

**SUBSTITUTE FOR  
HOUSE BILL NO. 5482**

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
(MCL 380.1 to 380.1852) by adding sections 1309 and [1310].

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

1        SEC. 1309. (1) THE DEPARTMENT SHALL ESTABLISH AN OFFICE FOR  
2 SAFE SCHOOLS WITHIN THE DEPARTMENT. THE OFFICE FOR SAFE SCHOOLS  
3 SHALL WORK WITH LOCAL SCHOOL BOARDS, LAW ENFORCEMENT AGENCIES,  
4 COMMUNITY LEADERS, AND OTHER STATE DEPARTMENTS AND AGENCIES FOR  
5 THE PREVENTION OF SCHOOL VIOLENCE. THE OFFICE FOR SAFE SCHOOLS  
6 SHALL DEVELOP AND IMPLEMENT, AND SERVE AS COORDINATOR OF, A  
7 STATEWIDE CLEARINGHOUSE FOR INFORMATION, PROGRAM DEVELOPMENT,  
8 MODEL PROGRAMS AND POLICIES, AND TECHNICAL ASSISTANCE ON SCHOOL  
9 VIOLENCE PREVENTION.

10        (2) TO ACCOMPLISH ITS FUNCTIONS UNDER THIS SECTION, THE  
11 OFFICE FOR SAFE SCHOOLS SHALL DO ALL OF THE FOLLOWING:

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1 (A) ASSIST DISTRICTS IN DEVELOPING AND MAINTAINING THE  
2 SCHOOL DISCIPLINE RECORD REQUIRED UNDER SECTION [1310].

3 (B) EVALUATE THE EFFECTIVENESS OF, AND MAKE RECOMMENDATIONS  
4 TO LOCAL SCHOOL BOARDS CONCERNING, PUBLIC SCHOOL VIOLENCE PREVEN-  
5 TION PROGRAMS, INCLUDING BUT NOT LIMITED TO PROGRAMS AIMED AT  
6 REDUCING THE POSSESSION OF WEAPONS AND THE INCIDENCE OF OTHER  
7 VIOLENT BEHAVIORS ON SCHOOL CAMPUSES, VIOLENCE PREVENTION CURRIC-  
8 ULA, CONFLICT RESOLUTION AND PEER MEDIATION TRAINING, INTERAGENCY  
9 COOPERATIVE REFERRAL AND TREATMENT PROGRAMS, PARENTAL INVOLVEMENT  
10 PROGRAMS, AND SCHOOL SAFETY PLANNING.

11 (C) DEVELOP AND DISTRIBUTE TO LOCAL SCHOOL BOARDS A MODEL  
12 MEMORANDUM OF UNDERSTANDING WITH LOCAL LAW ENFORCEMENT OFFICIALS  
13 AND APPROPRIATE STATE AGENCIES TO FACILITATE REPORTING OF INCI-  
14 DENTS AFFECTING SCHOOL SAFETY THAT SHOULD APPROPRIATELY BE  
15 REPORTED TO LAW ENFORCEMENT OFFICIALS AND PROVIDE TECHNICAL  
16 ASSISTANCE AS REQUESTED FOR IMPLEMENTATION OF THE MEMORANDUM OF  
17 UNDERSTANDING AND PROCEDURES TO BE FOLLOWED.

18 (D) PROVIDE PUBLIC EDUCATION ON, AND COORDINATE A PROCESS  
19 FOR, SCHOOL VIOLENCE PREVENTION AND CRIME AWARENESS, INTERVEN-  
20 TION, PREVENTION, AND TREATMENT. THE PUBLIC EDUCATION SHALL  
21 INCLUDE, BUT IS NOT LIMITED TO, PRESENTATIONS TO PUPILS, SCHOOL  
22 PERSONNEL, CIVIC GROUPS, AND OTHER ORGANIZATIONS AND AGENCIES.

23 (E) IN CONSULTATION WITH APPROPRIATE ORGANIZATIONS, DEVELOP  
24 AND DISTRIBUTE TO SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADEMIES A  
25 MODEL CODE OF CONDUCT FOR PUPILS. THE MODEL CODE OF CONDUCT  
26 SHALL BE CONSISTENT WITH SECTION 1312(8) [, AND SHALL INCLUDE A  
MODEL SUSPENSION/EXPULSION POLICY AND A MODEL DUE PROCESS POLICY FOR  
THE PURPOSES OF SECTION 1310].

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1 (F) DEVELOP RECOMMENDATIONS ON HOW SCHOOL DISTRICTS,  
2 INTERMEDIATE SCHOOL DISTRICTS, AND PUBLIC SCHOOL ACADEMIES CAN  
3 WORK WITH LOCAL PUBLIC HEALTH, SOCIAL SERVICES, MENTAL HEALTH,  
4 AND LAW ENFORCEMENT AGENCIES TO DEVELOP AND IMPLEMENT MULTIPUR-  
5 POSE COLLABORATIVE BODIES AND PROGRAMS THAT PROVIDE DIRECT TREAT-  
6 MENT, PREVENTION, AND INTERVENTION SERVICES TO PUPILS AT SCHOOL;  
7 PROVIDE TECHNICAL ASSISTANCE TO SCHOOL DISTRICTS, INTERMEDIATE  
8 SCHOOL DISTRICTS, AND PUBLIC SCHOOL ACADEMIES IN DEVELOPING AND  
9 IMPLEMENTING THESE MULTIPURPOSE COLLABORATIVE BODIES AND PRO-  
10 GRAMS; AND PROVIDE TECHNICAL ASSISTANCE TO THESE MULTIPURPOSE  
11 COLLABORATIVE BODIES.

12 (G) COORDINATE WITH THE OFFICE OF DRUG CONTROL POLICY IN THE  
13 DEPARTMENT OF COMMUNITY HEALTH TO ENSURE THAT THERE IS A MEANING-  
14 FUL LINKAGE BETWEEN THE EFFORTS UNDER THIS ACT TO PROVIDE SAFE  
15 SCHOOLS AND THE INITIATIVES UNDERTAKEN THROUGH THAT OFFICE,  
16 INCLUDING, BUT NOT LIMITED TO, SCHOOL DISTRICTS' SAFE AND  
17 DRUG-FREE SCHOOL PLANS, AND TO FACILITATE TIMELY APPLICATIONS FOR  
18 AND DISTRIBUTION OF AVAILABLE GRANT MONEY.

19 (H) SURVEY PUBLIC SCHOOLS AROUND THE NATION TO IDENTIFY  
20 PUBLIC SCHOOLS THAT REQUIRE OR OTHERWISE USE SCHOOL UNIFORMS OR  
21 STRICT DRESS CODES FOR STUDENTS, IDENTIFY THE BEST PRACTICES FOR  
22 SCHOOL UNIFORMS OR STRICT DRESS CODES, AND PROVIDE INFORMATION TO  
23 SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADEMIES ON BEST PRACTICES  
24 FOR SCHOOL UNIFORMS AND SCHOOL DRESS CODES.

25 (I) DEVELOP AND DISTRIBUTE TO SCHOOL DISTRICTS AND PUBLIC  
26 SCHOOL ACADEMIES A MODEL SEXUAL HARASSMENT POLICY THAT CONFORMS  
27 WITH SECTION 1300A; THAT SETS FORTH SPECIFIC REPORTING,

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1 ENFORCEMENT, AND DUE PROCESS PROCEDURES; AND THAT DEFINES CONDUCT  
2 THAT SHOULD BE REPORTED TO LAW ENFORCEMENT OFFICIALS AND PROVIDES  
3 FOR THAT REPORTING.

4 (J) IDENTIFY THE BEST PRACTICES IN THIS STATE AMONG PEER  
5 MEDIATION AND OTHER CONFLICT RESOLUTION PROGRAMS FOR PUPILS AND  
6 PROVIDE INFORMATION TO SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADE-  
7 MIES ON THESE BEST PRACTICES.

8 (K) DEVELOP AND DISTRIBUTE TO SCHOOL DISTRICTS RECOMMENDA-  
9 TIONS ON INTEGRATING COMMUNITY POLICING PROGRAMS IN SCHOOL  
10 BUILDINGS.

11 (L) WORK WITH TEACHER PREPARATION INSTITUTIONS TO ENCOURAGE  
12 TRAINING FOR PROSPECTIVE TEACHERS IN CLASSROOM MANAGEMENT, CON-  
13 FLICT RESOLUTION, AND DISCIPLINARY TECHNIQUES.

[SEC. 1310. (1) A SCHOOL BOARD SHALL MAKE AVAILABLE ALL OF THE FOLLOWING:

(A) THE CODE OF STUDENT CONDUCT REQUIRED UNDER SECTION 1312.

(B) THE SEXUAL HARASSMENT POLICY REQUIRED UNDER SECTION 1300A.

(C) THE SUSPENSION/EXPULSION POLICY REQUIRED UNDER SUBSECTION (3).

(D) THE DUE PROCESS POLICY REQUIRED UNDER SUBSECTION (4).

(2) A SCHOOL BOARD MAY COMBINE 2 OR MORE OF THE PUBLICATIONS REQUIRED UNDER SUBSECTION (1) INTO A SINGLE DOCUMENT.

(3) NOT LATER THAN JULY 1, 1999, A SCHOOL BOARD SHALL DEVELOP AND ADOPT A SUSPENSION/EXPULSION POLICY DESCRIBING THE TYPES OF DISCIPLINARY VIOLATIONS THAT MAY RESULT IN SUSPENSION OR EXPULSION FROM SCHOOL OR IN AN IN-SCHOOL SUSPENSION.

(4) NOT LATER THAN JULY 1, 1999, A SCHOOL BOARD SHALL DEVELOP AND ADOPT A DUE PROCESS POLICY DESCRIBING THE DUE PROCESS THAT WILL BE PROVIDED TO A PUPIL BEFORE A PUPIL IS SUSPENDED OR EXPELLED FROM SCHOOL OR PLACED IN AN IN-SCHOOL SUSPENSION.

(5) DURING THE TIME A PUPIL IS EXPELLED FROM SCHOOL, THE SCHOOL DISTRICT SHALL PLACE THE PUPIL IN AN APPROPRIATE DISCIPLINARY EDUCATION PLACEMENT.

(6) A SCHOOL DISTRICT'S DUE PROCESS POLICY UNDER THIS SECTION SHALL INCLUDE A DESCRIPTION OF THE PROCEDURES FOR REINSTATEMENT OF A PUPIL WHO IS EXPELLED PERMANENTLY UNDER SECTION 1311(2) OR 1311A.

(7) A DUE PROCESS POLICY DEVELOPED UNDER THIS SECTION SHALL NOT DIMINISH THE DUE PROCESS RIGHTS UNDER FEDERAL LAW OF A PUPIL WHO HAS BEEN DETERMINED TO BE ELIGIBLE FOR SPECIAL EDUCATION PROGRAMS AND SERVICES.

(8) A SCHOOL BOARD SHALL DEVELOP AND MAINTAIN A SCHOOL DISCIPLINE RECORD FOR EACH SCHOOL OPERATED BY THE SCHOOL BOARD. FOR EACH SCHOOL, THE SCHOOL DISCIPLINE RECORD SHALL CONTAIN A REPORT OF EACH OF THE FOLLOWING FOR EACH SCHOOL YEAR, WITH THE NUMBER AND PERCENTAGE OF PUPILS IDENTIFIED BY AGE AND WHETHER THEY RECEIVE SPECIAL EDUCATION SERVICES:

(A) THE NUMBER AND PERCENTAGE OF PUPILS WHO WERE SUSPENDED FROM THE SCHOOL FOR A TOTAL ACCUMULATION OF AT LEAST 10 DAYS DURING THE SCHOOL YEAR.

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(B) THE NUMBER AND PERCENTAGE OF PUPILS WHO WERE EXPELLED FROM SCHOOL, THE LENGTH OF TIME OF EACH EXPULSION, WHETHER THE EXPULSION

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WAS PERMANENT OR LESS THAN PERMANENT, A BRIEF DESCRIPTION OF THE REASON FOR EACH EXPULSION, AND THE DISCIPLINARY EDUCATION PLACEMENT THAT WAS MADE FOR THE PUPIL.

(C) THE NUMBER AND PERCENTAGE OF PUPILS INVOLVED IN REPORTS TO LAW ENFORCEMENT AGENCIES AS REQUIRED UNDER SECTION 1308.

(9) A SCHOOL BOARD SHALL ENSURE THAT ALL INFORMATION CONTAINED IN THE SCHOOL DISCIPLINE RECORD IS AVAILABLE TO THE PUBLIC IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.

(10) A SCHOOL BOARD MAY COMPLY WITH SUBSECTIONS (8) AND (9) BY INCLUDING THE INFORMATION REQUIRED UNDER SUBSECTION (8) IN THE ANNUAL EDUCATIONAL REPORT PREPARED FOR EACH SCHOOL UNDER SECTION 1204A.

(11) AS USED IN THIS SECTION:

(A) "EXPULSION" MEANS THAT A PUPIL IS EXCLUDED FROM SCHOOL FOR MORE THAN 10 CONSECUTIVE SCHOOL DAYS.

(B) "IN-SCHOOL SUSPENSION" MEANS THAT A PUPIL IS EXCLUDED FROM 1 OR MORE PARTICULAR CLASSES BUT NOT FROM SCHOOL.

(C) "SCHOOL BOARD" AND "SCHOOL DISTRICT" MEAN THOSE TERMS AS DEFINED IN SECTION 1311.

(D) "SUSPENSION" MEANS THAT A PUPIL IS EXCLUDED FROM SCHOOL FOR NOT MORE THAN 10 SCHOOL DAYS, BUT DOES NOT INCLUDE SUSPENSION FROM A CLASS, SUBJECT, OR ACTIVITY UNDER SECTION 1311C.

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11 Enacting section 1. This amendatory act does not take  
12 effect unless all of the following bills of the 89th Legislature  
13 are enacted into law:

- 14 (a) Senate Bill No. 313.  
15 (b) House Bill No. 4075.  
16 (c) House Bill No. 5424.  
17 (d) House Bill No. 5478.  
18 [ ]  
19 [(e)] House Bill No. 5699.  
20 [(f)] House Bill No. 5700.