

# SENATE BILL No. 432

May 9, 1989, Introduced by Senators DILLINGHAM,  
SCHWARZ, BINSFELD, EHLERS, MACK, CARL and  
BARCIA and referred to the Committee on Judiciary.

A bill to amend section 1756 of Act No. 451 of the Public  
Acts of 1976, entitled as amended

"The school code of 1976,"

being section 380.1756 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1.   Section 1756 of Act No. 451 of the Public Acts  
2   of 1976, being section 380.1756 of the Michigan Compiled Laws, is  
3   amended to read as follows:

4       Sec. 1756.   (1) The board of a local school district shall  
5   provide by contract or agreement for the transportation of a  
6   handicapped person who would otherwise be unable to participate  
7   in an appropriate special education program or service operated  
8   or contracted for by the local school district under  
9   section 1751, except for a handicapped person in residence at  
10   facilities operated by the department of mental health or the

1 department of social services. The board of a school district  
2 may provide for weekend transportation of a handicapped person in  
3 residence at the Michigan school for the blind and the Michigan  
4 school for the deaf.

5       (2) A LOCAL SCHOOL DISTRICT AND ITS EMPLOYEES, OR A PRIVATE  
6 ORGANIZATION WITH WHICH A LOCAL SCHOOL DISTRICT CONTRACTS AND THE  
7 PRIVATE ORGANIZATION'S EMPLOYEES, ARE NOT LIABLE FOR CIVIL DAM-  
8 AGES AS A RESULT OF ACTS OR OMISSIONS OCCURRING IN TRANSPORTING A  
9 HANDICAPPED PERSON AS AN ANCILLARY OR RELATED SERVICE, OR TO  
10 ENABLE THE PERSON TO PARTICIPATE IN A SPECIAL EDUCATION PROGRAM  
11 OR SERVICE. HOWEVER, THIS SUBSECTION DOES NOT APPLY TO AN ACT OR  
12 OMISSION AMOUNTING TO GROSS NEGLIGENCE OR WILLFUL OR WANTON  
13 MISCONDUCT.