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Senate Bill 137 (as introduced 2-10-11)
Sponsor: Senator Rick Jones
Committee: Judiciary

Date Completed: 4-11-11

CONTENT

The bill would amend the Revised School Code to do all of the following:

- Require the board of a school district or intermediate school district (ISD) or board of directors of a public school academy (PSA) to adopt and implement a policy prohibiting bullying or harassment at school.**
- Require a board to hold at least one public hearing before adopting its policy.**
- Require a board to submit a copy of its policy to the Michigan Department of Education (MDE).**
- Require the MDE to report to the legislative standing committees on education regarding the status of adoption of the policies.**

"Bullying or harassment" would mean abuse of a pupil by one or more other pupils in any form. The term would include conduct that substantially interferes with educational opportunities, benefits, or programs of one or more pupils; adversely affects the ability of a pupil to participate in or benefit from educational programs or activities by placing him or her in reasonable fear of physical harm or by causing emotional distress; or is reasonably perceived to be motivated by animus or by an actual or perceived characteristic.

"At school" would mean in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises. The term would include conduct using a telecommunications access device or telecommunications service provider (as those terms are defined in the Michigan Penal Code, MCL 750.219a) that occurs off school premises if the device or provider is owned by or under the control of the school district or PSA.

Specifically, within six months after the bill's effective date, a school district or ISD board, or PSA board of directors would have to adopt and implement a policy prohibiting bullying or harassment at school. The bill states, "The legislature encourages a board or board of directors to include in its policy provisions concerning education, parental involvement, reporting, investigation, and intervention."

Before adopting a policy, the board or board of directors would have to hold at least one public hearing on the proposed policy. The hearing could be held as part of a regular board meeting. Within 30 days after adopting the policy, the board would have to submit a copy of its policy to the MDE.

Not later than one year after the deadline for school boards and PSA boards of directors to submit their policies to the MDE, the Department would have to submit a report to the Senate and House standing committees on education summarizing the status of the implementation of policies required by the bill.

The proposed section of the Revised School Code would be known as "Matt's Safe School Law".

Proposed MCL 380.1310b

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

State: The Department of Education would see slightly increased administrative costs related to the compilation of districts' anti-bullying policies, and subsequent report to the Legislature on the status of the implementation of such policies.

Local: Local districts, intermediate districts, and public school academies could see increased costs associated with the adoption and implementation of a policy prohibiting bullying or harassment at school, if such policy is not already in place. The extent of the fiscal impact would vary based on the policy adopted, and how that policy compared to existing measures prohibiting bullying.

Fiscal Analyst: Kathryn Summers

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.