

HOUSE BILL No. 5414

March 2, 2016, Introduced by Rep. Price 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 1307e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1307E. THE STATE POLICY UNDER SECTION 1307A SHALL INCLUDE
2 AT LEAST ALL OF THE FOLLOWING PROVISIONS CONCERNING DEVELOPMENT AND
3 IMPLEMENTATION OF AN EMERGENCY INTERVENTION PLAN:

4 (A) EACH INTERMEDIATE SCHOOL DISTRICT SHALL DEVELOP A WRITTEN
5 AND PUBLICLY AVAILABLE DISTRICTWIDE EMERGENCY INTERVENTION PLAN
6 THAT PROTECTS THE HEALTH, SAFETY, AND DIGNITY OF PUPILS. THE
7 EMERGENCY INTERVENTION PLAN SHALL PROVIDE A CLEAR AND DETAILED
8 DESCRIPTION OF THE PROCEDURES TO BE FOLLOWED, AND THE POTENTIAL
9 ACTIONS TO BE TAKEN, IN AN EMERGENCY SITUATION, INCLUDING, IF
10 APPLICABLE, THE POTENTIAL USE OF EMERGENCY SECLUSION AND EMERGENCY
11 PHYSICAL RESTRAINT, ALONG WITH EXAMPLES OF SITUATIONS THAT COULD

1 RESULT IN THE USE OF EMERGENCY SECLUSION OR EMERGENCY PHYSICAL
2 RESTRAINT. THE EMERGENCY INTERVENTION PLAN SHOULD BE DEVELOPED AND
3 PERIODICALLY REVISED IN PARTNERSHIP WITH PARENTS AND GUARDIANS BY A
4 TEAM THAT INCLUDES AN INDIVIDUAL KNOWLEDGEABLE ABOUT THE
5 APPROPRIATE USE OF EMERGENCY SECLUSION AND EMERGENCY PHYSICAL
6 RESTRAINT AND AN INDIVIDUAL KNOWLEDGEABLE ABOUT THE USE OF POSITIVE
7 BEHAVIORAL SUPPORTS TO REDUCE OR ELIMINATE THE USE OF SECLUSION AND
8 RESTRAINT. THE INTERMEDIATE SCHOOL DISTRICT SHALL PROVIDE PARENTS
9 AND GUARDIANS WITH PAPER OR ELECTRONIC NOTICE OF THE AVAILABILITY
10 OF THE EMERGENCY INTERVENTION PLAN, INCLUDING INSTRUCTIONS ON HOW
11 TO ACCESS OR REQUEST A COPY OF THE PLAN AND A PROCESS FOR ASKING
12 QUESTIONS AND EXPRESSING CONCERNS. IF THE INTERMEDIATE SCHOOL
13 DISTRICT HAS A PUBLIC WEBSITE, THE INTERMEDIATE SCHOOL DISTRICT
14 SHALL POST THE EMERGENCY INTERVENTION PLAN ON THAT WEBSITE.

15 (B) IF CONCERNS ARISE REGARDING HUMANENESS OR SOCIAL
16 ACCEPTABILITY OF AN ELEMENT OF THE EMERGENCY INTERVENTION PLAN, THE
17 INTERMEDIATE SCHOOL DISTRICT SHOULD CONVENE A HUMAN RIGHTS
18 COMMITTEE TO REVIEW THE EMERGENCY INTERVENTION PLAN. THE HUMAN
19 RIGHTS COMMITTEE SHOULD CONSIST OF AT LEAST 3 KEY IDENTIFIED
20 PERSONNEL AND 3 MEMBERS OF THE INTERMEDIATE SCHOOL DISTRICT'S
21 PARENT ADVISORY COMMITTEE. AS DEFINED IN THE EMERGENCY INTERVENTION
22 PLAN, THIS COMMITTEE SHOULD DO ALL OF THE FOLLOWING:

23 (i) PROVIDE PERIODIC REVIEW OF THE PLAN AND RELATED DATA, AND
24 RECOMMEND REVISIONS TO THE PLAN, AS NEEDED.

25 (ii) ENSURE THAT KEY IDENTIFIED PERSONNEL ARE TRAINED IN THE
26 SPECIFIC TECHNIQUES DESCRIBED IN THE EMERGENCY INTERVENTION PLAN.

27 (iii) ENSURE THAT NECESSARY STAFFING IS MAINTAINED AT ALL TIMES.

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

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

6 (a) Senate Bill No. _____ or House Bill No. 5410 (request no.
7 04860'15).

8 (b) Senate Bill No. _____ or House Bill No. 5417 (request no.
9 04867'15).