

# HOUSE BILL NO. 4088

February 14, 2023, Introduced by Reps. Schmaltz, Breen, Tsernoglou, Rheingans, Byrnes, Young, Miller, Hood, Posthumus, BeGole, Conlin, Bierlein, St. Germaine, Martin, Neyer, Steckloff, Puri, Greene, Haadsma, Fox, Meerman, Schuette, Markkanen, Alexander, Johnsen, Wozniak, Tisdell, Bezotte, Kunse, Price, MacDonell, Thompson and Whitsett and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1308b (MCL 380.1308b), as added by 2018 PA 436.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1308b. (1) ~~Beginning in the 2019-2020 school year, By not~~  
2 **later than July 1, 2025**, and at least ~~biennially thereafter, every~~  
3 **3 school years thereafter**, a school district, intermediate school  
4 district, or public school academy shall, in conjunction with at  
5 least 1 law enforcement agency that has jurisdiction over the  
6 school district, intermediate school district, or public school

1 academy, conduct a review of the emergency operations plan  
 2 ~~developed or adopted~~ **updated** under subsection (2), including a  
 3 review of the vulnerability assessment under subsection (3), or  
 4 conduct a review of the statewide school safety information policy  
 5 described under subsection (4), as applicable.

6 (2) Subject to subsection (3), not later than January 1, 2020,  
 7 a school district, intermediate school district, or public school  
 8 academy shall develop **and adopt, and not later than July 1, 2025,**  
 9 **and every 3 school years thereafter, a school district,**  
 10 **intermediate school district, or public school academy shall**  
 11 **update,** an emergency operations plan for each school building  
 12 operated by the school district, intermediate school district, or  
 13 public school academy with input from the public. The board of the  
 14 school district or intermediate school district or the board of  
 15 directors of the public school academy shall adopt the emergency  
 16 operations plan by a majority vote of the members serving on the  
 17 board or board of directors at a public meeting of the board or  
 18 board of directors held in compliance with the open meetings act,  
 19 1976 PA 267, MCL 15.261 to 15.275.

20 (3) The emergency operations plan developed and adopted **or**  
 21 **updated** under subsection (2) must include guidelines and procedures  
 22 that address at least all of the following:

- 23 (a) School violence and attacks.
- 24 (b) Threats of school violence and attacks.
- 25 (c) Bomb threats.
- 26 (d) Fire.
- 27 (e) Weather-related emergencies.
- 28 (f) Intruders.
- 29 (g) Parent and pupil reunification.

1 (h) Threats to a school-sponsored activity or event whether or  
2 not it is held on school premises.

3 (i) A plan to train teachers on mental health and pupil and  
4 teacher safety.

5 (j) A plan to improve school building security.

6 (k) An active violence protocol.

7 (l) Continuity of operations after an incident.

8 (m) A vulnerability assessment.

9 (n) **In accordance with section 1d of 1937 PA 206, MCL**  
10 **388.851d, a description of the installation and use of the**  
11 **temporary locking devices or systems described in section 1d of**  
12 **1937 PA 206, MCL 388.851d, that are used.**

13 (o) **Beginning July 1, 2025, the creation of a school-crisis**  
14 **team composed of school staff that would be tasked with rapidly**  
15 **addressing school safety issues that arise and a requirement that**  
16 **each parent or legal guardian of a pupil enrolled in the school**  
17 **district, intermediate school district, or public school academy is**  
18 **notified of any meetings held by the school-crisis team.**

19 (4) A school district, intermediate school district, or public  
20 school academy that adopts and implements a statewide school safety  
21 information policy under section 1308 that meets the requirements  
22 under subsection (3) is in compliance with subsection (2).

23 (5) A school district, intermediate school district, or public  
24 school academy shall provide notice to the department of a  
25 completed emergency operations plan review under subsection (1) not  
26 later than 30 days after the completion of the review, in a form  
27 and manner prescribed by the department. A school district,  
28 intermediate school district, or public school academy shall also  
29 provide notice to the department of the adoption **or update** of an

1 emergency operations plan under subsection (2) not later than 30  
2 days after the adoption **or update** of the emergency operations plan,  
3 in a form and manner prescribed by the department.

4 (6) At least annually, the department shall provide to the  
5 office of school safety within the department of state police a  
6 list of each school district, intermediate school district, or  
7 public school academy that has not developed and adopted **or updated**  
8 an emergency operations plan under subsection (2).

9 (7) The office of school safety within the department of state  
10 police shall coordinate with a law enforcement agency that has  
11 jurisdiction over a school district, intermediate school district,  
12 or public school academy that has not developed and adopted **or**  
13 **updated** an emergency operations plan under subsection (2) to notify  
14 the governing body of the school district, intermediate school  
15 district, or public school academy that the school district,  
16 intermediate school district, or public school academy has not  
17 developed and adopted **or updated** an emergency operations plan.

18 (8) An emergency operations plan developed and adopted **or**  
19 **updated** under subsection (2), any information provided to the  
20 department under subsection (5), and any information provided to  
21 the department of state police under subsection (6) is confidential  
22 and is exempt from disclosure under the freedom of information act,  
23 1976 PA 442, MCL 15.231 to 15.246.

24 (9) As used in this section, "school building" means any of  
25 the following:

26 (a) A building intended to be used to provide instruction for  
27 pupils, including an addition to an existing building.

28 (b) A recreational or athletic structure or field intended to  
29 be used by pupils.