

HOUSE BILL No. 5694

May 25, 2016, Introduced by Rep. LaGrand and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1310 (MCL 380.1310), as amended by 2000 PA 230.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1310. (1) ~~If~~**SUBJECT TO SECTION 1310D, IF** a pupil
2 enrolled in grade 6 or above commits a physical assault at school
3 against another pupil and the physical assault is reported to the
4 school board, school district superintendent, or building
5 principal, then the school board or the designee of the school
6 board as described in section 1311(1) on behalf of the school board
7 shall suspend or expel the pupil from the school district for up to
8 180 school days. A district superintendent or building principal
9 who receives a report described in this subsection shall forward

1 the report to the school board. Notwithstanding section 1147, a
2 school district is not required to allow an individual expelled
3 from another school district under this section to attend school in
4 the school district during the expulsion.

5 (2) If an individual is expelled pursuant to this section, it
6 is the responsibility of that individual and of his or her parent
7 or legal guardian to locate a suitable educational program and to
8 enroll the individual in such a program during the expulsion. The
9 office for safe schools in the department shall compile information
10 on and catalog existing alternative education programs or schools
11 and nonpublic schools that may be open to enrollment of individuals
12 expelled under this section and pursuant to section 1311(2) or
13 1311a, and shall periodically distribute this information to school
14 districts for distribution to expelled individuals. A school board
15 that establishes an alternative education program or school
16 described in this subsection shall notify the office for safe
17 schools about the program or school and the types of pupils it
18 serves. The office for safe schools also shall work with and
19 provide technical assistance to school districts, authorizing
20 bodies for public school academies, and other interested parties in
21 developing these types of alternative education programs or schools
22 in geographic areas that are not being served.

23 (3) As used in this section:

24 (a) "At school" means in a classroom, elsewhere on school
25 premises, on a school bus or other school-related vehicle, or at a
26 school-sponsored activity or event whether or not it is held on
27 school premises.

1 (b) "Physical assault" means intentionally causing or
2 attempting to cause physical harm to another through force or
3 violence.

4 (c) "School board" means a school board, intermediate school
5 board, or the board of directors of a public school academy.

6 (d) "School district" means a school district, ~~a local act~~
7 ~~school district, an~~ intermediate school district, or ~~a public~~
8 school academy.

9 Enacting section 1. This amendatory act takes effect August 1,
10 2017.

11 Enacting section 2. This amendatory act does not take effect
12 unless House Bill No. 5618 of the 98th Legislature is enacted into
13 law.