

# HOUSE BILL No. 5791

April 12, 2018, Introduced by Reps. Chang, Pagan, Hoadley, Iden, Greimel, Hauck, Geiss, Kesto, Clemente and Rabhi and referred to the Committee on Law and Justice.

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 BE RELEVANT TO THE COMMUNITIES SERVED AND INCLUDE AT

1 LEAST ALL OF THE FOLLOWING:

2 (A) INFORMATION REGARDING HOW SEXUAL ASSAULT OR SEXUAL  
3 HARASSMENT IS IDENTIFIED.

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

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

12 (2) A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC  
13 SCHOOL ACADEMY SHALL DISSEMINATE THE INFORMATIONAL MATERIAL MADE  
14 AVAILABLE BY THE DEPARTMENT UNDER SUBSECTION (1) TO EACH PUPIL IN  
15 GRADES 6 TO 12 WHO IS ENROLLED IN A SCHOOL OPERATED BY THE SCHOOL  
16 DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY.  
17 ADDITIONALLY, THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR  
18 PUBLIC SCHOOL ACADEMY SHALL DISSEMINATE TO THOSE PUPILS THE CONTACT  
19 INFORMATION FOR THE SCHOOL DISTRICT'S, INTERMEDIATE SCHOOL  
20 DISTRICT'S, OR PUBLIC SCHOOL ACADEMY'S TITLE IX COORDINATOR AND THE  
21 SCHOOL DISTRICT'S, INTERMEDIATE SCHOOL DISTRICT'S, OR PUBLIC SCHOOL  
22 ACADEMY'S POLICIES ON SEXUAL ASSAULT AND SEXUAL HARASSMENT,  
23 INCLUDING SPECIFIC INFORMATION STATING WHETHER THE POLICIES  
24 PROHIBIT ADVERSE ACTION AGAINST AN INDIVIDUAL FOR REPORTING SEXUAL  
25 ASSAULT OR SEXUAL HARASSMENT. THE SCHOOL DISTRICT, INTERMEDIATE  
26 SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT ALL THE  
27 INFORMATION DESCRIBED IN THIS SUBSECTION REMAINS ACCESSIBLE TO

1 THOSE PUPILS AND THEIR PARENTS OR LEGAL GUARDIANS AND IS INCLUDED  
2 IN A STUDENT HANDBOOK OR SIMILAR PUBLICATION PREPARED BY THE SCHOOL  
3 DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY  
4 AND ON THE SCHOOL DISTRICT'S, INTERMEDIATE SCHOOL DISTRICT'S, OR  
5 PUBLIC SCHOOL ACADEMY'S WEBPAGE IF THE SCHOOL DISTRICT,  
6 INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY MAINTAINS A  
7 WEBPAGE.

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

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