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:

Sec. 1308. (1) Not later than October 6, 1999, the superintendent of public instruction, attorney general, and director of the department of state police shall adopt, publish, and distribute to school boards, county prosecutors, and local law enforcement agencies the statewide school safety information policy described in subsection (2). Not later than January 6, 2000, each school board, county prosecutor, and local law enforcement agency shall do both of the following:
(a) Meet and confer as appropriate on the implementation of the statewide school safety information policy for each school district and on any related issues that are unique to the affected locality. The appropriate local law enforcement agency or agencies to be involved shall be determined locally, consistent with the statewide school safety information policy.

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

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

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

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

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

(i) Initial notification and reporting by school officials.

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

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

(iv) Custody of actors.

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

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

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

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

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

(6) If provided in the statewide school safety information
policy under this section, the prosecuting attorney of a county
shall notify a school district located in whole or in part in that
county of any criminal or juvenile court action initiated or taken
against a pupil of the school district, including, but not limited
to, convictions, adjudications, and dispositions. This notification
shall be made to either the school district superintendent or to
the intermediate superintendent of the intermediate school district
in which the county is located, as provided in the policy or by
local agreement. If the notification is made to the intermediate
superintendent, the intermediate superintendent shall forward the
information to the superintendent of the school district in which
the pupil is enrolled. Upon receipt of information under this
subsection, a school district superintendent shall share the
information with appropriate school building personnel. The
prosecuting attorney may inquire of each school age individual
involved in a court action described in this subsection whether the
individual is a pupil in a school district and, if so, in which
school district.

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

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

(9) A school board shall cooperate with local law enforcement
agencies to ensure that detailed and accurate building plans,
blueprints, and site plans, as appropriate, for each school
building operated by the school board are provided to the
appropriate local law enforcement agency.

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

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

(12) THE SUPERINTENDENT OF PUBLIC INSTRUCTION, ATTORNEY GENERAL, AND DIRECTOR OF THE DEPARTMENT OF STATE POLICE SHALL UPDATE, PUBLISH, AND PROVIDE TO THE PUBLIC ON THE WEBSITE OF THE DEPARTMENT OF STATE POLICE THE STATEWIDE SCHOOL SAFETY INFORMATION POLICY DESCRIBED IN SUBSECTION (2). THE UPDATE TO THE STATEWIDE SCHOOL SAFETY INFORMATION POLICY MUST INCLUDE, BUT IS NOT LIMITED TO, THE PROCEDURES TO BE FOLLOWED IF AN INCIDENT INVOLVING AN ACTIVE SHOOTER OCCURS AT SCHOOL.

(13) (12)—As used in this section:

(a) "At school" means 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.

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

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