

HOUSE BILL NO. 4314

March 21, 2023, Introduced by Reps. Meerman, BeGole, Prestin, Alexander, Johnsen, Rigas, DeBoyer, Wozniak, Thompson and Jaime Greene and referred to the Committee on Judiciary.

A bill to create the school safety guardian program; to provide for the certification and recertification of certain individuals as school guardians; to require the promulgation of rules; and to provide for the powers and duties of certain state and local governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "school safety guardian
2 program act".

3 Sec. 3. As used in this act:

1 (a) "Department" means the department of state police.

2 (b) "Licensed psychologist" means a doctoral-level
3 psychologist licensed under section 18223(1) of the public health
4 code, 1978 PA 368, MCL 333.18223.

5 (c) "Local law enforcement agency" means the police department
6 of the city, village, or township, or if none, the county sheriff
7 of the county, in which the school is located.

8 (d) "Program" means the school safety guardian program
9 described under section 5.

10 (e) "School" means a public school, nonpublic school, or
11 public school academy as those terms are defined in section 5 of
12 the revised school code, 1976 PA 451, MCL 380.5.

13 (f) "School board" means the governing body of a local school
14 district unless clearly otherwise stated.

15 (g) "School guardian" means either of the following
16 individuals trained and certified in accordance with this act:

17 (i) A school employee or personnel, including a teacher, who
18 volunteers to serve as a school guardian in addition to the school
19 employee or personnel or teacher's official job duties.

20 (ii) An employee of a school who is hired for the specific
21 purpose of serving as a school guardian.

22 Sec. 5. (1) Not later than 90 days after the effective date of
23 this act, each local law enforcement agency shall develop a school
24 safety guardian program for the purpose of training school
25 guardians to aid in the prevention or abatement of an active
26 assailant incident on a school premises.

27 (2) A school board may vote to implement the program which
28 would allow the school to opt into the program.

29 Sec. 7. (1) A candidate for a school guardian must do all of

1 the following:

2 (a) Successfully complete a 144-hour training program that
3 consists of at least all of the following:

4 (i) 8 hours of instruction in defensive tactics.

5 (ii) 12 hours of instruction in legal issues.

6 (iii) 16 hours of instruction in precision pistol.

7 (iv) 8 hours of discretionary shooting instruction using state-
8 of-the-art simulator exercises.

9 (v) 8 hours of instruction in active shooter or assailant
10 scenarios.

11 (b) Pass a psychological evaluation administered by a licensed
12 psychologist designated by the department and submit the result of
13 that psychological evaluation to the applicable local law
14 enforcement agency.

15 (c) Submit to and pass an initial drug test.

16 (d) Successfully complete weapon inspection and firearm
17 qualification.

18 (2) An individual certified as a school guardian has no
19 authority to act in any law enforcement capacity, except to the
20 extent necessary to prevent or abate an active assailant incident.

21 Sec. 9. (1) The department, in conjunction with local law
22 enforcement agencies, shall promulgate rules that establish the
23 minimum standards for the school guardian training described under
24 section 5.

25 (2) The rules promulgated pursuant to this section must
26 include, but are not limited to, all of the following:

27 (a) Requirements for random drug testing for school guardians.

28 (b) Continuing training that includes, but is not limited to,
29 training on defensive tactics, legal issues, precision pistol,

1 discretionary shooting, or active shooter or assailant scenarios.

2 (c) Weapon inspection and firearm qualification on at least an
3 annual basis.

4 (d) Requirements for certification and recertification.

5 (3) A local law enforcement agency shall do all of the
6 following:

7 (a) Provide the training required under this act.

8 (b) Issue a school guardian certificate to an individual who
9 meets the requirements of this act.

10 (c) Maintain documentation of weapon and equipment
11 inspections, training, certification, and qualification record of
12 each school guardian certified under this act.

13 Sec. 11. A school guardian must be recertified on an annual
14 basis. Expenses incurred by a local law enforcement agency to
15 recertify a school guardian are eligible for reimbursement by this
16 state.