

# HOUSE BILL No. 4975

September 19, 2017, Introduced by Reps. Hertel, Marino, Sabo, Chirkun, Gay-Dagnogo, Ellison, Lucido, Elder, Wittenberg and Sowerby and referred to the Committee on Education Reform.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1505 (MCL 380.1505), as added by 2012 PA 594, and by adding sections 1527a and 1531m.

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

1           Sec. 1505. (1) ~~The~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS**  
2 **SUBSECTION, THE** board of a school district or intermediate school  
3 district or board of directors of a public school academy may adopt  
4 and implement a policy addressing sexual abuse of children. ~~If a~~  
5 ~~board or board of directors adopts and implements a policy~~  
6 ~~addressing sexual abuse of children, the~~ **NOT LATER THAN 2 YEARS**  
7 **AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SECTIONS**

1 1527A AND 1531M, THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE  
2 SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY  
3 SHALL ADOPT AND IMPLEMENT A POLICY ADDRESSING SEXUAL ABUSE OF  
4 CHILDREN. A policy ADOPTED AND IMPLEMENTED UNDER THIS SECTION shall  
5 be substantially consistent with the recommendations and guidelines  
6 set by the task force on the prevention of sexual abuse of children  
7 created under section 12b of the child protection law, 1975 PA 238,  
8 MCL 722.632b, and may address, but is not limited to, any of the  
9 following:

10 (a) Age-appropriate, evidence-based curriculum and instruction  
11 for pupils in grades pre-K to 5 concerning child sexual abuse  
12 awareness and prevention.

13 (b) Training for school personnel on child sexual abuse,  
14 including, but not limited to, training on supportive, appropriate  
15 response to disclosure of abuse.

16 (c) Providing educational information to parents or guardians  
17 on the warning signs of a child being sexually abused and  
18 information on needed assistance, referral, or resources. This  
19 information may be provided in the student handbook that is  
20 distributed to pupils and parents and guardians.

21 (d) Available counseling and resources for pupils affected by  
22 sexual abuse.

23 (e) Emotional and educational support for a pupil affected by  
24 sexual abuse to allow the pupil to continue to be successful in  
25 school.

26 (f) A review of the system that is in place in the school  
27 district, intermediate school district, or public school academy to

1 educate and support school personnel who are required to report  
2 child abuse or neglect under section 3 of the child protection law,  
3 1975 PA 238, MCL 722.623, and the process in place for making those  
4 mandatory reports. This review should include an analysis of the  
5 level of compliance with the mandatory reporting requirements and  
6 suggestions to improve compliance.

7 (2) Any instruction, training, or information provided  
8 pursuant to a policy adopted under subsection (1) shall be  
9 substantially consistent with the recommendations and guidelines  
10 set by the task force on the prevention of sexual abuse of children  
11 created under section 12b of the child protection law, 1975 PA 238,  
12 MCL 722.632b, and may address, but is not limited to, any of the  
13 following:

14 (a) Methods for increasing teacher, pupil, and parent  
15 awareness of issues regarding sexual abuse of children, including  
16 knowledge of likely warning signs indicating that a child may be a  
17 victim of sexual abuse.

18 (b) Actions that a child who is a victim of sexual abuse may  
19 take to obtain assistance and intervention.

20 (c) Available counseling options for pupils affected by sexual  
21 abuse.

22 (3) Pupil instruction under this section is subject to section  
23 1505a.

24 **SEC. 1527A. (1) NOT LATER THAN 2 YEARS AFTER THE EFFECTIVE**  
25 **DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, A BOARD OF A**  
26 **SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY**  
27 **SHALL PROVIDE PROFESSIONAL DEVELOPMENT OR OTHER TRAINING THAT**

1 ENABLES SCHOOL PERSONNEL TO RESPOND TO STUDENT DISCLOSURES RELATING  
2 TO ASSAULT IN A MANNER THAT IS CULTURALLY SENSITIVE AND  
3 PSYCHOLOGICALLY ADEPT AND DOES NOT UNDULY FURTHER TRAUMATIZE THE  
4 STUDENT WHO MAKES THE DISCLOSURE.

5 (2) A BOARD OR BOARD OF DIRECTORS MAY COUNT PROFESSIONAL  
6 DEVELOPMENT PROVIDED TO TEACHERS UNDER THIS SECTION TOWARD THE  
7 PROFESSIONAL DEVELOPMENT REQUIRED UNDER SECTION 1527.

8 (3) AS USED IN THIS SECTION:

9 (A) "ASSAULT" INCLUDES PHYSICAL ASSAULT, AS THAT TERM IS  
10 DEFINED IN SECTION 1310, AND SEXUAL ASSAULT.

11 (B) "SCHOOL PERSONNEL" MEANS THAT TERM AS DEFINED IN SECTION  
12 1307H.

13 SEC. 1531M. (1) BEGINNING JANUARY 1, 2025, THE SUPERINTENDENT  
14 OF PUBLIC INSTRUCTION SHALL NOT ISSUE AN INITIAL TEACHING  
15 CERTIFICATE TO AN INDIVIDUAL UNLESS THE INDIVIDUAL PRESENTS  
16 EVIDENCE SATISFACTORY TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION  
17 THAT THE INDIVIDUAL HAS COMPLETED TRAINING IN HOW TO RESPOND TO A  
18 STUDENT'S DISCLOSURE RELATING TO ASSAULT. THE TRAINING SHALL  
19 PROVIDE INSTRUCTION THAT ENABLES TEACHERS TO RESPOND TO STUDENT  
20 DISCLOSURES DESCRIBED IN THIS SECTION IN A MANNER THAT IS  
21 CULTURALLY SENSITIVE AND PSYCHOLOGICALLY ADEPT AND DOES NOT UNDULY  
22 FURTHER TRAUMATIZE THE STUDENT WHO MAKES THE DISCLOSURE.

23 (2) AS USED IN THIS SECTION, "ASSAULT" MEANS THAT TERM AS  
24 DEFINED IN SECTION 1527A.

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