



HOUSE BILL No. 5350

February 15, 2000, Introduced by Reps. Geiger, Garcia, DeVuyst, Koetje, Law and Jellema 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 added by 1999 PA
102.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1310. (1) If a pupil enrolled in grade 6 or above com-
2 mits a physical assault at school against another pupil and the
3 physical assault is reported to the school board, school district
4 superintendent, or building principal, THEN the school board OR
5 THE DESIGNEE OF THE SCHOOL BOARD AS DESCRIBED IN SECTION 1311(1)
6 ON BEHALF OF THE SCHOOL BOARD shall SUSPEND OR expel the pupil
7 from the school district for up to 180 school days. A district
8 superintendent or building principal who receives a report
9 described in this subsection shall forward the report to the
10 school board. Notwithstanding section 1147, a school district is

1 not required to allow an individual expelled from another school
2 district under this section to attend school in the school dis-
3 trict during the expulsion.

4 (2) If an individual is expelled pursuant to this section,
5 it is the responsibility of that individual and of his or her
6 parent or legal guardian to locate a suitable educational program
7 and to enroll the individual in such a program during the
8 expulsion. The office for safe schools in the department shall
9 compile information on and catalog existing alternative education
10 programs or schools and nonpublic schools that may be open to
11 enrollment of individuals expelled under this section and pursu-
12 ant to section 1311(2) or 1311a, and shall periodically distrib-
13 ute this information to school districts for distribution to
14 expelled individuals. A school board that establishes an alter-
15 native education program or school described in this subsection
16 shall notify the office for safe schools about the program or
17 school and the types of pupils it serves. The office for safe
18 schools also shall work with and provide technical assistance to
19 school districts, authorizing bodies for public school academies,
20 and other interested parties in developing these types of alter-
21 native education programs or schools in geographic areas that are
22 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
26 a 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.