

# HOUSE BILL NO. 6042

April 14, 2022, Introduced by Reps. Mueller, Clements, Meerman, Sabo, Breen, Cambensy, Eisen, Hornberger, Tyrone Carter and Puri and referred to the Committee on Government Operations.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1308 (MCL 380.1308), as amended by 2016 PA 363.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1308. (1) Not later than October 6, 1999, the  
2 superintendent of public instruction, attorney general, and  
3 director of the department of state police shall adopt, publish,  
4 and distribute to school boards, county prosecutors, and local law  
5 enforcement agencies the statewide school safety information policy  
6 described in subsection (2). Not later than January 6, 2000, each

1 school board, county prosecutor, and local law enforcement agency  
2 shall do both of the following:

3 (a) Meet and confer as appropriate on the implementation of  
4 the statewide school safety information policy for each school  
5 district and on any related issues that are unique to the affected  
6 locality. The appropriate local law enforcement agency or agencies  
7 to be involved shall be determined locally, consistent with the  
8 statewide school safety information policy.

9 (b) Begin compliance with the statewide school safety  
10 information policy.

11 (2) The statewide school safety information policy required  
12 under subsection (1) shall identify the types of incidents  
13 occurring at school that must be reported to law enforcement  
14 agencies and shall establish procedures to be followed when such an  
15 incident occurs at school. The statewide school safety information  
16 policy also may address procedures for reporting incidents  
17 involving possession of a dangerous weapon as required under  
18 section 1313. The statewide school safety information policy shall  
19 address at least all of the following:

20 (a) Law enforcement protocols and priorities for the reporting  
21 process. The law enforcement protocols must be developed with the  
22 cooperation of the appropriate state or local law enforcement  
23 agency. The law enforcement priorities shall include at least  
24 investigation of reported incidents, identification of those  
25 involved in a reported incident, assistance in prevention of these  
26 types of incidents, and, when appropriate, assistance from a child  
27 protection agency.

28 (b) Definition of the types of incidents requiring reporting  
29 to law enforcement and response by law enforcement, taking into

1 account the intent of the actor and the circumstances surrounding  
2 the incident.

3 (c) Protocols for responding to reportable incidents,  
4 addressing at least all of the following:

5 (i) Initial notification and reporting by school officials.

6 (ii) The information to be provided by school officials.

7 (iii) Initial response by law enforcement agencies, which shall  
8 be specifically tailored for incidents in progress, incidents not  
9 in progress, and incidents involving delayed reporting. School  
10 officials shall be consulted to determine the extent of law  
11 enforcement involvement required by the situation.

12 (iv) Custody of actors.

13 (d) The amount and nature of assistance to be provided by  
14 school officials, and the scope of their involvement in law  
15 enforcement procedures. This provision shall require school  
16 officials to notify the parent or legal guardian of a minor pupil  
17 who is a victim or witness when law enforcement authorities  
18 interview the pupil.

19 (e) Any other matters that will facilitate reporting of  
20 incidents affecting school safety and the exchange of other  
21 information affecting school safety.

22 (3) A school board or its designee shall report to the  
23 appropriate state or local law enforcement agencies and prosecutors  
24 all information that is required to be reported to those officials  
25 under the statewide school safety information policy.

26 (4) If school officials of a school district determine that an  
27 incident has occurred at school that is required to be reported to  
28 law enforcement agencies according to the statewide school safety  
29 information policy under this section or under subsection (3), the

1 superintendent of the school district, or his or her designee,  
2 immediately shall report that finding to the appropriate state or  
3 local law enforcement agency in the manner prescribed in the  
4 statewide school safety information policy.

5 (5) If provided in the statewide school safety information  
6 policy under this section, a local law enforcement agency that has  
7 jurisdiction over a school building of a school district shall  
8 report to the school officials of the school building incidents  
9 reported to the law enforcement agency that allege the commission  
10 of a crime and that, according to the incident report, either  
11 occurred on school property or within 1,000 feet of the school  
12 property or involved a pupil or staff member of the school as a  
13 victim or alleged perpetrator. Upon request by a law enforcement  
14 agency, school officials shall provide the law enforcement agency  
15 with any information the law enforcement agency determines it needs  
16 to provide this report to school officials.

17 (6) If provided in the statewide school safety information  
18 policy under this section, the prosecuting attorney of a county  
19 shall notify a school district located in whole or in part in that  
20 county of any criminal or juvenile court action initiated or taken  
21 against a pupil of the school district, including, but not limited  
22 to, convictions, adjudications, and dispositions. This notification  
23 shall be made to either the school district superintendent or to  
24 the intermediate superintendent of the intermediate school district  
25 in which the county is located, as provided in the policy or by  
26 local agreement. If the notification is made to the intermediate  
27 superintendent, the intermediate superintendent shall forward the  
28 information to the superintendent of the school district in which  
29 the pupil is enrolled. Upon receipt of information under this

1 subsection, a school district superintendent shall share the  
2 information with appropriate school building personnel. The  
3 prosecuting attorney may inquire of each school age individual  
4 involved in a court action described in this subsection whether the  
5 individual is a pupil in a school district and, if so, in which  
6 school district.

7 (7) If provided for in the statewide school safety information  
8 policy under this section, the appropriate court shall inform an  
9 appropriate school administrator of the name of the individual  
10 assigned to monitor a convicted or adjudicated youth attending a  
11 public school and of how that individual may be contacted.

12 (8) A school board, county prosecutor, and local law  
13 enforcement agency may enter into a local agreement or take other  
14 measures to facilitate the sharing of school safety information or  
15 to promote school safety if the agreement or other measures are  
16 consistent with the statewide school safety information policy.

17 (9) A school board shall cooperate with local law enforcement  
18 agencies to ensure that detailed and accurate building plans,  
19 blueprints **or critical incident mapping data**, and site plans, as  
20 appropriate, for each school building operated by the school board  
21 are provided to the appropriate local law enforcement agency.

22 (10) Reporting of information by a school district or school  
23 personnel under this section is subject to 20 USC 1232g, commonly  
24 referred to as the family educational rights and privacy act of  
25 1974.

26 (11) If a pupil is involved in an incident reported to law  
27 enforcement according to the statewide school safety information  
28 policy under this section, then upon request by school officials,  
29 the pupil's parent or legal guardian shall execute any waivers or

1 consents necessary to allow school officials access to school,  
2 court, or other pertinent records of the pupil concerning the  
3 incident and action taken as a result of the incident.

4 (12) As used in this section:

5 (a) "At school" means in a classroom, elsewhere on school  
6 premises, on a school bus or other school-related vehicle, or at a  
7 school-sponsored activity or event whether or not it is held on  
8 school premises.

9 (b) "School board" and "school district" mean those terms as  
10 defined in section 1311.