

**SUBSTITUTE FOR
HOUSE BILL NO. 6042**

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

9 (a) Meet and confer as appropriate on the implementation of



1 the statewide school safety information policy for each school
 2 district and on any related issues that are unique to the affected
 3 locality. The appropriate local law enforcement agency or agencies
 4 to be involved ~~shall~~**must** be determined locally, consistent with
 5 the statewide school safety information policy.

6 (b) Begin compliance with the statewide school safety
 7 information policy.

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

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

25 (b) Definition of the types of incidents requiring reporting
 26 to law enforcement and response by law enforcement, taking into
 27 account the intent of the actor and the circumstances surrounding
 28 the incident.

29 (c) Protocols for responding to reportable incidents,



1 addressing at least all of the following:

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

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

4 (iii) Initial response by law enforcement agencies ~~, which shall~~
 5 **that must** be specifically tailored for incidents in progress,
 6 incidents not in progress, and incidents involving delayed
 7 reporting. School officials shall be consulted to determine the
 8 extent of law enforcement involvement required by the situation.

9 (iv) Custody of actors.

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

16 (e) Any other matters that will facilitate reporting of
 17 incidents affecting school safety and the exchange of other
 18 information affecting school safety.

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

23 (4) If school officials of a school district determine that an
 24 incident has occurred at school that is required to be reported to
 25 law enforcement agencies according to the statewide school safety
 26 information policy under this section or under subsection (3), the
 27 superintendent of the school district, or his or her designee,
 28 immediately shall report that finding to the appropriate state or
 29 local law enforcement agency in the manner prescribed in the



1 statewide school safety information policy.

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

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



1 individual involved in a court action described in this subsection
2 whether the individual is a pupil in a school district and, if so,
3 in which school district.

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

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

14 (9) A school board shall cooperate with local law enforcement
15 agencies to ensure that detailed and accurate building plans,
16 blueprints **or critical incident mapping data**, and site plans, as
17 appropriate, for each school building operated by the school board
18 are provided to the appropriate local law enforcement agency.
19 **Critical incident mapping data provided pursuant to this subsection**
20 **must meet all of the following requirements:**

21 (a) **Be compatible with software platforms used by a local,**
22 **state, or federal public safety agency that provide emergency**
23 **services.**

24 (b) **Be provided in a printable format.**

25 (c) **Be verified for accuracy through a walkthrough of a school**
26 **building and school grounds.**

27 (d) **Be oriented true north.**

28 (10) Reporting of information by a school district or school
29 personnel under this section is subject to 20 USC 1232g, commonly



1 referred to as the family educational rights and privacy act of
2 1974.

3 (11) If a pupil is involved in an incident reported to law
4 enforcement according to the statewide school safety information
5 policy under this section, then upon request by school officials,
6 the pupil's parent or legal guardian shall execute any waivers or
7 consents necessary to allow school officials access to school,
8 court, or other pertinent records of the pupil concerning the
9 incident and action taken as a result of the incident.

10 (12) As used in this section:

11 (a) "At school" means in a classroom, elsewhere on school
12 premises, on a school bus or other school-related vehicle, or at a
13 school-sponsored activity or event whether or not it is held on
14 school premises.

15 (b) "Critical incident mapping data" means information
16 provided in an electronic or digital format to assist law
17 enforcement or emergency first responders in an emergency. The
18 information provided must include, but is not limited to, all of
19 the following:

20 (i) Accurate floor plans overlaid on or current aerial imagery
21 of a school building or school plan.

22 (ii) Site specific labeling that matches the structure of the
23 school building, including room labels, hallway names, external
24 door or stairwell numbers, locations of hazards, key utility
25 locations, key boxes, automated external defibrillators, and trauma
26 kits.

27 (iii) Site specific labeling that matches the school grounds,
28 including parking areas, athletic fields, surrounding roads, and
29 neighboring properties.



- 1 **(iv) Gridded overlay with x/y coordinates.**
- 2 **(c) ~~(b)~~—"School board" and "school district" mean those terms**
- 3 as defined in section 1311.