

dietary supplement that contains a performance-enhancing compound by, the public school employee's or volunteer's own child.

(b) Selling, marketing, distributing, or promoting the use of a dietary supplement that contains a performance-enhancing compound to, or endorsing or suggesting the ingestion, intranasal application, or inhalation of a dietary supplement that contains a performance-enhancing compound by, a pupil as part of an activity that meets all of the following:

(i) Does not occur on school property or at a school-related function.

(ii) Is entirely separate from any aspect of the public school employee's employment as a public school employee or public school volunteer's activities as a public school volunteer.

(iii) Does not in any way involve information about or contacts with a pupil that the public school employee or volunteer has had direct or indirect access to through any aspect of the public school employee's employment as a public school employee or public school volunteer's activities as a public school volunteer.

(3) A person who violates this section is subject to the penalties under section 1804.

(4) As used in this section:

(a) "Dietary supplement" means that term as defined in section 201 of the federal food, drug, and cosmetic act, chapter 675, 52 Stat. 1040, 21 U.S.C. 321.

(b) "Performance-enhancing compound" means a manufactured product for oral ingestion, intranasal application, or inhalation that meets both of the following:

(i) Contains a stimulant, amino acid, hormone precursor, herb or other botanical, or any other substance that is not an essential vitamin or mineral.

(ii) Is intended to increase athletic or intellectual performance, promote muscle growth, or increase an individual's endurance or capacity for exercise.

(c) "Public school employee" means a person employed by a school district, local act school district, intermediate school district, or public school academy. For the purposes of this section, public school employee also includes a person performing services on behalf of a school district, local act school district, intermediate school district, or public school academy pursuant to a contract.

(d) "Public school volunteer" means a person serving as a volunteer in any capacity in a public school.

History: Add. 1999, Act 187, Eff. Feb. 23, 2000.

Popular name: Act 451

380.1318 Use of performance-enhancing substances in interscholastic athletics; eligibility policy; list of drugs to be provided by department of community health.

Sec. 1318. (1) The board of a school district or board of directors of a public school academy shall ensure that its policies concerning a pupil's eligibility for participation in interscholastic athletics include use of a performance-enhancing substance by the pupil as a violation that will affect a pupil's eligibility, as determined by the board or board of directors. The governing body of a nonpublic school is encouraged to adopt an eligibility policy that meets the requirements of this section.

(2) For the purposes of this section, the department of community health shall develop, periodically update, and make available to school districts, public school academies, and nonpublic schools a list of performance-enhancing substances. The department of community health shall base the list on the list of banned drugs contained in bylaw 31.2.3.1 of the bylaws of the national collegiate athletic association.

History: Add. 2006, Act 215, Imd. Eff. June 26, 2006.

380.1321 Transportation for pupils; requirements; payment.

Sec. 1321. (1) Subject to the balance of this section, the board of a school district providing transportation for its resident pupils, other than students with a disability transported under article 3 or other pupils who cannot safely walk to school, shall provide transportation for each resident public or nonpublic school pupil if all of the following requirements are met:

(a) The school district provides transportation for the elementary school level, middle or junior high school level, or high school level, as defined by the local school board, in which the pupil is enrolled.

(b) The pupil is a person for whom the school district is eligible to receive state school aid for transportation.

(c) The pupil is attending either the public or the nearest state approved nonpublic school in the school district to which the pupil is eligible to be admitted.

(2) Transportation provided under subsection (1) shall be without charge to the resident pupil, the parent, guardian, or person standing in loco parentis to the pupil.

(3) A school district is not required to transport or pay for transportation of a resident pupil living within 1-1/2 miles, by the nearest traveled route, to the public or state approved nonpublic school in which the pupil

is enrolled. A school district is not required to transport or pay for the transportation of a resident pupil attending a nonpublic school who lives in an area less than 1-1/2 miles from a public school in which public school pupils are not transported, except that the school district is required to transport or pay for the transportation of the resident pupil from the public school within the area to the nonpublic school the pupil attends.

(4) A school district is not required to transport or pay for the transportation of resident pupils to state approved nonpublic schools located outside the district unless the school district transports some of its resident pupils, other than students with a disability under article 3, to public schools located outside the district, in which case the school district shall transport or pay for the transportation of resident pupils attending a state approved nonpublic school at least to the distance of the public schools located outside the district to which the district transports resident pupils and in the same general direction.

History: 1976, Act 451, Imd. Eff. Jan. 13, 1977;—Am. 1982, Act 20, Imd. Eff. Mar. 4, 1982;—Am. 1990, Act 163, Imd. Eff. July 2, 1990;—Am. 2008, Act 1, Imd. Eff. Jan. 11, 2008.

Popular name: Act 451

380.1322 Transportation for pupils; routes; rules; construction of section; vehicles.

Sec. 1322. (1) A pupil attending public school or the nearest state approved nonpublic school available, to which nonpublic school the pupil may be admitted, shall be transported along the regular routes as determined by the board to public and state approved nonpublic schools. Transportation to public and the nearest state approved nonpublic school located within or outside the district to which nonpublic school the pupil is eligible to be admitted shall be provided under the rules promulgated by the state board. Rules shall not require the transportation or payment for transportation for nonpublic school pupils on days when public school pupils are not transported.

(2) This section shall not be construed to require or permit transportation of pupils to a state approved nonpublic school attending in the elementary grades when transportation is furnished by the school district for secondary pupils only, nor to require or permit the transportation of pupils to a state approved nonpublic school attending the secondary grades when transportation is furnished by the district for elementary pupils only.

(3) Vehicles used for the transportation of pupils shall be adequate and of ample capacity.

History: 1976, Act 451, Imd. Eff. Jan. 13, 1977.

Popular name: Act 451

Administrative rules: R 340.281 et seq. of the Michigan Administrative Code.

380.1323 Transportation of nonpublic school pupils to and from auxiliary service sites; payment of costs; applicability of subsection (1).

Sec. 1323. (1) Except as otherwise provided in this section, the board of a school district that provides auxiliary services to pupils pursuant to section 1296 shall provide transportation from the nonpublic school to and from the site where the auxiliary services are provided to resident and nonresident nonpublic school pupils receiving those services, to the extent the reasonable costs of the transportation of nonspecial education pupils are paid for by the state, except for pupils whose transportation costs are being reimbursed under section 71 of the state school aid act of 1979, Act No. 94 of the Public Acts of 1979, being section 388.1671 of the Michigan Compiled Laws.

(2) The board of a school district that does not provide transportation for public school pupils, other than special education pupils, is not required to transport nonpublic school pupils to and from auxiliary service sites for nonspecial education auxiliary services.

(3) The requirements of subsection (1) do not apply if the superintendent of public instruction determines that a school district is in substantial compliance with section 1296 without the provision of transportation between the nonpublic school and the site where the auxiliary services are provided.

History: Add. 1986, Act 151, Imd. Eff. July 3, 1986.

Popular name: Act 451

380.1324 Transportation for pupils; contracts; price.

Sec. 1324. The board of a school district or board of directors of a public school academy may enter into a contract with the board of another school district or board of directors of a public school academy or with private persons to furnish transportation for nonresident pupils attending public and state approved nonpublic schools located within the school district or in other school districts. The price paid for the transportation shall not be less than the actual cost of the transportation to the school district or public school academy furnishing transportation.

History: 1976, Act 451, Imd. Eff. Jan. 13, 1977;—Am. 1994, Act 416, Eff. Mar. 30, 1995.

Popular name: Act 451

380.1325 School district, intermediate school district, or consortium of districts contracting with other districts to provide transportation for pupils.

Sec. 1325. (1) A school district, intermediate school district, or consortium consisting of any combination of local or intermediate districts may contract with the board of another district to provide transportation for the pupils of the other district either within or outside the other district.

(2) For purposes of providing the transportation, and subject to the requirements of this act for school buildings, supplies, and vehicles, a local or intermediate district or consortium that enters into a contract with another district to provide transportation as described in subsection (1) may do 1 or more of the following:

(a) Acquire 1 or more sites, acquire or construct 1 or more buildings, or improve or enlarge 1 or more existing buildings.

(b) Furnish, equip, operate, and maintain 1 or more buildings.

(c) Acquire school buses, other school vehicles, and related supplies.

History: Add. 1992, Act 140, Imd. Eff. July 15, 1992.

Popular name: Act 451

380.1331 Repealed. 1990, Act 189, Eff. Aug. 15, 1990.

Compiler's note: The repealed section pertained to transportation of pupils to educational programs at fairs, health clinics, and educational functions.

Popular name: Act 451

380.1332 Transportation for pupils; nonmandatory and noncredit events; fees; rules; additional school buses; insurance.

Sec. 1332. (1) The board of a school district may collect a fee for transporting pupils enrolled in grades K to 12 to or from nonmandatory and noncredit events sponsored by the school district. Fees charged shall cover expenses for the trips involved, under rules promulgated by the state board.

(2) A board of education shall not purchase additional school buses for the sole purpose of implementing this section.

(3) Insurance to indemnify the school district, its officers, or employees against liability for damages arising out of the use of school buses shall be obtained before fees or fares are charged.

History: 1976, Act 451, Imd. Eff. Jan. 13, 1977.

Popular name: Act 451

Administrative rules: R 340.241 et seq. of the Michigan Administrative Code.

380.1333 Transportation of senior citizens, retired or disabled persons, or members of nonprofit organization to activities, events, or outings; cost; transportation of persons other than pupils to school-sponsored events; fee; insurance; priority; purchase of additional school buses; agreement; definition; rules.

Sec. 1333. (1) Pursuant to an agreement made under subsection (4), the board of a school district may permit the use of a school bus, which is not otherwise being used for school purposes, by an organization or group for purposes of transporting senior citizens or retired or disabled persons, or by a nonprofit organization for purposes of transporting its members, to or from an activity, event, or outing, if the board determines that suitable or economically feasible public or private transportation is not available for this purpose. Mileage, insurance, and other costs may be paid by the group or organization or may be waived by the board of the school district.

(2) The board of a school district may permit the use of a school bus for the purposes of transporting persons other than pupils to school-sponsored events. The board may collect a fee for transporting persons other than pupils to or from school-sponsored events to cover expenses for the trips involved. Insurance to indemnify the school district, its officers, or employees against liability for damages arising out of the use of school buses shall be obtained before persons other than pupils are transported and fees charged. The pupils of the district should be given first priority for any transportation furnished by the board.

(3) The board of a school district shall not purchase additional school buses for the sole purpose of implementing this section.

(4) A local unit of government, including a city, county, village, or township, may enter into an agreement with a board of a school district within its area for the use of school buses to transport senior citizens or retired or disabled persons or members of a nonprofit organization, subject to the same terms and conditions

provided in subsection (1).

(5) As used in this section, “nonprofit organization” means any 1 of the following:

(a) A corporation organized under the nonprofit corporation act, Act No. 162 of the Public Acts of 1982, being sections 450.2101 to 450.3192 of the Michigan Compiled Laws.

(b) A corporation to which the nonprofit corporation act applies as provided in sections 121 and 123 of Act No. 162 of the Public Acts of 1982, being sections 450.2121 and 450.2123 of the Michigan Compiled Laws.

(c) A group, society, organization, or association organized to carry out any lawful purpose not involving pecuniary profit or gain for its officers, trustees, or members.

(6) The state board shall promulgate rules to implement this section.

History: 1976, Act 451, Imd. Eff. Jan. 13, 1977;—Am. 1980, Act 277, Imd. Eff. Oct. 8, 1980;—Am. 1982, Act 306, Imd. Eff. Oct. 13, 1982;—Am. 1989, Act 159, Eff. Mar. 13, 1990.

Popular name: Act 451

Administrative rules: R 340.231 et seq. of the Michigan Administrative Code.

380.1334 Repealed. 1995, Act 289, Eff. July 1, 1996.

Compiler's note: The repealed section pertained to boarding of pupils.

Popular name: Act 451

380.1335 Boarding schools; licensing and regulation.

Sec. 1335. The state board shall license and regulate boarding schools.

History: 1976, Act 451, Imd. Eff. Jan. 13, 1977.

Popular name: Act 451

Administrative rules: R 340.481 et seq. of the Michigan Administrative Code.

380.1336 Repealed. 1990, Act 189, Eff. Aug. 15, 1990.

Compiler's note: The repealed section pertained to transportation routes and walking distances for pupils.

Popular name: Act 451

380.1341 Repealed. 1995, Act 289, Eff. July 1, 1996.

Compiler's note: The repealed section pertained to purchase of station wagons, passenger vans, and school bus.

Popular name: Act 451

380.1341a, 380.1341b Repealed. 1995, Act 289, Eff. July 1, 1996.

Compiler's note: The repealed sections pertained to cost of purchasing pupil transportation vehicles, school buses, and rehabilitating school buses, and an additional allowance for vehicle rental and amortization.

Popular name: Act 451

380.1342 Repealed. 1995, Act 289, Eff. July 1, 1996.

Compiler's note: The repealed section pertained to operation, storage, maintenance, and repair of school buses.

Popular name: Act 451

380.1343, 380.1344 Repealed. 1990, Act 189, Eff. Aug. 15, 1990.

Compiler's note: The repealed sections pertained to safety specifications for and painting of school buses.

Popular name: Act 451

380.1346 Repealed. 1995, Act 289, Eff. July 1, 1996.

Compiler's note: The repealed section pertained to camps for recreational and instructional purposes.

Popular name: Act 451

380.1347 United States flag; purchase; size; appliances; display.

Sec. 1347. The board of each school district shall purchase a United States flag of a size of not less than 4 feet 2 inches by 8 feet, flag staff, and the necessary appliances therefor, and shall display the flag upon the staff which shall be erected on each public school building or on a conspicuous place upon the school grounds at all times during school hours, inclement weather excepted, in which case the flag shall be prominently displayed within the school building.

History: 1976, Act 451, Imd. Eff. Jan. 13, 1977.

Popular name: Act 451

380.1348, 380.1349 Repealed. 1995, Act 289, Eff. July 1, 1996.