

## District Website Incident Reporting Guidance

In order to obtain an accurate local picture of school crime and to develop the partnerships necessary to plan and implement school safety programs, [PA 532 of 2016 \(Sect. 380.1310a\)](#) for reporting certain incidents was put into effect. Per PA 532 of 2016, each school building shall collect and keep current on a weekly basis the information required for the report and must provide that information, within 7 days, upon request. **At least annually, each school board shall make a copy disaggregated by school building, of the most recent report for the school district under subsection (2) available to the parent or legal guardian of each pupil enrolled in the school district. Each school board shall post this information on its website at least annually.** A sample collection tool for website reporting is attached.

The reporting shall include at least crimes involving:

- physical violence,
- gang-related activity,
- illegal possession of a controlled substance or controlled substance analogue, or other intoxicant,
- trespassing and
- property crimes including, but not limited to, theft and vandalism. For a property crime, the report shall include an estimate of the cost to the school district resulting from the property crime.

The school crime reporting requirements are intended to:

- help policymakers and program designers develop appropriate prevention and intervention programs,
- provide the continuous assessment tools needed for revising and refining school safety programs,
- assist schools and school districts to identify the most pressing safety issues confronting their school communities, to direct resources appropriately, and to enhance campus safety through prevention and intervention strategies, and
- foster the creation of partnerships among schools, school districts, state agencies, communities, law enforcement, and the media to prevent further crime and violence and to assure a safe learning environment for every pupil.

### DEFINITIONS

**Incidents of Physical Violence:** Indicate the number of incidents of physical violence between a student and another person(s) that were reported to law enforcement officials that occurred on school property or at a school-sponsored activity. This includes, but is not limited to, incidents of physical assault, criminal sexual conduct, homicide.

**Definition of Physical Assault:** Intentionally causing or attempting to cause physical harm to another through force or violence as defined in Section 380.1310(3)(b) and 380.1311a(12)(b) of the Michigan Compiled Law (MCL).

Criminal Sexual Conduct Reporting Guidelines: To report criminal sexual conduct (CSC), consider the interaction between the victim and the assailant, the assailant's age, gender, contact and the use of force. School staff members to whom a CSC disclosure is reported may view the disclosure through a perception of who a "typical assailant" might be. Rather than assume that the assailant is male, older, and/or stronger than the victim, the reverse may be true. The threat of force may reduce the natural advantage that age, gender, and/or strength might provide to the victim. In addition, the capacity to understand and/or respond should also be considered in terms of cognitive impairment, mental incapacity, and physical helplessness at the time of the incident. As mandated reporters, the school staff members are required to report any incidences or suspected incidences of CSC. An incidence of CSC includes at least, but is not limited to, the following scenarios.

Examples of CSC which meet the definition of this offense:

- An assailant can be under the age of 13 and may perpetrate an act of CSC on an older victim, even an adult.
- An assailant can be a 15-year-old female and may perpetrate an act of CSC on a male, 16 or older.
- When two 16-year-olds are involved in sexual activity, and one of them is under the influence of alcohol and/or other drugs, the non-using student is perpetrating an act of CSC. When both students are using alcohol and other drugs, CSC may still have occurred.
- When two 16-year-olds are involved in sexual activity, and one of them is cognitively impaired, the student with competent cognitive ability is perpetrating an act of CSC.

Sexual penetration involving a person under the age of 16 is criminal sexual conduct.

Sexual touching of a person's intimate parts involving a person under the age of 13 is criminal sexual conduct. Sexual touching of a person's intimate parts involving a person age 13, 14, or 15 is criminal sexual conduct if the actor is five or more years older. A person's intimate parts include the breast, the buttocks, groin, or genital areas and the clothing covering any of these areas.

Note: With regard to sexual touching between two or more students of at least the age of 13 and under the age of 16, please refer to the local district's Department of Human Services and the local district's policy on cooperating with local law enforcement officials and the local district's Department of Human Services.

**Illegal Possession:** Indicate the number of incidents that involved the illegal use, possession or sale of a controlled substance or controlled substance analogue (MCL 333.7104 [2, 3], prescription drug or narcotic (MCL 333.7107), or alcoholic liquor on school property or at a school-sponsored activity.

Alcoholic Liquor: Alcoholic liquor includes any beverage containing 0.05 or more of alcohol by volume (MCL 436.1105). It cannot be possessed by anyone under the age of 21 (Michigan Constitution, Article IV, Section 40 and MCL 436.1703). Beverages with an alcoholic content less than 0.05 by volume, such as non-alcoholic beer, cannot be possessed by anyone under the age of 18 [(MCL 436.1105(3)].

**Trespassing**: Indicate the number of incidents of trespassers or intruders on school property or at a school-sponsored activity that were reported to law enforcement officials. A trespasser or intruder is defined as one who enters or remains on a public school campus or facility without authorization and with no lawful purpose.

**Property Crimes**: Indicate the number of incidents of property crimes that occurred on school property or at a school-sponsored activity. This includes, but is not limited to, incidents of vandalism, arson, larceny, robbery or extortion. The reporting shall include an estimate of the cost to the school district resulting from the property crime.

**Vandalism**: An incident requiring mandatory reporting involves damage in excess of \$100, or numerous events of minor damage (less than \$100). Note: count numerous events by one individual or a group of individuals over a short period of time as one incident if the total damage was less than \$100.

**Arson**: The willful or intentional damage or attempt to damage any real or personal property by fire or incendiary device (MCL 750.71 to 750.80).

**Larceny (Theft)**: An incident requiring mandatory reporting involves theft in excess of \$100, or numerous events of minor theft (less than \$100). Note: count numerous events by one individual or a group of individuals over a short period of time as one incident if the total damage was less than \$100.

**Armed Robbery**: The taking of property from a person by force or threat while armed with a weapon or article representing a weapon.

**Unarmed Robbery**: The taking of property from a person by force or threat.

**Extortion**: Threatening another person for the purpose of extorting money or property.

**Gang-Related Activity**: Indicate the number of incidents that fit the criteria for being considered a “gang-related activity.” Per Michigan Penal Code 750.411u gangs are defined as an ongoing organization, association, or group of 5 or more people, other than a nonprofit organization, that identifies itself by all of the following:

- A unifying mark, manner, protocol, or method of expressing membership, including a common name, sign or symbol, means of recognition, geographical or territorial sites, or boundary or location.
- An established leadership or command structure.
- Defined membership criteria.