



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING

RICK SNYDER  
GOVERNOR

BRIAN J. WHISTON  
STATE SUPERINTENDENT

**MEMORANDUM**

**DATE:** September 3, 2015

**TO:** Local and Intermediate School District Superintendents  
Public School Academy Directors

**FROM:** Kyle Guerrant, Deputy Superintendent *KG*

**SUBJECT:** Statewide School Safety Information Policy

On October 4, 1999, the Michigan Departments of Education and Attorney General, and the Michigan State Police released a Statewide School Safety Information Policy based on PA 102 signed into law at that time. This legislation added section 1308 to the Revised School Code and calls for a coordinated approach to the sharing of school safety information regarding violent and potentially violent students and situations. The state policy clearly delineates an effective way for school districts, police departments, and other agencies to share this vital information.

The policy has been updated and is attached for your use. The Response Guide for Reportable Incidents will be sent to you under separate cover. This Response Guide supplements the Michigan School Emergency Operations Plan provided to districts in the fall of 2014 by the Michigan State Police. To obtain an additional copy of the 2014 Michigan School Emergency Operations Plan, please contact the Michigan State Police, Grants and Community Services Division, at [msp-schoolsafety@michigan.gov](mailto:msp-schoolsafety@michigan.gov).

Questions regarding the Statewide School Safety Information Policy and Response Guide for Reportable Incidents may be directed to the Coordinated School Health and Safety Programs unit at (517) 241-4284.

Attachment

cc: Michigan Education Alliance

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# STATEWIDE SCHOOL SAFETY INFORMATION POLICY



UPDATED 8-3-15

# Statewide School Safety Information Policy

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## I. Introduction

School crime and violence are multifaceted problems which need to be addressed in a manner that utilizes the best resources and coordinated efforts of the educational community, law enforcement and families. One key component to keeping schools safe is an informed administration that works with local law enforcement to “provide for the safety and welfare of pupils while at school or a school sponsored activity or while en route to or from school or a school sponsored activity.”  
MCL 380.11a(3)(b).

A basic first step in addressing violence and its impact on schools and learning is to assess the extent and nature of the problem. When school administrators and local law enforcement officials are able to accurately determine what crimes are being committed in their schools or communities, when and where crimes are committed, and who is involved, they can then develop and implement effective strategies that address school safety concerns. One of the biggest obstacles in addressing school safety issues is the lack of information exchanged on student misconduct. School administrators, students, parents, community leaders and law enforcement officials may have different perceptions of school crime which make it difficult to agree on the primary safety issues that need to be addressed.

On July 6, 1999, Governor John Engler signed into law 1999 PA 102. This Act added section 1308 to the *Revised School Code* and directs the State Superintendent of Public Instruction, the Director of the Michigan State Police and the Michigan Attorney General to adopt, publish and distribute a Statewide School Safety Information Policy to school boards, county prosecutors, and local law enforcement agencies. The Act, a copy of which is enclosed, also required each school district to meet with the county prosecutor(s) and local law enforcement agencies to determine how best to implement the Statewide School Safety Information Policy in their communities. You are encouraged to convene this meeting of appropriate officials in your community in order to establish and implement procedures to enhance school and community safety.

## II. Statement of Policy

Local school districts, law enforcement agencies, and county prosecutors must meet and develop local school safety information policies which implement this Statewide School Safety Information Policy. A local school safety information policy should also address any related issues that are unique to the affected locality.

## III. Elements for a Successful Local School Safety Information Policy

The Act requires local communities to meet and confer on the implementation of the Statewide School Safety Information Policy and on any related issues that are unique to the affected locality. The following are suggested elements for that meeting:

- Required parties: school boards, county prosecutors, and local law enforcement agencies
- Recommended parties: appropriate representatives of the following: chief judge of circuit and/or district courts, including a representative of the family division; local child protection agency; the intermediate school district; school building administrators; teachers; parents; students; the fire marshal; emergency medical services; county emergency management
- Agenda:
  - A. Decide incidents to be reported (see Response Guide for Reportable Incidents)
  - B. Develop reporting protocol (see model local agreement for suggested format)
    1. For schools
    2. For law enforcement officials
    3. For prosecutors
    4. For court officials
  - C. Discuss and delineate local law enforcement procedures for responding to incidents as defined in your list from (A) above. This discussion should include:
    1. Incidents in progress
    2. Incidents not in progress
    3. Incidents involving delayed reporting
  - D. Discuss establishment of School Resource Officer(s)
  - E. Discuss privacy concerns
  - F. Consider use of a written local agreement
  - G. Discuss training opportunities for all staff
  - H. Discuss other measures consistent with the Policy
- Annual meeting: an annual meeting to review the effectiveness and review the procedures developed within this policy is encouraged

## **IV. Reporting Obligations**

### School Reporting

Section 1308 of the Act requires that the Statewide School Safety Information Policy identifies the types of incidents occurring at school that must be reported to law enforcement agencies and establishes procedures to be followed when an incident occurs at school. The list of incidents to be reported to law enforcement agencies and procedures to be followed when such incidents occur at school are found in the index of the Response Guide for Reportable Incidents section of this Policy.

Each school district is encouraged to appoint a School Resource Officer (SRO). The SRO may be a designated member of the school staff or a school safety or security officer. A sworn law enforcement officer assigned to the school may also serve as the SRO. The SRO will keep a file of all incident reports or law enforcement records prepared as required under the local school safety information policy. The records must be retained in a location separate from student educational records as defined under the Family Educational Rights and Privacy Act (FERPA).

In addition to the incidents enumerated in the Response Guide for Reportable Incidents, local communities may determine that additional incidents on school property should be reported to law enforcement.

For the purposes of this policy, “law enforcement” means: A regularly employed member of a police force of a city, county, township, village, the Michigan State Police, or a Michigan Indian tribal police force, who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of this state.

### Law Enforcement Reporting

A local law enforcement agency with jurisdiction over a building in a school district shall report to school officials crimes committed on school property. Such a law enforcement agency shall also report to school officials crimes committed off school property that they have reason to believe may pose a significant threat of imminent danger to students, staff or school property. A law enforcement agency may delay reporting of crimes to a school district if such report may compromise an ongoing investigation.

### Prosecutors' Reporting

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 superintendent of the intermediate school district (ISD) in which the county is located or as provided by local agreement. If the notification is made to the ISD superintendent, the ISD superintendent shall forward the information to the superintendent of the school district in which the pupil is enrolled. Upon receipt of information, 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. If the prosecuting attorney determines that the individual is a pupil in a school district not located within the county, the prosecuting attorney shall make an attempt to notify the school district superintendent or the superintendent of the ISD where the pupil attends.

### Court Reporting

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.

## **V. Sample Local Information Sharing Agreement**

Local communities may find it helpful to enter into an agreement regarding the sharing of school safety information. A sample agreement has been included for local use. This sample may serve as a detailed model for a local agreement or merely as a guide for a productive local meeting.

## **VI. Response Guide for Reportable Incidents**

The Response Guide for Reportable Incidents lists the types of incidents to be reported along with the procedures to be followed when such an incident occurs at school.

*Sample Local Agreement*

# **School Safety Information Policy Agreement**

## **\_\_\_\_\_ School District**

### **Statement of Intent**

The parties to this agreement are committed to maintaining a safe school environment. We acknowledge and agree that school safety will be enhanced through the effective sharing of information and resources. The goal of this agreement is to establish procedures to be followed when an incident defined in the Response Guide for Reportable Incidents section of the Statewide School Safety Information Policy occurs. The parties further agree to develop internal policies and cooperative procedures as needed to implement the local School Safety Information Policy.

**We Each Agree to:**

1. Promote a coordinated effort among agencies and staff to achieve maximum public safety with the goal of reducing juvenile crime.
2. Participate in interagency planning meetings, as appropriate.
3. Jointly plan, and/or provide information and access to training opportunities, when feasible.
4. Develop internal policies and cooperative procedures, as needed, to implement this policy and the Statewide School Safety Information Policy.
5. Comply with the relevant state and federal law and other applicable local rules which relate to records use, security, dissemination, and retention/destruction.

**The School Agrees To:**

1. Designate a contact person to be responsible for receiving information from law enforcement, prosecutors, and courts and inform all parties as to the school's designee.
2. Notify the pupil's principal of information from law enforcement, prosecutors or the court system within 24 hours. The principal shall provide such information to relevant building personnel within 24 hours of notification.
3. Notify the appropriate law enforcement agency when an adult or a student commits any of the offenses listed in the Response Guide for Reportable Incidents on school property, on school sponsored transportation, or at school sponsored activities.
4. Develop appropriate internal written policies to ensure that confidential criminal history information is disseminated only to appropriate school personnel.



**Each Law Enforcement Agency Agrees to:**

1. Designate a contact person to be responsible for forwarding information to the designated school personnel and inform all parties as to law enforcement's designee.
2. Notify the superintendent, or designee, of crimes committed on school property. Notification shall be within 24 hours or the next business day when school is in session and shall include the details of the crime committed. Notification shall be within 7 days during the summer. A law enforcement agency may delay reporting of crimes to a school district if such report may compromise an ongoing investigation.
3. Promptly notify the superintendent, or designee, of crimes committed off school property which they have reason to believe may pose a significant threat of imminent danger to students, staff, or school property.

**The Prosecuting Attorney(s) Agree to:**

1. Designate a contact person to be responsible for forwarding information to the designated school personnel and inform all parties as to the prosecuting attorney's designee.
2. Notify the superintendent, or designee, 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 initiated within 24 hours after the charge is made when school is in session and include the details of that charge.
3. 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.
4. Attempt to notify the school district superintendent or the superintendent of the intermediate school district where the pupil attends if it is determined that the individual is a pupil in a school district not located within the county.

**The Court Agrees to:**

1. Designate a contact person to be responsible for forwarding information to the designated school personnel and inform all parties as to the court's designee.
2. Notify the superintendent, or designee, 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.

**Signed this \_\_\_ day of \_\_\_\_\_, 20\_\_;**

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