

# HOUSE BILL No. 5618

May 3, 2016, Introduced by Reps. Schor, Zemke, Pscholka, Lyons, Irwin, Lucido and LaGrand 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 1310d.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 1310D. (1) THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE  
2        SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY,  
3        OR A SUPERINTENDENT, SCHOOL PRINCIPAL, OR OTHER DESIGNEE UNDER  
4        SECTION 1311(1), SHALL NOT SUSPEND OR EXPEL A PUPIL UNDER ITS  
5        AUTHORITY UNDER SECTION 1311(1) SOLELY FOR BEING TRUANT OR  
6        CHRONICALLY ABSENT.

7        (2) THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL  
8        DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY, OR A  
9        SUPERINTENDENT, SCHOOL PRINCIPAL, OR OTHER DESIGNEE UNDER SECTION

1 1311(1), SHALL CONSIDER EACH OF THE FOLLOWING FACTORS BEFORE  
2 SUSPENDING OR EXPELLING A PUPIL UNDER ITS AUTHORITY UNDER SECTION  
3 1311(1):

4 (A) THE PUPIL'S AGE.

5 (B) THE PUPIL'S DISCIPLINARY HISTORY.

6 (C) WHETHER THE PUPIL IS A STUDENT WITH A DISABILITY.

7 (D) THE SERIOUSNESS OF THE VIOLATION OR BEHAVIOR COMMITTED BY  
8 THE PUPIL.

9 (E) WHETHER THE VIOLATION OR BEHAVIOR COMMITTED BY THE PUPIL  
10 THREATENED THE SAFETY OF ANY PUPIL OR STAFF MEMBER.

11 (F) WHETHER RESTORATIVE JUSTICE WILL BE USED TO ADDRESS THE  
12 VIOLATION OR BEHAVIOR COMMITTED BY THE PUPIL.

13 (G) WHETHER A LESSER INTERVENTION WOULD PROPERLY ADDRESS THE  
14 VIOLATION OR BEHAVIOR COMMITTED BY THE PUPIL.

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