

**SUBSTITUTE FOR  
HOUSE BILL NO. 5802**

(As amended June 1, 2000)

[A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending sections 1310, 1310a, 1311a, and 1473 (MCL 380.1310,  
380.1310a, 380.1311a, and 380.1473), sections 1310 and 1310a as  
added by 1999 PA 102, section 1311a as added by 1999 PA 104, and  
section 1473 as added by 1996 PA 159, and by adding sections 1280b,  
1282a, and 1531e and part 20B.]

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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04184'99 \* (H-3)

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Sub. H.B. 5802 (H-3) as amended May 25 and June 1, 2000 4

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04184'99 \* (H-3)

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04184'99 \* (H-3)

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16 SEC. 1280B. (1) SUBJECT TO SUBSECTION (2), THE BOARD OF A  
17 SCHOOL DISTRICT, OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY  
18 THAT OPERATES ANY OF GRADES 1 TO 5, SHALL ADMINISTER EACH SCHOOL  
19 YEAR TO ALL PUPILS IN GRADES 1 TO 5 A NATIONALLY-RECOGNIZED  
20 NORM-REFERENCED TEST OR ANOTHER ASSESSMENT, WHICH MAY INCLUDE A  
21 LOCALLY-ADOPTED ASSESSMENT, APPROVED BY THE SUPERINTENDENT OF  
22 PUBLIC INSTRUCTION AT THE REQUEST OF THE SCHOOL DISTRICT OR  
23 PUBLIC SCHOOL ACADEMY.

24 (2) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY MAY USE THE  
25 MICHIGAN LITERACY PROGRESS PROFILE TO ASSESS LITERACY IN GRADES 1  
26 TO 3 AS PART OF ITS COMPLIANCE WITH SUBSECTION (1).

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1 (3) IF A SCHOOL IS DESIGNATED FOR PARTICIPATION IN THE  
2 NATIONAL ASSESSMENT OF EDUCATION PROGRESS PROGRAM, THE SCHOOL  
3 SHALL PARTICIPATE AS DESIGNATED.

4 (4) AN ELEMENTARY SCHOOL THAT IS NOT IN COMPLIANCE WITH SUB-  
5 SECTION (1) OR A SCHOOL THAT DOES NOT COMPLY WITH SUBSECTION (3)  
6 SHALL NOT BE ACCREDITED UNDER SECTION 1280.

7 SEC. 1282A. IN ORDER TO COMPLY WITH SECTION 1282(2), IF A  
8 PUPIL IN GRADE 3 FAILS BY THE END OF THAT SCHOOL YEAR TO MEET  
9 STANDARDS FOR BASIC LITERACY SKILLS OR FOR BASIC MATHEMATICS  
10 SKILLS, AS ESTABLISHED AND PUBLISHED BY THE SUPERINTENDENT OF  
11 PUBLIC INSTRUCTION, THE BOARD OF THE PUPIL'S SCHOOL DISTRICT  
12 SHALL PROVIDE THE PUPIL WITH THE OPPORTUNITY TO ATTEND SUMMER  
13 SCHOOL IN LANGUAGE ARTS OR MATHEMATICS, AS APPLICABLE, BEFORE  
14 GRADE 4. FOR THE PURPOSES OF THIS SECTION, A PUPIL'S LITERACY  
15 SKILLS AND MATHEMATICS SKILLS SHALL BE MEASURED BY EITHER THE  
16 MICHIGAN LITERACY PROGRESS PROFILE OR ANOTHER ASSESSMENT ADOPTED  
17 BY THE SCHOOL DISTRICT FOR THIS PURPOSE AND APPROVED BY THE  
18 SUPERINTENDENT OF PUBLIC INSTRUCTION.

19 Sec. 1310. (1) If a pupil enrolled in grade 6 or above com-  
20 mits a physical assault at school against another pupil and the  
21 physical assault is reported to the school board, school district  
22 superintendent, or building principal, THEN the school board OR  
23 THE DESIGNEE OF THE SCHOOL BOARD AS DESCRIBED IN SECTION 1311(1)  
24 ON BEHALF OF THE SCHOOL BOARD shall SUSPEND OR expel the pupil  
25 from the school district for up to 180 school days. A district  
26 superintendent or building principal who receives a report  
27 described in this subsection shall forward the report to the

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

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

24       (3) As used in this section:

25       (a) "At school" means in a classroom, elsewhere on school  
26 premises, on a school bus or other school-related vehicle, or at



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1 a school-sponsored activity or event whether or not it is held on  
2 school premises.

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

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

8 (d) "School district" means a school district, a local act  
9 school district, an intermediate school district, or a public  
10 school academy.

11 Sec. 1310a. (1) At least annually, each school board shall  
12 prepare and submit to the superintendent of public instruction,  
13 in the form and manner prescribed by the superintendent of public  
14 instruction, a report stating the number of pupils expelled from  
15 the school district during the immediately preceding school year,  
16 with a brief description of the incident that caused each  
17 expulsion.

18 (2) In order to obtain an accurate local and statewide pic-  
19 ture of school crime and to develop the partnerships necessary to  
20 plan and implement school safety programs, at least annually,  
21 each school board shall report to the superintendent of public  
22 instruction, in the form and manner prescribed by the superinten-  
23 dent of public instruction, incidents of crime occurring at  
24 school within the school district. In determining the form and  
25 manner of this report, the superintendent of public instruction  
26 shall consult with local and intermediate school districts and  
27 law enforcement officials. The reporting shall include at least

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1 crimes involving physical violence, gang-related activity,  
2 illegal possession of a controlled substance or controlled sub-  
3 stance analogue, or other intoxicant, trespassing, and property  
4 crimes including, but not limited to, theft and vandalism. For a  
5 property crime, the report shall include an estimate of the cost  
6 to the school district resulting from the property crime. The  
7 school crime reporting requirements of this subsection are  
8 intended to do all of the following:

9 (a) Help policymakers and program designers at the local and  
10 state levels develop appropriate prevention and intervention  
11 programs.

12 (b) Provide the continuous assessment tools needed for  
13 revising and refining school safety programs.

14 (c) Assist schools and school districts to identify the most  
15 pressing safety issues confronting their school communities, to  
16 direct resources appropriately, and to enhance campus safety  
17 through prevention and intervention strategies.

18 (d) Foster the creation of partnerships among schools,  
19 school districts, state agencies, communities, law enforcement,  
20 and the media to prevent further crime and violence and to assure  
21 a safe learning environment for every pupil.

22 (3) At least ~~once each semester~~ ANNUALLY, each school  
23 board shall ~~provide~~ MAKE a copy of the most recent report  
24 ~~under subsection (2) available~~ for the school district UNDER  
25 SUBSECTION (2) AVAILABLE to the parent or legal guardian of each  
26 pupil enrolled in the school district.

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1 (4) As used in this section, "school board" and "school  
2 district" mean those terms as defined in section 1310.

3 Sec. 1311a. (1) If a pupil enrolled in grade 6 or above  
4 commits a physical assault at school against a person employed by  
5 or engaged as a volunteer or contractor by the school board and  
6 the physical assault is reported to the school board, school dis-  
7 trict superintendent, or building principal by the victim or, if  
8 the victim is unable to report the assault, by another person on  
9 the victim's behalf, then the school board, or the designee of  
10 the school board as described in section 1311(1) on behalf of the  
11 school board, shall expel the pupil from the school district per-  
12 manently, subject to possible reinstatement under  
13 subsection (5). A district superintendent or building principal  
14 who receives a report described in this subsection shall forward  
15 the report to the school board.

16 (2) If a pupil enrolled in grade 6 or above commits a verbal  
17 assault, as defined by school board policy, at school against a  
18 person employed by or engaged as a volunteer or contractor by the  
19 school board and the verbal assault is reported to the school  
20 board, school district superintendent, or building principal by  
21 the victim or, if the victim is unable to report the verbal  
22 assault, by another person on the victim's behalf, or if a pupil  
23 enrolled in grade 6 or above makes a bomb threat or similar  
24 threat directed at a school building, other school property, or a  
25 school-related event, then the school board, or the designee of  
26 the school board as described in section 1311(1) on behalf of the  
27 school board, shall SUSPEND OR expel the pupil from the school

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1 district for ~~up to 180 school days~~ A PERIOD OF TIME AS  
2 DETERMINED IN THE DISCRETION OF THE SCHOOL BOARD OR ITS  
3 DESIGNEE. A district superintendent or building principal who  
4 receives a report described in this subsection shall forward the  
5 report to the school board. Notwithstanding section 1147, a  
6 school district is not required to allow an individual expelled  
7 from another school district under this subsection to attend  
8 school in the school district during the expulsion.

9 (3) If an individual is permanently expelled pursuant to  
10 ~~subsection (1)~~ THIS SECTION, the expelling school district  
11 shall enter on the individual's permanent record that he or she  
12 has been permanently expelled pursuant to ~~subsection (1)~~ THIS  
13 SECTION. Except if a school district operates or participates  
14 cooperatively in an alternative education program appropriate for  
15 individuals expelled pursuant to ~~subsection (1)~~ THIS SECTION  
16 and section 1311(2) and in its discretion admits the individual  
17 to that program, and except for a strict discipline academy  
18 established under sections 1311b to 1311l, an individual per-  
19 manently expelled pursuant to ~~subsection (1)~~ THIS SECTION is  
20 expelled from all public schools in this state and the officials  
21 of a school district shall not allow the individual to enroll in  
22 the school district unless the individual has been reinstated  
23 under subsection (5). Except as otherwise provided by law, a  
24 program operated for individuals expelled pursuant to ~~subsection~~  
25 ~~(1)~~ THIS SECTION and section 1311(2) shall ensure that those  
26 individuals are physically separated at all times during the  
27 school day from the general pupil population. If an individual

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1 permanently expelled from a school district pursuant to  
2 ~~subsection (1)~~ THIS SECTION is not placed in an alternative  
3 education program or strict discipline academy, the school dis-  
4 trict may provide, or may arrange for the intermediate school  
5 district to provide, appropriate instructional services to the  
6 individual at home. The type of services provided shall meet the  
7 requirements of section 6(4)(v) of the state school aid act of  
8 1979, MCL 388.1606, and the services may be contracted for in the  
9 same manner as services for homebound pupils under section 109 of  
10 the state school aid act of 1979, MCL 388.1709. This subsection  
11 does not require a school district to expend more money for pro-  
12 viding services for a pupil permanently expelled pursuant to  
13 ~~subsection (1)~~ THIS SECTION than the amount of the foundation  
14 allowance the school district receives for the pupil under sec-  
15 tion 20 of the state school aid act of 1979, MCL 388.1620.

16 (4) If a school board PERMANENTLY expels an individual pur-  
17 suant to this section, the school board shall ensure that, within  
18 3 days after the expulsion, an official of the school district  
19 refers the individual to the appropriate county department of  
20 social services or county community mental health agency and  
21 notifies the individual's parent or legal guardian or, if the  
22 individual is at least age 18 or is an emancipated minor, noti-  
23 fies the individual of the referral.

24 (5) The parent or legal guardian of an individual per-  
25 manently expelled pursuant to ~~subsection (1)~~ THIS SECTION or,  
26 if the individual is at least age 18 or is an emancipated minor,  
27 the individual may petition the expelling school board for

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1 reinstatement of the individual to public education in the school  
2 district. If the expelling school board denies a petition for  
3 reinstatement, the parent or legal guardian or, if the individual  
4 is at least age 18 or is an emancipated minor, the individual may  
5 petition another school board for reinstatement of the individual  
6 in that other school district. All of the following apply to  
7 reinstatement under this subsection:

8       (a) The individual's parent or legal guardian or, if the  
9 individual is at least age 18 or is an emancipated minor, the  
10 individual may initiate a petition for reinstatement at any time  
11 after the expiration of 150 school days after the date of  
12 expulsion.

13       (b) The individual shall not be reinstated before the expi-  
14 ration of 180 school days after the date of expulsion.

15       (c) It is the responsibility of the parent or legal guardian  
16 or, if the individual is at least age 18 or is an emancipated  
17 minor, of the individual to prepare and submit the petition. A  
18 school board is not required to provide any assistance in prepar-  
19 ing the petition. Upon request by a parent or legal guardian or,  
20 if the individual is at least age 18 or is an emancipated minor,  
21 by the individual, a school board shall make available a form for  
22 a petition.

23       (d) Not later than 10 school days after receiving a petition  
24 for reinstatement under this subsection, a school board shall  
25 appoint a committee to review the petition and any supporting  
26 information submitted by the parent or legal guardian or, if the  
27 individual is at least age 18 or is an emancipated minor, by the

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1 individual. The committee shall consist of 2 school board  
2 members, 1 school administrator, 1 teacher, and 1 parent of a  
3 pupil in the school district. During this time the superinten-  
4 dent of the school district may prepare and submit for considera-  
5 tion by the committee information concerning the circumstances of  
6 the expulsion and any factors mitigating for or against  
7 reinstatement.

8 (e) Not later than 10 school days after all members are  
9 appointed, the committee described in subdivision (d) shall  
10 review the petition and any supporting information and informa-  
11 tion provided by the school district and shall submit a recommen-  
12 dation to the school board on the issue of reinstatement. The  
13 recommendation shall be for unconditional reinstatement, for con-  
14 ditional reinstatement, or against reinstatement, and shall be  
15 accompanied by an explanation of the reasons for the recommenda-  
16 tion and of any recommended conditions for reinstatement. The  
17 recommendation shall be based on consideration of all of the fol-  
18 lowing factors:

19 (i) The extent to which reinstatement of the individual  
20 would create a risk of harm to pupils or school personnel.

21 (ii) The extent to which reinstatement of the individual  
22 would create a risk of school district or individual liability  
23 for the school board or school district personnel.

24 (iii) The age and maturity of the individual.

25 (iv) The individual's school record before the incident that  
26 caused the expulsion.

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1 (v) The individual's attitude concerning the incident that  
2 caused the expulsion.

3 (vi) The individual's behavior since the expulsion and the  
4 prospects for remediation of the individual.

5 (vii) If the petition was filed by a parent or legal guardi-  
6 an, the degree of cooperation and support that has been provided  
7 by the parent or legal guardian and that can be expected if the  
8 individual is reinstated, including, but not limited to, recep-  
9 tiveness toward possible conditions placed on the reinstatement.

10 (f) Not later than the next regularly scheduled board meet-  
11 ing after receiving the recommendation of the committee under  
12 subdivision (e), a school board shall make a decision to uncondi-  
13 tionally reinstate the individual, conditionally reinstate the  
14 individual, or deny reinstatement of the individual. The deci-  
15 sion of the school board is final.

16 (g) A school board may require an individual and, if the  
17 petition was filed by a parent or legal guardian, his or her  
18 parent or legal guardian to agree in writing to specific condi-  
19 tions before reinstating the individual in a conditional  
20 reinstatement. The conditions may include, but are not limited  
21 to, agreement to a behavior contract, which may involve the indi-  
22 vidual, parent or legal guardian, and an outside agency; partici-  
23 pation in or completion of an anger management program or other  
24 appropriate counseling; periodic progress reviews; and specified  
25 immediate consequences for failure to abide by a condition. A  
26 parent or legal guardian or, if the individual is at least age 18  
27 or is an emancipated minor, the individual may include proposed



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1 conditions in a petition for reinstatement submitted under this  
2 subsection.

3       (6) A school board or school administrator that complies  
4 with this section is not liable for damages for SUSPENDING OR  
5 expelling a pupil pursuant to this section, and the authorizing  
6 body of a public school academy is not liable for damages for  
7 SUSPENSION OR expulsion of a pupil by the public school academy  
8 pursuant to this section.

9       (7) The department shall develop and distribute to all  
10 school districts a form for a petition for reinstatement to be  
11 used under subsection (5). The department may designate the form  
12 used for a petition for reinstatement under section 1311 as a  
13 form that may be used under this section.

14       (8) This section does not diminish the due process rights  
15 under federal law of a pupil who has been determined to be eligi-  
16 ble for special education programs and services.

17       (9) If a pupil expelled from a school district pursuant to  
18 this section is enrolled by a public school district sponsored  
19 alternative education program or a public school academy during  
20 the period of expulsion, the public school academy or the alter-  
21 native education program is immediately eligible for the prorated  
22 share of either the public school academy's or operating school  
23 district's foundation allowance or the expelling school  
24 district's foundation allowance, whichever is higher.

25       (10) A school board or its designee shall report all  
26 assaults described in subsection (1) or (2) to appropriate state  
27 or local law enforcement officials and prosecutors as provided in

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1 the statewide school safety information policy under section  
2 1308.

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

22       (12) As used in this section:

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

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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 PART ~~14A~~ 20A

10 COLLEGE LEVEL EQUIVALENT COURSES AND CREDIT

11 Sec. 1473. (1) The board of a school district, ~~or~~ BOARD  
12 OF DIRECTORS OF A public school academy, or governing board of a  
13 nonpublic school shall consider providing college level equiva-  
14 lent courses either directly, through an intermediate district  
15 program, or by agreement in a consortium or cooperative program.

16 (2) IF A PUBLIC SCHOOL PUPIL SUCCESSFULLY COMPLETES A COL-  
17 LEGE LEVEL EQUIVALENT COURSE THAT IS OFFERED BY ELECTRONIC MEANS,  
18 INCLUDING, BUT NOT LIMITED TO, THE INTERNET, DIGITAL BROADCAST,  
19 OR SATELLITE NETWORK, AND IS OFFERED BY A SCHOOL DISTRICT, A  
20 REGIONALLY ACCREDITED COLLEGE OR UNIVERSITY, OR THE MICHIGAN VIR-  
21 TUAL HIGH SCHOOL DESCRIBED IN SECTION 1481, AND IF THE PUPIL HAS  
22 BEEN SPONSORED IN THIS PROCESS BY A CERTIFICATED TEACHER EMPLOYED  
23 BY THE PUPIL'S SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY, THE  
24 SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY IN WHICH THE PUPIL IS  
25 ENROLLED SHALL DO ALL OF THE FOLLOWING:

26 (A) GRANT APPROPRIATE HIGH SCHOOL CREDIT FOR COMPLETION OF  
27 THE COURSE.

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1 (B) COUNT THAT CREDIT TOWARD THE GRADUATION AND SUBJECT AREA  
2 REQUIREMENTS OF THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY.

3 PART 20B

4 MICHIGAN VIRTUAL HIGH SCHOOL

5 SEC. 1481. (1) NOT LATER THAN THE BEGINNING OF THE  
6 2000-2001 SCHOOL YEAR, THE MICHIGAN VIRTUAL UNIVERSITY SHALL  
7 DEVELOP, IMPLEMENT, AND OPERATE THE MICHIGAN VIRTUAL HIGH SCHOOL,  
8 AS DESCRIBED IN THIS SECTION.

9 (2) THE MICHIGAN VIRTUAL HIGH SCHOOL SHALL HAVE THE FOLLOW-  
10 ING GOALS:

11 (A) SIGNIFICANTLY EXPAND CURRICULAR OFFERINGS FOR HIGH  
12 SCHOOLS ACROSS THIS STATE THROUGH AGREEMENTS WITH SCHOOL DIS-  
13 TRICTS OR LICENSES FROM OTHER RECOGNIZED PROVIDERS.

14 (B) CREATE A STATEWIDE INSTRUCTIONAL MODEL USING INTERACTIVE  
15 MULTIMEDIA TOOLS DELIVERED BY ELECTRONIC MEANS, INCLUDING, BUT  
16 NOT LIMITED TO, THE INTERNET, DIGITAL BROADCAST, OR SATELLITE  
17 NETWORK, FOR DISTRIBUTED LEARNING AT THE HIGH SCHOOL LEVEL.

18 (C) PROVIDE PUPILS WITH OPPORTUNITIES TO DEVELOP SKILLS AND  
19 COMPETENCIES THROUGH ON-LINE LEARNING.

20 (D) OFFER HIGH SCHOOL TEACHERS OPPORTUNITIES TO LEARN NEW  
21 SKILLS AND STRATEGIES FOR DEVELOPING AND DELIVERING INSTRUCTIONAL  
22 SERVICES.

23 (E) ACCELERATE THIS STATE'S ABILITY TO RESPOND TO CURRENT  
24 AND EMERGING EDUCATIONAL DEMANDS.

25 (F) GRANT HIGH SCHOOL DIPLOMAS THROUGH A DUAL ENROLLMENT  
26 METHOD WITH SCHOOL DISTRICTS [ . ]

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1 (G) ACT AS A BROKER FOR COLLEGE LEVEL EQUIVALENT COURSES, AS  
2 DEFINED IN SECTION 1471, AND DUAL ENROLLMENT COURSES FROM  
3 POSTSECONDARY EDUCATION INSTITUTIONS.

4 (3) THE MICHIGAN VIRTUAL HIGH SCHOOL COURSE OFFERINGS SHALL  
5 INCLUDE, BUT ARE NOT LIMITED TO, ALL OF THE FOLLOWING:

6 (A) INFORMATION TECHNOLOGY COURSES.

7 (B) COLLEGE LEVEL EQUIVALENT COURSES, AS DEFINED IN SECTION  
8 1471.

9 (C) COURSES AND DUAL ENROLLMENT OPPORTUNITIES [ .

10 ]

11 (D) AT-RISK PROGRAMS AND SERVICES.

12 (E) GENERAL EDUCATION DEVELOPMENT TEST PREPARATION COURSES  
13 FOR ADJUDICATED YOUTH.

14 (F) SPECIAL INTEREST COURSES.

15 (G) PROFESSIONAL DEVELOPMENT PROGRAMS AND SERVICES FOR  
16 TEACHERS.

17 (4) IN ADDITION TO ITS OTHER DUTIES UNDER THIS SECTION, THE  
18 MICHIGAN VIRTUAL UNIVERSITY SHALL WORK WITH THE DEPARTMENT AND  
19 OTHER APPROPRIATE STATE AGENCIES TO EXPLORE THE DEVELOPMENT AND  
20 DELIVERY OF A FULL CURRICULUM FOR MIGRANT PUPILS THAT WOULD BE  
21 AVAILABLE THROUGH DISTANCE LEARNING. THE MICHIGAN VIRTUAL UNI-  
22 VERSITY AND THE DEPARTMENT SHALL SUBMIT A JOINT REPORT ON THEIR  
23 FINDINGS UNDER THIS SUBSECTION TO THE LEGISLATURE NOT LATER THAN  
24 1 YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION.

[ (5) NONPUBLIC SCHOOL STUDENTS AND HOME-SCHOOLED CHILDREN MAY PARTICIPATE IN COURSE OFFERINGS OF THE MICHIGAN VIRTUAL HIGH SCHOOL TO THE SAME EXTENT THEY ARE ALLOWED TO PARTICIPATE IN SCHOOL DISTRICT COURSE OFFERINGS UNDER THIS ACT AND THE STATE SCHOOL AID ACT OF 1979, 1979 PA 94, MCL 388.1601 TO 388.1772.]

25 [(6)] THE MICHIGAN VIRTUAL UNIVERSITY SHALL FUND THE MICHIGAN  
26 VIRTUAL HIGH SCHOOL FROM APPROPRIATIONS MADE FOR THIS PURPOSE AND  
27 MAY ALSO USE FUNDS RECEIVED FROM OTHER SOURCES. THE DEPARTMENT

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1 SHALL PROVIDE TECHNICAL ASSISTANCE AS REQUESTED BY THE MICHIGAN  
2 VIRTUAL UNIVERSITY FOR THE PURPOSES OF THIS SECTION.

3       SEC. 1531E. (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS  
4 ACT OR A RULE TO THE CONTRARY, IF A PERSON EARNS A PROVISIONAL  
5 TEACHING CERTIFICATE AND THAT CERTIFICATE LAPSES BEFORE THE  
6 PERSON COMPLETES THE REQUIREMENTS FOR A PROFESSIONAL EDUCATION  
7 CERTIFICATE, AND IF A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY  
8 APPLIES TO THE DEPARTMENT ON THAT PERSON'S BEHALF FOR ANOTHER  
9 PROVISIONAL TEACHING CERTIFICATE WITHIN 10 YEARS AFTER THE  
10 PERSON'S INITIAL PROVISIONAL TEACHING CERTIFICATE LAPSED, THE  
11 DEPARTMENT SHALL ISSUE A NEW PROVISIONAL TEACHING CERTIFICATE TO  
12 THE PERSON. THIS NEW PROVISIONAL TEACHING CERTIFICATE SHALL BE  
13 VALID FOR 2 YEARS [AND MAY NOT BE RENEWED]. THE PERSON SHALL HAVE  
14 COMPLETE THE REQUIREMENTS FOR A PROFESSIONAL EDUCATION CERTIFI-  
15 CATE, AND THE DEPARTMENT SHALL CREDIT TOWARD THE REQUIREMENTS FOR  
16 A PROFESSIONAL EDUCATION CERTIFICATE ANY CONTINUING EDUCATION OR  
17 OTHER REQUIREMENTS COMPLETED WHILE THE PERSON'S INITIAL TEACHING  
18 CERTIFICATE WAS VALID.

19       (2) THIS SECTION APPLIES TO A PERSON DESCRIBED IN  
20 SUBSECTION (1) REGARDLESS OF WHETHER THE PERSON'S PROVISIONAL  
21 TEACHING CERTIFICATE LAPSED BEFORE OR AFTER THE EFFECTIVE DATE OF  
22 THIS SECTION.

23       (3) THIS SECTION DOES NOT APPLY TO A PERSON CONVICTED OF A  
24 CRIME DESCRIBED IN SECTION 1535A.