

STUDENT DISCIPLINARY 7 FACTOR WORKSHEET

Pursuant to [MCL 380.1310d](#) school districts must consider the following factors before **any** suspension or expulsion of a student. Written documentation should be filed.

NOTE: The new laws create a [rebuttable presumption](#) that a suspension of more than 10 days or expulsion is **not justified**. The school discipline code does not define “rebuttable presumption,” but in common law and civil law, a rebuttable presumption is an assumption **taken to be true** unless someone comes forward to contest it and prove otherwise. Research on school removals shows that it leads to dropout, school failure, increased absenteeism, damaged perceptions of school safety and increased involvement in the criminal justice system.

Student Name: _____

Grade: _____ School: _____

Student ID: _____ DOB: _____ Date of Meeting: _____

	Responses	Implications on disciplinary action
What is the student's age? Consider the student's developmental stage.		
Does the student have a disciplinary history? (Is the behavioral history relevant? Are there patterns? What have been past positive interventions and what has the response to the interventions?)		
Does the student have a disability? (If there is reasonable cause to believe that the pupil is a student with a disability, and the school district has not evaluated the pupil in accordance with rules of the superintendent of public instruction to determine if the pupil is a student with a disability, the pupil shall be evaluated immediately.)	• IEP: _____ • 504 Plan: _____ • Being Evaluated • Parent/Guardian has requested evaluation in writing • Parent / Guardian has requested evaluation verbally • Student has outside diagnoses of a disability • Teacher / school staff / community agency have expressed concerns about a pattern of behavior or suspected disability	

	• Did a MDR find that the behavior was a manifestation of the disability? • Did the school fail to implement the IEP?	
What was the seriousness of the violation or behavior? The law does not define “seriousness,” but please reflect on who was harmed, the severity of the harm (injuries) and how district policy and state law treats these types of incidents.		
Did the violation or behavior threaten the safety of other students or staff? If so, how?		

What restorative practices have been considered and/or implemented to address the behavior or violation? Restorative practices should be the first consideration to remediate offenses such as interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption, and harassment and cyberbullying. List date of implementation.	- o Informal Problem-Solving Circle (must be voluntary): _____ - o Victim-Offender Conference (must be voluntary): _____ - o Apology: _____ - o Community Service: _____ - o Counseling: _____ - o Other: _____	
What <u>lesser interventions</u> would properly address the behavior or violation? List all lesser interventions considered and used (include dates). (Documentation can be attached.)		
Other consideration under federal law: Is the student eligible under McKinney-Vento? If so, school districts must remove barriers to the enrollment and retention for these students. McKinney-Vento does not		

provide immunity from disciplinary guidelines, but federal guidance says there may be instances when leniency should be shown. A student should not be penalized for issues directly related to homelessness, such as tardiness or absences.		
OPTIONAL / BEST PRACTICE CONSIDERATIONS: • What factors in the student's life may have impacted the behavior? • How might past trauma or toxic stress have played a part in this behavior? • How would school exclusion impact this student's home life (parent employment / foster care placement / unsafe living situation / etc.)		

Note: Incidents involving a firearm in a weapon free school zone involve different questions.

_____. Student
 Signature, if appropriate Parent/Guardian Signature

 School Administrator

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POSSESSION OF FIREARM

Federal law requires LEAs to expel students for a year for possession of a firearm at school EXCEPT when state law allows modifications for a student on a case-by-case basis if the modification is in writing. Michigan law continues to require expulsion for possession of a firearm **unless** the pupil establishes in a clear and convincing one of four exceptions as pursuant to [MCL 380.1311](#).

Student Name: _____ Grade: _____ School: _____

Student ID: _____ DOB: _____ Date of Meeting: _____

	Responses	Implications on disciplinary action
Does the student have a disability? If so, what is the disability?	• IEP: _____ • 504 Plan: _____ • Being Evaluated • Parent/Guardian has requested evaluation in writing • Parent / Guardian has requested evaluation verbally • Student has outside diagnoses of a disability • Teacher / school staff / community agency have expressed concerns about a pattern of behavior or suspected disability • Did a MDR find that the behavior was a manifestation of the disability? • Did the school fail to implement the IEP?	
The firearm possessed by the pupil was not possessed by the pupil for use as a weapon, or for direct or indirect delivery to another person for use as a weapon.		If a pupil establishes one of these factors, expulsion becomes <u>discretionary</u> .
The firearm was not knowingly possessed by the pupil.		If a pupil establishes one of these factors, expulsion becomes <u>discretionary</u> .

The pupil did not know or have reason to know that the object or instrument possessed by the pupil constituted a firearm.		If a pupil establishes one of these factors, expulsion becomes <u>discretionary</u> .
The firearm was possessed by the pupil at the suggestion, request, or direction of, or with the express permission of, school or police authorities.		If a pupil establishes one of these factors, expulsion becomes <u>discretionary</u> .
Does the student have a history of suspension or expulsion?		If there is no history of suspension and expulsion AND one of the exceptions listed above was established, there is a <u>rebuttable presumption</u> that expulsion is <u>not justified</u> .
If the answers above indicate that this is a discretionary expulsion, a full 7 factors sheet should be completed.		

Student Signature, if appropriate

Parent/Guardian Signature

School Administrator