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## REPORT SCHOOL EXPULSIONS TO CHILD PROTECTIVE SERVICES

**House Bill 5738**  
**Sponsor: Rep. Deborah Cherry**  
**Committee: Education**

**Complete to 6-21-00**

### A SUMMARY OF HOUSE BILL 5738 AS INTRODUCED 5-4-00

House Bill 5738 would amend the Revised School Code to require that the Family Independent Agency's child protective services personnel be included in school safety policies, and that incidents that result in mandatory expulsion of students be reported to child protective services.

Currently if school officials determine that an incident has occurred at school that must be reported to law enforcement agencies according to the statewide school safety information policy, the superintendent of the district (or a designee), must immediately report that finding to the appropriate state or local law enforcement agency. House Bill 5738 would require that school officials also report the incident to child protective services. Further, under current law, a school board, county prosecutor, and local law enforcement agency may enter into a local agreement or take other measures to facilitate the sharing of school safety information, in order to promote school safety. The bill would retain this provision but add that child protective services also could enter into the local agreement.

Current law also specifies that a student enrolled in grade six or above must be expelled for up to 180 days if he or she commits a physical assault at school against another student, and the physical assault is reported to the school board, superintendent, or building principal. A district superintendent or building principal who receives such a report must forward it to the school board. The law also specifies that a school district is not required to allow an individual who has been expelled from a school district to attend school in the district during expulsion. House Bill 5738 specifies that if an individual were expelled under this section, then within three days after the expulsion, school officials would be required to report the incident that resulted in the expulsion to child protective services.

Current law further specifies that a student must be expelled permanently if he or she possesses a weapon, commits arson in a school building or on school grounds, or commits criminal sexual conduct in a school building or on school grounds. The law also requires permanent expulsion if a student enrolled in grade six or above commits a physical assault against a person employed by, or engaged as a volunteer or contractor by, a school board. If a school board expels

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an individual under these sections of the law, then within three days an official of the school district must refer the individual to the appropriate county department of social services, or county community mental health agency, and notify the individual's parent or legal guardian. House Bill 5738 would retain these provisions but also require that an official of the school district report the incident resulting in the expulsion to child protective services.

MCL 380.1308 et al.

Analyst: J. Hunault

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.