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SFA**BILL ANALYSIS**

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Senate Bill 313 (Substitute S-1 as reported by the Committee of the Whole)

Sponsor: Senator Leon Stille

Committee: Education

CONTENT

The bill would amend the Revised School Code to do the following:

- Require the expulsion of a student, subject to possible reinstatement, if he or she were enrolled in grade six or above and physically assaulted at school a school employee, a volunteer, or a person under contract with the school. A student would be expelled from all public schools in the State unless a district operated or participated in an alternative education program appropriate for expelled students.
- Require the suspension of a student for 10 school days, if he or she were enrolled in grade six or above and verbally assaulted at school a school employee, volunteer, or contractor. If a school district included grade six in its elementary schools so that they operated as K-six schools, this provision would apply only to pupils enrolled in grade seven or above.
- Provide that an expulsion or suspension would take effect only after a student had been afforded the required due process. A school board would have to use a locally adopted due process policy, and the State Board of Education could develop and distribute to school districts a model due process policy that they could adopt.
- Require a school district, within three days after an expulsion, to refer the student to an appropriate county social services or mental health agency.
- Provide that an expelled student's parent or legal guardian or the student if he or she were at least 18 years old or an emancipated minor, could petition the school board to reinstate the student, but the petition could not be brought and the student could not be reinstated before a specified number of days had elapsed.
- Require a school district to submit annually to the Department of Education a report stating the number of pupils expelled or suspended, with a brief description of the incident that caused an expulsion or suspension.
- Require a school board to report in a timely manner all physical assaults to State or local law enforcement officials.

MCL 380.1311a

Legislative Analyst: L. Arasim

FISCAL IMPACT

The fiscal impact of the bill is indeterminate. The fiscal impact would depend on the number of students expelled pursuant to the bill and the nature and cost of the educational or social services programs used by an expelled student.

Currently, all school districts receive a foundation allowance with State payments calculated on a per-pupil basis. A district expelling a student would lose the State payment for that pupil. An expelled student, however, possibly could become a student in another school district or in an institutional setting, requiring additional State support.

Date Completed: 10-21-97

Fiscal Analyst: J. Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.