



Educational Service Center

4228 Two Mile Road
Bay City, MI 48706-2324
Phone: 989.686.4410
Fax: 989.667.3286

School Safety Legislation: Self-Reporting Requirements

As a reminder, these laws also require that anyone who is employed by the Manistee ISD in any capacity or working “regularly and continuously under contract” is required to report to the MISD when he or she is charged with, or convicted of, certain crimes.

Charges

If you are charged with a crime listed below you must report, on a specific form, to the Superintendent of the MISD and the Michigan Department of Education that you have been charged (see Arraignment Disclosure Form on the Manistee Intermediate School Districts website under Human Resource items). This report must be made within three (3) business days after being arraigned for the crime. It will be kept in your personnel file. If you submit a report that you have been charged with a crime, as required under the law, and you are subsequently not convicted of any crime after the completion of judicial proceedings resulting from that charge, then you may request the Michigan Department of Education and the MISD to delete the report from its records concerning the crime. You must a written request along with documentation verifying that you were not convicted of any crime and the report shall be deleted from your personnel file. MCL 380.1230d(1)

Convictions

If you enter a plea of guilty or no contest to, or are the subject of a finding of guilt by a judge or jury, of any crime after having been initially charged with a crime listed below, the statute requires you to immediately submit to the court a form which discloses to the court that you are employed by a school district. The statute also requires you to immediately provide a copy of the form to the prosecuting attorney in charge of the case, to the Superintendent of the MISD and the Michigan Superintendent of Public Instruction.

Failure to Report

The failure to report as required is, itself, a crime, which may subject an employee to disciplinary action, up to and including termination of employment.

List of Crimes

These reporting requirements apply if you are charged with any of the following crimes, and if you are convicted of any crime after being initially charged with any of the following crimes: MCL 380.1535a

1. Any Felony.
2. Any of the following misdemeanors:
 - Criminal sexual conduct in the fourth degree or an attempt to commit criminal sexual conduct in the fourth degree.
 - Child abuse in the third or fourth degree or an attempt to commit child abuse in the third or fourth degree.
 - A misdemeanor involving cruelty, torture, or indecent exposure involving a child.
 - A misdemeanor violation of Section 7410 of the Public Health Code, 1978 PA 368, MCL 333.7410.
 - A violation of Section 115,141a,145a,335a, or 359 of the Michigan Penal Code, 1931 PA 328, MCL 750.115, 750.141a, 750.145a, 750.335a, and 750.359, or a misdemeanor violation of Section 81, 81a, or 145d of the Michigan Penal Code, 1931 PA 328, MCL 750.81a, and 750.145d.
 - A misdemeanor violation of section 701 of the Michigan Liquor Control Penal Code, 1998, 1998 PA 58, MCL 436.1701.
3. Any misdemeanor that is one of the following “listed offenses:”
 - A violation of Section 145a, 145b, or 145c of the Michigan Penal Code, 1931 PA 328, MCL 750.145a, 750.145b, and 750.145c;
 - A violation of Section 158 of the Michigan Penal Code, 1931 PA 328, MCL 750.158, if a victim is an individual less than 18 years of age;
 - A violation of Section 335a(2)(b) of the Michigan Penal Code, 1931 PA 328, MCL 750.335a, if that individual was previously convicted of violating Section 335a of that Act.
 - A third or subsequent violation of any combination of the following:
 - Section 167(1)(f) of the Michigan Penal Code, 1931 PA 328, MCL 750.167.





Educational Service Center

4228 Two Mile Road
Bay City, MI 48706-2324
Phone: 989.686.4410
Fax: 989.667.3286

- Section 335a of the Michigan Penal Code, 1931 PA 328, MCL 750.335a
 - A local ordinance of a municipality substantially corresponding to a section described in sub-subparagraph (i) or (ii).
 - Except for a juvenile disposition or adjudication, a violation of Section 338, 338a, or 338b of the Michigan Penal Code, 1931 PA 328, MCL 750.338, 750.338a, and 750.338b, if a victim is an individual less than 18 years of age
 - A violation of Section 349 of the Michigan Penal Code, 1931 PA 328, MCL 750.349, if a victim is an individual less than 18 years of age
 - A violation of Section 350 of the Michigan Penal Code, 1931 PA 328, MCL 750.350.
 - A violation of Section 448 of the Michigan Penal Code, 1931 PA 328, MCL 750.448, if a victim is an individual less than 18 years of age
 - A violation of Section 455 of the Michigan Penal Code, 1931 PA 328, MCL 750.455.
 - A violation of Section 520b, 520c, 520d, 520e, or 520g of the Michigan Penal Code, 1931 PA 328, MCL 750.520b, 750.520c, 750.520d, 750.520e, and 750.520g
 - Any other violation of the law of this state or local ordinance of a municipality that by its nature constitutes a sexual offense against an individual who is less than 18 years of age.
 - An offense committed by a person who was, at the time of the offense, a sexually delinquent person as defined in Section 10a of the Michigan Penal Code, 1931 PA 328, MCL 750.140a.
 - An attempt or conspiracy to commit an offense described in subparagraphs (a) to (l).
 - An offense substantially similar to an offense described in terms (a) to (l) under a law of the United States, any state, or any country or under tribal or military law.
4. A violation of a substantially similar law of another state of a political subdivision of this state or another state, or of the United States.

You may access the full text of any of these laws at www.legislature.mi.gov.

[1] Anyone working “regularly and continuously under contract” meet the definition of a contracted person who would need to comply with this statutory regulation.





Educational Service Center

4228 Two Mile Road
Bay City, MI 48706-2324
Phone: 989.686.4410
Fax: 989.667.3286

Charge/Arrest Disclosure Form

A copy of this form must be provided to the Bay-Arenac ISD District Human Resources Department and to the Michigan Department of Education by the employee within three (3) business days of the charge and/or arraignment referenced below. Please print

Name _____ Date of Birth _____

Address _____

School Name/District: _____

Position: _____

Date of Arrest/Charge _____

Pursuant to Section 380.1230d of the Revised School Code, I hereby disclose that I was arraigned on the aforementioned date for the criminal offense of

_____ in _____ Court, located in the State of _____, County of _____

In signing this form, I acknowledge that I understand that failure to disclose this information is a violation of [Section 380.1230d](#) and can result in action being taken relative to my certification and/or employment and could result in an additional felony or misdemeanor charge against me.

In signing this form, I acknowledge that I understand that should I be convicted of or plead or nolo contendere (no contest) or am the subject of a finding of guilt by a judge or jury, it is my responsibility to disclose to the court that I am employed by the Bay-Arenac Intermediate School District. I also understand that if I am subsequently not convicted of any crime after the completion of judicial proceedings resulting from that charge, I must request, in writing, that the Michigan Department of Education and the Bay-Arenac Intermediate District delete the report from my records.

Signature: _____ Date: _____

Also, you are required to send a copy of this form to:

MDE-Professional-Practice@Michigan.gov

