OF SECLUSION AND RESTRAINT, COMPILED BY
2 SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, AND INTERMEDIATE SCHOOL
3 DISTRICT ON A QUARTERLY BASIS.

4 Enacting section 1. This amendatory act takes effect 90 days
5 after the date it is enacted into law.

6 Enacting section 2. This amendatory act does not take effect
7 unless all of the following bills of the 98th Legislature are
8 enacted into law:

9 (a) House Bill No. 5410.

10 (b) House Bill No. 5417.