

HOUSE BILL No. 5557

February 13, 2018, Introduced by Rep. Kosowski and referred to the Committee on Education Reform.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1505 and 1505a (MCL 380.1505 and 380.1505a), section 1505 as added by 2012 PA 594 and section 1505a as added by 2012 PA 595.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1505. (1) The board of a school district or intermediate
2 school district, ~~or~~ board of directors of a public school academy,
3 ~~may~~ **OR GOVERNING BODY OF A NONPUBLIC SCHOOL SHALL** adopt and
4 implement a policy addressing sexual abuse of children. ~~If a board~~
5 ~~or board of directors adopts and implements a policy addressing~~
6 ~~sexual abuse of children, the~~ **A policy shall ADOPTED AND**
7 **IMPLEMENTED UNDER THIS SUBSECTION MUST** be substantially consistent

1 with the recommendations and guidelines set by the task force on
2 the prevention of sexual abuse of children created under section
3 12b of the child protection law, 1975 PA 238, MCL 722.632b, and ~~may~~
4 **MUST** address, but is not limited to, ~~any~~**ALL** of the following:

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

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

11 (c) Providing educational information to parents or guardians
12 on the warning signs of a child being sexually abused and
13 information on needed assistance, referral, or resources. This
14 information ~~may~~**SHALL** be provided in the student handbook that is
15 distributed to pupils and parents and guardians.

16 (d) Available counseling and resources for pupils affected by
17 sexual abuse.

18 (e) Emotional and educational support for a pupil affected by
19 sexual abuse to allow the pupil to continue to be successful in
20 school.

21 (f) A review of the system that is in place in the school
22 district, intermediate school district, ~~or~~ public school academy,
23 **OR NONPUBLIC SCHOOL** to educate and support school personnel who are
24 required to report child abuse or neglect under section 3 of the
25 child protection law, 1975 PA 238, MCL 722.623, and the process in
26 place for making those mandatory reports. This review ~~should~~**MUST**
27 include an analysis of the level of compliance with the mandatory

1 reporting requirements and suggestions to improve compliance.

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

9 (a) Methods for increasing teacher, pupil, and parent
10 awareness of issues regarding sexual abuse of children, including
11 knowledge of likely warning signs indicating that a child may be a
12 victim of sexual abuse.

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

15 (c) Available counseling options for pupils affected by sexual
16 abuse.

17 (3) Pupil instruction under this section is subject to section
18 1505a.

19 ~~Sec. 1505a. If a school district, intermediate school~~
20 ~~district, or public school academy provides instruction to pupils~~
21 ~~on child sexual abuse pursuant to the policy adopted under section~~
22 ~~1505, both~~**BOTH** of the following apply **TO A POLICY ADDRESSING**
23 **SEXUAL ABUSE OF CHILDREN ADOPTED AND IMPLEMENTED UNDER SECTION**
24 **1505:**

25 (a) A pupil shall not be provided with the instruction unless
26 the pupil's parent or guardian is notified in advance of the
27 instruction and the content of the instruction, is given a prior

1 opportunity to review the materials to be used in the instruction,
2 and is notified in advance of his or her right to have the pupil
3 excused from the instruction.

4 (b) Upon the written request of a pupil's parent or legal
5 guardian, a pupil shall be excused from the instruction without
6 penalty or loss of academic credit.

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