

SUBSTITUTE FOR
HOUSE BILL NO. 5619

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1310c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1310C. (1) A SCHOOL BOARD OR ITS DESIGNEE SHALL CONSIDER
2 USING RESTORATIVE PRACTICES AS AN ALTERNATIVE OR IN ADDITION TO
3 SUSPENSION OR EXPULSION UNDER THIS ACT. IF A SCHOOL BOARD OR ITS
4 DESIGNEE SUSPENDS OR EXPELS A PUPIL UNDER THIS ACT, THE SCHOOL
5 BOARD OR ITS DESIGNEE SHALL CONSIDER USING RESTORATIVE PRACTICES IN
6 ADDITION TO SUSPENSION OR EXPULSION. IF A SCHOOL BOARD OR ITS
7 DESIGNEE DECIDES NOT TO SUSPEND OR EXPEL A PUPIL FOR A DISCIPLINARY
8 ISSUE, THE SCHOOL BOARD OR ITS DESIGNEE SHALL CONSIDER USING
9 RESTORATIVE PRACTICES TO ADDRESS THE DISCIPLINARY ISSUE.
10 (2) RESTORATIVE PRACTICES MAY INCLUDE VICTIM-OFFENDER
11 CONFERENCES THAT ARE INITIATED BY THE VICTIM; THAT ARE APPROVED BY

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as amended December 13, 2016

1 THE VICTIM'S PARENT OR LEGAL GUARDIAN OR, IF THE VICTIM IS AT LEAST
2 AGE 15, BY THE VICTIM; THAT ARE ATTENDED VOLUNTARILY BY THE VICTIM,
3 A VICTIM ADVOCATE, THE OFFENDER, MEMBERS OR THE SCHOOL COMMUNITY,
4 AND SUPPORTERS OF THE VICTIM AND THE OFFENDER; AND THAT PROVIDE AN
5 OPPORTUNITY FOR THE OFFENDER TO ACCEPT RESPONSIBILITY FOR THE HARM
6 CAUSED TO THOSE AFFECTED BY THE MISCONDUCT AND TO PARTICIPATE IN
7 SETTING CONSEQUENCES TO REPAIR THE HARM. THE ATTENDEES, KNOWN AS A
8 RESTORATIVE PRACTICES TEAM, MAY REQUIRE THE PUPIL TO DO 1 OR MORE
9 OF THE FOLLOWING: APOLOGIZE; PARTICIPATE IN COMMUNITY SERVICE,
10 RESTORATION, OR COUNSELING; OR PAY RESTITUTION. THE SELECTED
11 CONSEQUENCES SHALL BE INCORPORATED INTO AN AGREEMENT THAT SETS TIME
12 LIMITS FOR COMPLETION OF THE CONSEQUENCES AND IS SIGNED BY ALL
13 PARTICIPANTS. RESTORATIVE PRACTICES SHOULD BE THE FIRST
14 CONSIDERATION TO REMEDIATE OFFENSES SUCH AS INTERPERSONAL
15 CONFLICTS, BULLYING, VERBAL AND PHYSICAL CONFLICTS, THEFT, DAMAGE
16 TO PROPERTY, CLASS DISRUPTION, AND HARASSMENT AND CYBERBULLYING.

17 (3) AS USED IN THIS SECTION:

18 (A) "BULLYING" AND "CYBERBULLYING" MEAN THOSE TERMS AS DEFINED
19 IN SECTION 1310B.

20 (B) "RESTORATIVE PRACTICES" MEANS PRACTICES THAT EMPHASIZE
21 REPAIRING THE HARM TO THE VICTIM AND THE SCHOOL COMMUNITY CAUSED BY
22 A PUPIL'S MISCONDUCT.

23 (C) "SCHOOL BOARD" MEANS A SCHOOL BOARD, INTERMEDIATE SCHOOL
24 BOARD, OR THE BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY.

25 (D) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT, AN INTERMEDIATE
26 SCHOOL DISTRICT, OR A PUBLIC SCHOOL ACADEMY.

27 <<Enacting section 1. This amendatory act takes effect August 1,
2017. [

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