

SUBSTITUTE FOR
HOUSE BILL NO. 5791

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding sections 1508 and 1526b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1508. (1) NOT LATER THAN JUNE 1, 2019, IN CONSULTATION
2 WITH EXPERTS ON SEXUAL ASSAULT AND SEXUAL HARASSMENT, INCLUDING,
3 BUT NOT LIMITED TO, THE MICHIGAN DOMESTIC AND SEXUAL VIOLENCE
4 PREVENTION AND TREATMENT BOARD AND THE MICHIGAN COALITION TO END
5 DOMESTIC AND SEXUAL VIOLENCE, THE DEPARTMENT SHALL DEVELOP AGE-
6 APPROPRIATE INFORMATIONAL MATERIAL RELATING TO SEXUAL ASSAULT AND
7 SEXUAL HARASSMENT AND MAKE THAT MATERIAL AVAILABLE TO ALL SCHOOL
8 DISTRICTS, INTERMEDIATE SCHOOL DISTRICTS, AND PUBLIC SCHOOL
9 ACADEMIES THAT OPERATE ANY OF GRADES 6 TO 12. THE INFORMATIONAL
10 MATERIAL MUST INCLUDE AT LEAST ALL OF THE FOLLOWING:

1 (A) INFORMATION REGARDING WHAT CONSTITUTES SEXUAL ASSAULT OR
2 SEXUAL HARASSMENT.

3 (B) AN EXPLANATION THAT SEXUAL ASSAULT OR SEXUAL HARASSMENT IS
4 NOT THE VICTIM'S FAULT.

5 (C) RESOURCES AVAILABLE FOR INDIVIDUALS WHO HAVE EXPERIENCED
6 SEXUAL ASSAULT OR SEXUAL HARASSMENT, INCLUDING, BUT NOT LIMITED TO,
7 INFORMATION ON TITLE IX, AS ENACTED UNDER THE EDUCATION AMENDMENTS
8 OF 1972, 20 USC 1681 TO 1688, APPROPRIATE CONTACT INFORMATION FOR
9 ORGANIZATIONS THAT OFFER ASSISTANCE TO VICTIMS OF SEXUAL ASSAULT OR
10 SEXUAL HARASSMENT, AND ACTIONS THAT THE INDIVIDUAL MAY TAKE.

11 (2) A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC
12 SCHOOL ACADEMY SHALL DISSEMINATE THE INFORMATIONAL MATERIAL MADE
13 AVAILABLE BY THE DEPARTMENT UNDER SUBSECTION (1) TO EACH PUPIL IN
14 GRADES 6 TO 12 WHO IS ENROLLED IN A SCHOOL OPERATED BY THE SCHOOL
15 DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY,
16 IN A FORM AND MANNER DETERMINED APPROPRIATE BY THE SCHOOL DISTRICT,
17 INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY.

18 ADDITIONALLY, THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR
19 PUBLIC SCHOOL ACADEMY SHALL DISSEMINATE TO THOSE PUPILS THE CONTACT
20 INFORMATION FOR THE SCHOOL DISTRICT'S, INTERMEDIATE SCHOOL
21 DISTRICT'S, OR PUBLIC SCHOOL ACADEMY'S TITLE IX COORDINATOR AND THE
22 SCHOOL DISTRICT'S, INTERMEDIATE SCHOOL DISTRICT'S, OR PUBLIC SCHOOL
23 ACADEMY'S POLICIES ON SEXUAL ASSAULT AND SEXUAL HARASSMENT,
24 INCLUDING SPECIFIC INFORMATION STATING THAT THE POLICIES PROHIBIT
25 ADVERSE ACTION AGAINST AN INDIVIDUAL FOR REPORTING SEXUAL ASSAULT
26 OR SEXUAL HARASSMENT, IN A FORM AND MANNER DETERMINED APPROPRIATE
27 BY THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC

1 SCHOOL ACADEMY. THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT,
2 OR PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT ALL THE INFORMATION
3 DESCRIBED IN THIS SUBSECTION REMAINS ACCESSIBLE TO THOSE PUPILS AND
4 THEIR PARENTS OR LEGAL GUARDIANS AND IS INCLUDED IN A STUDENT
5 HANDBOOK OR SIMILAR PUBLICATION PREPARED BY THE SCHOOL DISTRICT,
6 INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY AND ON THE
7 SCHOOL DISTRICT'S, INTERMEDIATE SCHOOL DISTRICT'S, OR PUBLIC SCHOOL
8 ACADEMY'S WEBPAGE IF THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL
9 DISTRICT, OR PUBLIC SCHOOL ACADEMY MAINTAINS A WEBPAGE.

10 SEC. 1526B. BEGINNING IN THE 2019-2020 SCHOOL YEAR, THE BOARD
11 OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT OR BOARD OF
12 DIRECTORS OF A PUBLIC SCHOOL ACADEMY, TOGETHER WITH A LOCAL
13 ORGANIZATION THAT RECEIVES FUNDING FROM THE MICHIGAN DOMESTIC AND
14 SEXUAL VIOLENCE PREVENTION AND TREATMENT BOARD AND THAT SERVES THE
15 GEOGRAPHIC AREA OF THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL
16 DISTRICT, OR PUBLIC SCHOOL ACADEMY, IS ENCOURAGED TO PROVIDE ALL
17 EDUCATORS AND SCHOOL PERSONNEL WHO HAVE CONTACT WITH PUPILS
18 TRAINING AT LEAST EVERY 5 YEARS IN RESPONDING TO PUPILS WHO HAVE
19 EXPERIENCED SEXUAL ASSAULT OR SEXUAL HARASSMENT. THIS TRAINING MAY
20 BE PROVIDED AS PART OF THE PROFESSIONAL DEVELOPMENT PROVIDED UNDER
21 SECTION 1527. IF A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT,
22 OR PUBLIC SCHOOL ACADEMY IS LOCATED IN AN AREA WITHOUT A LOCAL
23 ORGANIZATION THAT RECEIVES FUNDING FROM THE MICHIGAN DOMESTIC AND
24 SEXUAL VIOLENCE PREVENTION AND TREATMENT BOARD, THE SCHOOL
25 DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY IS
26 ENCOURAGED TO PROVIDE THE TRAINING DESCRIBED IN THIS SECTION
27 TOGETHER WITH THE MICHIGAN DOMESTIC AND SEXUAL VIOLENCE PREVENTION

1 **AND TREATMENT BOARD OR THE MICHIGAN COALITION TO END DOMESTIC AND**
2 **SEXUAL VIOLENCE.**

3 Enacting section 1. This amendatory act takes effect 90 days
4 after the date it is enacted into law.