



CHIPPEWA VALLEY SCHOOLS

19120 Cass Avenue, Clinton Township, MI 48038
(586)-723-2000 FAX (586) 723-2001

"Chippewa Valley Schools...preparing students today for the challenges of tomorrow"

Ronald R. Roberts
Superintendent

To: All Employees:

Welcome to the 2013-14 school year. Chippewa Valley Schools is a great place to work. The success of the organization is mostly due to your efforts. Chippewa Valley Schools has a long and storied tradition of providing a high quality educational service as a result of a focus on doing what is best for students.

The work that each of you perform every day is very important in contributing to the successful learning environment provided to all of our 16,000+ students whether it be, for example; to keep our facilities clean and presentable, our offices efficient and friendly, our classrooms exciting and rewarding, our transportation services safe and reliable, our athletic programs competitive, or our lunchrooms relaxing and inviting. Each of you know what is expected and what you are responsible for as it relates to the job you were hired to perform and your conduct and performance on the job.

You are accountable for what is expected in your daily assignments, such as, but not limited to, the duties of your job, the respectful and dignified manner in which you interact with others, customer service, following established procedures, and your attendance at work. If, however, a situation develops in which it is thought you are not conducting yourself as expected, your supervisor may discuss the issue with you and/or Human Resources may contact you to meet to discuss the issue. In either case, expectations will be clarified and you will be provided support.

Human Resources is here to assist employees in a variety of ways whether it be to provide support when life events occur, initiating changes in payroll, assisting employees who are injured while working, coaching and counseling employees who experience challenges on the job, clarifying expectations, fostering accountability or to just be a friendly voice on the phone helping answer questions.

May this upcoming year bring each of you rewarding experiences on the job.

Welcome Back!

Please read the following policies and procedures.

- **Customer Service:** Employees are expected to display good customer service in their jobs in a manner that provides a quality experience to students, staff, parents, and the community. The district's focus is that employees are courteous, respectful, friendly, and welcoming in interactions with students, staff, parents, and the community. Being professional in dress and having a good attitude enhances good customer service.
- **Wellness:** Programs will be made available for employees to learn about healthy life styles. Employees are encouraged to consider taking advantage of these programs.
- **Attendance:** Employees are expected to be at work regularly and on time. Sick time is to be used for illness of the employee or care of an immediate family member who is ill. A Family Medical Leave or a Family Care leave can be requested by contacting Human Resources.

Three day Sick Absences (Clerical, Paraprofessionals , Support Employees):

These groups of employees are to submit medical documentation; or a reason in writing to Human Resources for (3) three consecutive sick day absences no later than the day they return to work. Medical documentation can be faxed to (586)723-2091 or email to Ruth Wilson @RWilson@CVS.K12.MI.US. Employees who do not comply with this expectation may be subject to progressive discipline.

Personal Business Days: Employees who accrue sick leave days may use up to ten (10) days of accumulated or credited sick leave annually when approved as Personal business days. Personal business days must be requested one week in advance unless an emergency prevents this timely request. An employee will need to provide a reason in AESOP when requesting more than three (3) consecutive Personal Business days. Personal Business days may only be used for absences which requires the presence of the employee at affairs that cannot be arranged or handled at a time other than during the regularly scheduled workday.

Emergency Personal Business (EPB) Days: The use of personal business days when requested with less than one week notice is considered an emergency (EPB). The reason for the PB must be of an emergency nature. If it is determined the reason was not an emergency, the PB time will be disapproved and the absence will be unpaid. Employees are required to enter a reason in AESOP when requesting EPB. If an employee needs to provide documentation, the request will be by email from their administrator. If a reason is not provided or documentation is not provided when requested the personal business time may be disapproved and the absence will be unpaid.

Employees who report an emergency personal business absence through the 1-800-AESOP telephone number must provide a reason by email to their administrator no later than the day they return to work. Their administrator may request documentation. If a reason is not provided by email or

documentation is not provided when requested, the EP time may be disapproved and the absence will be unpaid.

Unpaid Absences: Employees who are absent and do not have accrued sick time must submit to Human Resources in writing a detailed explanation, with supporting documentation to request an unpaid leave of absence. In addition, the employee is to report the absence in AESOP.

Reporting Absences in AESOP: Employees are required to report all absences in AESOP. Hourly employees (with exception of hospitalization) are also required to report absences on the employee's timesheet. Absences should be reported in a timely manner, and no later than two (2) hours prior to the employee's scheduled start time.

Employees should only call the substitute coordinator to report an absence after the required reporting time or in an emergency that does not allow the employees to call or report the absences in AESOP.

Employees will be held accountable for failure to report absences in AESOP/Timesheet, in the required manner for sick/PB, EPB absences, excessive use of EPB, and off payroll absences that are not approved. Failure to provide a reason with an emergency personal business request, request an unpaid leave of absence or any recurring pattern of non-FMLA sick leave use and not reporting absences in AESOP will be referred to Human Resources as they occur.

- **Card Access:** HR issues new access swipe cards, changes of access levels to current cards and replaces lost, stolen, or damaged cards. Problems with cards not working need to be made by submitting an e-mail to Vmarchione@cvs.k12.us.mi.

If employees have a lost, damaged, or had their card stolen they should contact Dawn Leone or Ruth Wilson immediately by phone (586) 723-2097 or 723-2101 or email dleone@cvs.k12.mi.us, rwilson@cvs.k12.mi.us so that the card can be deactivated. Employees will be responsible for reporting lost cards. The cost for replacements cards are \$10 and can be paid by cash, check or payroll deduction. The replacement card will be issued upon receipt of the employee's payment.

Retirements/Resignations – If an employee resigns or retirees they must send their access swipe card to the HR department for deactivation on the last date worked. If a retired/resigned employee fails to return their access card to HR a \$10 replacement fee will be deducted from the employee's last paycheck.

- **Appropriate Use of District Email:** On occasion employees may receive email communications that contain inappropriate material. Employees are advised to delete these types of emails and not forward them to anyone. Employees are also encouraged to report receipt of inappropriate emails directly to Dr. Michael C. Reeber or the employee can report it confidentially through our ethics point reporting system at www.ethicspoint.com.

Please be reminded there is no guarantee of privacy when using district technology. Employee email and website use is subject to review at any time. E-mail messages are subject to public disclosure. E-mails are for work related purposes and employees are

expected to be professional, respectful, and courteous especially when using e-mail. E-mail messages are stored and retrievable in the system and can be reviewed

- **Fraud Hotline-EthicsPoint:** *EthicsPoint* provides employees with a simple, risk-free way to anonymously and confidentially report activities that may involve criminal, unethical, or otherwise inappropriate behavior relating to financial reporting, fraud, misappropriation of assets or any other improper conduct.

CVS will promptly and discretely address reports submitted via *EthicsPoint*. All reports submitted will be given careful attention, will be fully investigated, and appropriate action will be taken. For more information on how to make a report to *EthicsPoint* click on the following link: <http://www.chippewavalleyschools.org/for-parents/fraud-hotline/>.

- **Social Networking:** Social media, professional networking sites, rapid-fire communications, blog sites, sharing sites, facebook, twitter, and personal websites are all useful technologies. Employees are expected to use good judgment as to what material makes its way online. Employees are expected to maintain a professional image with regards to information posted on these technologies. Often considered a casual and fleeting form of communication, the fact is that everything and anything an employee publishes in electronic media is potentially available to be read by everyone and such utterances can potentially be available forever. Inappropriate employee actions captured via images, posts, or comments can reflect poorly on the professionalism of the employee. Employees communicating with students through these technologies should do so with the utmost caution and for professional purposes only.
- **Worker's Compensation:** If an employee incurs an injury at work he/she should fill out an accident report and submit it to their building administrator/supervisor for signature. The building administrator/supervisor will send it to Ruth Wilson in Human Resources. If medical attention is **not** required the employee may fill out an accident report, mark at the top "For Information Only", submit it to their building administrator/supervisor for signature and the supervisor will send to Ruth Wilson in Human Resources. If medical attention is necessary it is important to contact HR who in turn will call Concentra to authorize treatment. Treatment can be authorized by Ruth Wilson ext. 2101, Dawn Leone ext. 2097 from 7:30-4:30 M-F or Michael Reeber at 313-460-0332 at any time. Accident report forms are located on the Human Resources webpage at http://www.chippewavalleyschools.org/downloads/human_resources/accident_report_for_m.pdf.
- **ADA Accommodations:** In compliance with the requirements of the Americans with Disabilities Act (ADA), CVS will provide reasonable accommodation for health related issues which may impact an employee's ability to perform the necessary and essential functions of their job. Reasonable accommodation is considered to be accommodation which would not impose an undue hardship upon CVS or its activities and responsibilities. To request a reasonable accommodation please fill out the ADA request form located on the Human Resources Webpage under For Staff Forms.

- **School Safety Initiative (SSI)**: The following is provided as an annual notice of an obligation that we as school employees have pursuant to the School Safety Initiative (SSI) that was enacted into law in January 2006. The SSI requires that all school district employees, within three (3) business days of being charged and/or arraigned on certain crimes (click on the following link for a listing of crimes; Exhibit A-the employee must report the crime and cannot work in public schools, Exhibit B and C-the employee must report the crime, Exhibit D-nullification of teaching certification) <http://www.cvs.k12.mi.us/hr/Listed%20crimes.pdf>, file a report with the Michigan Department of Education and the Chippewa Valley Schools. A form has been developed for this purpose and is located on the Human Resources Webpage at <http://www.cvs.k12.mi.us/hr/Charge-Arraignform.pdf>.

Please be advised in the event an employee fails to disclose having been charged and/or arraigned on certain crimes, and the crime involved in the underlying violation is a misdemeanor or a felony, that employee may be charged with an additional felony, or misdemeanor. In addition, any employee who fails to disclose any crime listed in exhibit A, B, or C will be discharged from her/his employment.

Please also be advised that after an employee discloses that (s)he has been charged and/or arraigned and that employee is subsequently not convicted of the crime after the completion of judicial proceedings resulting from that charge, the employee may request the Michigan Department of Education and the Chippewa Valley Schools to delete the report from its records. Upon receipt of the request and documentation verifying that the employee was not convicted, the report shall be deleted from the records. It is, however, the employee's obligation to request the deletion of the report and to provide the documentation.

Employees should be further advised that pursuant to the SSI, in the event he/she is charged and/or arraigned on certain crimes he/she will be required to disclose to the court that he/she is a school employee and the court or the prosecuting attorney in charge of the case are required to notify the Superintendent of Public Instruction and the Superintendent of the Chippewa Valley Schools.

- **SafeSchools**: The following link is to the district's online training tutorial software which has a variety of topics. <http://chippewavalleyschools.mi.safeschools.com> Employees are encouraged to view the various tutorials. **All employees** with the potential of exposure are required to view the bloodborne pathogens and hazardous chemical trainings.

SafeSchools Bloodborne Pathogens course introduces the type, statistics and scope of the disease; guidelines for the cleanup and handling of potentially infectious wastes or contaminated materials; the risks associated with workers exposed to BBPs (including vaccination and reporting information); and delivers training designed to emphasize the practices of proper exposure control. The course contains specific references to OSHA regulation 29 CFR 1910.1030 with Internet links to the OSHA and CDC web sites.

SafeSchools Hazardous Chemical training gives practical suggestions on how to implement the Hazard Communications Standard for the public sector, how to

determine hazard classifications, how to interpret a Material Safety Data Sheet and procedures of Hazard Communications as presented in OSHA regulation 29 CFR 1910.1200 or 29CFR 1926.59. Contains three interactive scenarios, reference materials, case studies and hazardous communications forms.

Attached are directions to assist you in logging into the software and viewing these tutorials.



Instructions for
SafeSchools -...

- **District Policies:** Below is a listing of district policies with accompanying links that you are encouraged to review. You may review all district policies at www.chippewavalleyschools.org.

POLICIES

- Acceptable Use Policy: <http://www.cvs.k12.mi.us/tiz/AUP/AcceptableUsePolicy2011-final.pdf>
- Confidentiality: <http://www.neola.com/chippewavalley-mi/search/policies/po8350.htm>
- Corporal Punishment: <http://www.neola.com/chippewavalley-mi/search/policies/po5630.htm>
- Sexual and Other Forms of Harassment: <http://www.neola.com/chippewavalley-mi/search/policies/po5517.htm>
- Harassment of Staff or Applicants: Classified: <http://www.neola.com/chippewavalley-mi/search/policies/po4362.htm> and Professional: <http://www.neola.com/chippewavalley-mi/search/policies/po3362.htm>
- Substance Abuse: Classified: <http://www.neola.com/chippewavalley-mi/search/policies/po4170.htm> and Professional: <http://www.neola.com/chippewavalley-mi/search/policies/po3170.htm>
- Nondiscrimination and Equal Employment Opportunity: Classified: <http://www.neola.com/chippewavalley-mi/search/policies/po4122.htm> and Professional: <http://www.neola.com/chippewavalley-mi/search/policies/po3122.htm>
- Conflict of Interest: <http://www.neola.com/chippewavalley-mi/search/policies/po1130.htm>
- Staff Ethics: <http://www.neola.com/chippewavalley-mi/search/policies/po3210.htm>
- Drug Free Workplace: Classified: <http://www.neola.com/chippewavalley-mi/search/policies/po4122.01.htm> and Professional: <http://www.neola.com/chippewavalley-mi/search/policies/po3122.01.htm>
- Student Supervision and Welfare/Well-being: Classified: <http://www.neola.com/chippewavalley-mi/search/policies/po4213.htm> and Professional: <http://www.neola.com/chippewavalley-mi/search/policies/po3213.htm>
- Outside activities: Classified: <http://www.neola.com/chippewavalley-mi/search/policies/po4231.htm> and Professional: <http://www.neola.com/chippewavalley-mi/search/policies/po3231.htm>

- Smoking Policy: Classified: <http://www.neola.com/chippewavalley-mi/search/policies/po4215.htm> and Professional: <http://www.neola.com/chippewavalley-mi/search/policies/po3215.htm>
- Bullying: <http://www.neola.com/chippewavalley-mi/search/policies/po5517.01.htm>
- Student Relations; Senate Bill 1127: (attached)

Act No. 714
Public Acts of 2002
Approved by the Governor
December 30, 2002
Filed with the Secretary of State
December 30, 2002
EFFECTIVE DATE: April 1, 2003

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2002**

Introduced by Senators Emmons, Hammerstrom and Johnson

ENROLLED SENATE BILL No. 1127

AN ACT to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending sections 520a, 520b, 520c, 520d, and 520e (MCL 750.520a, 750.520b, 750.520c, 750.520d, and 750.520e), sections 520a and 520e as amended by 2000 PA 505, section 520b as amended by 1983 PA 158, section 520c as amended by 2000 PA 227, and section 520d as amended by 1996 PA 155.

The People of the State of Michigan enact:

Sec. 520a. As used in this chapter:

- (a) "Actor" means a person accused of criminal sexual conduct.
- (b) "Developmental disability" means an impairment of general intellectual functioning or adaptive behavior which meets the following criteria:
 - (i) It originated before the person became 18 years of age.
 - (ii) It has continued since its origination or can be expected to continue indefinitely.
 - (iii) It constitutes a substantial burden to the impaired person's ability to perform in society.
 - (iv) It is attributable to 1 or more of the following:
 - (A) Mental retardation, cerebral palsy, epilepsy, or autism.
 - (B) Any other condition of a person found to be closely related to mental retardation because it produces a similar impairment or requires treatment and services similar to those required for a person who is mentally retarded.
- (c) "Intimate parts" includes the primary genital area, groin, inner thigh, buttock, or breast of a human being.
- (d) "Mental health professional" means that term as defined in section 100b of the mental health code, 1974 PA 258, MCL 330.1100b.
- (e) "Mental illness" means a substantial disorder of thought or mood which significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life.
- (f) "Mentally disabled" means that a person has a mental illness, is mentally retarded, or has a developmental disability.
- (g) "Mentally incapable" means that a person suffers from a mental disease or defect which renders that person temporarily or permanently incapable of appraising the nature of his or her conduct.
- (h) "Mentally incapacitated" means that a person is rendered temporarily incapable of appraising or controlling his or her conduct due to the influence of a narcotic, anesthetic, or other substance administered to that person without his or her consent, or due to any other act committed upon that person without his or her consent.
- (i) "Mentally retarded" means significantly subaverage general intellectual functioning which originates during the developmental period and is associated with impairment in adaptive behavior.

- (j) "Nonpublic school" means that term as defined in section 5 of the revised school code, 1976 PA 451, MCL 380.5.
- (k) "Physically helpless" means that a person is unconscious, asleep, or for any other reason is physically unable to communicate unwillingness to an act.
- (l) "Personal injury" means bodily injury, disfigurement, mental anguish, chronic pain, pregnancy, disease, or loss or impairment of a sexual or reproductive organ.
- (m) "Public school" means that term as defined in section 5 of the revised school code, 1976 PA 451, MCL 380.5.
- (n) "Sexual contact" includes the intentional touching of the victim's or actor's intimate parts or the intentional touching of the clothing covering the immediate area of the victim's or actor's intimate parts, if that intentional touching can reasonably be construed as being for the purpose of sexual arousal or gratification, done for a sexual purpose, or in a sexual manner for:
 - (i) Revenge.
 - (ii) To inflict humiliation.
 - (iii) Out of anger.
- (o) "Sexual penetration" means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body, but emission of semen is not required.
- (p) "Victim" means the person alleging to have been subjected to criminal sexual conduct.

✓ Sec. 520b. (1) A person is guilty of criminal sexual conduct in the first degree if he or she engages in sexual penetration with another person and if any of the following circumstances exists:

- (a) That other person is under 13 years of age.
- ✓ (b) That other person is at least 13 but less than 16 years of age and any of the following:
 - (i) The actor is a member of the same household as the victim.
 - (ii) The actor is related to the victim by blood or affinity to the fourth degree.
 - (iii) The actor is in a position of authority over the victim and used this authority to coerce the victim to submit.
 - ✓ (iv) The actor is a teacher, substitute teacher, or administrator of the public or nonpublic school in which that other person is enrolled.
- (c) Sexual penetration occurs under circumstances involving the commission of any other felony.
- (d) The actor is aided or abetted by 1 or more other persons and either of the following circumstances exists:
 - (i) The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.
 - (ii) The actor uses force or coercion to accomplish the sexual penetration. Force or coercion includes but is not limited to any of the circumstances listed in subdivision (f)(i) to (v).
- (e) The actor is armed with a weapon or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a weapon.
- (f) The actor causes personal injury to the victim and force or coercion is used to accomplish sexual penetration. Force or coercion includes but is not limited to any of the following circumstances:
 - (i) When the actor overcomes the victim through the actual application of physical force or physical violence.
 - (ii) When the actor coerces the victim to submit by threatening to use force or violence on the victim, and the victim believes that the actor has the present ability to execute these threats.
 - (iii) When the actor coerces the victim to submit by threatening to retaliate in the future against the victim, or any other person, and the victim believes that the actor has the ability to execute this threat. As used in this subdivision, "to retaliate" includes threats of physical punishment, kidnapping, or extortion.
 - (iv) When the actor engages in the medical treatment or examination of the victim in a manner or for purposes which are medically recognized as unethical or unacceptable.
 - (v) When the actor, through concealment or by the element of surprise, is able to overcome the victim.
- (g) The actor causes personal injury to the victim, and the actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.
- (h) That other person is mentally incapable, mentally disabled, mentally incapacitated, or physically helpless, and any of the following:
 - (i) The actor is related to the victim by blood or affinity to the fourth degree.
 - (ii) The actor is in a position of authority over the victim and used this authority to coerce the victim to submit.
- ✓ (1) Criminal sexual conduct in the first degree is a felony punishable by imprisonment in the state prison for life or for any term of years.

✓ Sec. 520c. (1) A person is guilty of criminal sexual conduct in the second degree if the person engages in sexual contact with another person and if any of the following circumstances exists:

- (a) That other person is under 13 years of age.
- ✓(b) That other person is at least 13 but less than 16 years of age and any of the following:
 - (i) The actor is a member of the same household as the victim.
 - (ii) The actor is related by blood or affinity to the fourth degree to the victim.
 - (iii) The actor is in a position of authority over the victim and the actor used this authority to coerce the victim to submit.
- ✓(c) The actor is a teacher, substitute teacher, or administrator of the public or nonpublic school in which that other person is enrolled.
 - (e) Sexual contact occurs under circumstances involving the commission of any other felony.
 - (d) The actor is aided or abetted by 1 or more other persons and either of the following circumstances exists:
 - (i) The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.
 - (ii) The actor uses force or coercion to accomplish the sexual contact. Force or coercion includes, but is not limited to, any of the circumstances listed in sections 520b(1)(f)(i) to (v).
 - (e) The actor is armed with a weapon, or any article used or fashioned in a manner to lead a person to reasonably believe it to be a weapon.
 - (f) The actor causes personal injury to the victim and force or coercion is used to accomplish the sexual contact. Force or coercion includes, but is not limited to, any of the circumstances listed in section 520b(1)(f)(i) to (v).
 - (g) The actor causes personal injury to the victim and the actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.
- (h) That other person is mentally incapable, mentally disabled, mentally incapacitated, or physically helpless, and any of the following:
 - (i) The actor is related to the victim by blood or affinity to the fourth degree.
 - (ii) The actor is in a position of authority over the victim and used this authority to coerce the victim to submit.
 - (i) That other person is under the jurisdiction of the department of corrections and the actor is an employee or a contractual employee of, or a volunteer with, the department of corrections who knows that the other person is under the jurisdiction of the department of corrections.
 - (j) That other person is under the jurisdiction of the department of corrections and the actor is an employee or a contractual employee of, or a volunteer with, a private vendor that operates a youth correctional facility under section 20g of 1953 PA 232, MCL 791.220g, who knows that the other person is under the jurisdiction of the department of corrections.
 - (k) That other person is a prisoner or probationer under the jurisdiction of a county for purposes of imprisonment or a work program or other probationary program and the actor is an employee or a contractual employee of or a volunteer with the county or the department of corrections who knows that the other person is under the county's jurisdiction.
 - (l) The actor knows or has reason to know that a court has detained the victim in a facility while the victim is awaiting a trial or hearing, or committed the victim to a facility as a result of the victim having been found responsible for committing an act that would be a crime if committed by an adult, and the actor is an employee or contractual employee of, or a volunteer with, the facility in which the victim is detained or to which the victim was committed.

✓(m) Criminal sexual conduct in the second degree is a felony punishable by imprisonment for not more than 15 years.

✓Sec. 520d. (1) A person is guilty of criminal sexual conduct in the third degree if the person engages in sexual penetration with another person and if any of the following circumstances exist:

- (a) That other person is at least 13 years of age and under 16 years of age.
- (b) Force or coercion is used to accomplish the sexual penetration. Force or coercion includes but is not limited to any of the circumstances listed in section 520b(1)(f)(i) to (v).
- (c) The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.
- (d) That other person is related to the actor by blood or affinity to the third degree and the sexual penetration occurs under circumstances not otherwise prohibited by this chapter. It is an affirmative defense to a prosecution under this subdivision that the other person was in a position of authority over the defendant and used this authority to coerce the defendant to violate this subdivision. The defendant has the burden of proving this defense by a preponderance of the evidence. This subdivision does not apply if both persons are lawfully married to each other at the time of the alleged violation.

✓(e) That other person is at least 16 years of age but less than 18 years of age and a student at a public or nonpublic school, and the actor is a teacher, substitute teacher, or administrator of that public or nonpublic school. This subdivision does not apply if the other person is emancipated or if both persons are lawfully married to each other at the time of the alleged violation.

✓(2) Criminal sexual conduct in the third degree is a felony punishable by imprisonment for not more than 15 years.

✓Sec. 520e. (1) A person is guilty of criminal sexual conduct in the fourth degree if he or she engages in sexual contact with another person and if any of the following circumstances exist:

(a) That other person is at least 13 years of age but less than 16 years of age, and the actor is 5 or more years older than that other person.

(b) Force or coercion is used to accomplish the sexual contact. Force or coercion includes, but is not limited to, any of the following circumstances:

(i) When the actor overcomes the victim through the actual application of physical force or physical violence.

(ii) When the actor coerces the victim to submit by threatening to use force or violence on the victim, and the victim believes that the actor has the present ability to execute that threat.

(iii) When the actor coerces the victim to submit by threatening to retaliate in the future against the victim, or any other person, and the victim believes that the actor has the ability to execute that threat. As used in this subparagraph, "to retaliate" includes threats of physical punishment, kidnapping, or extortion.

(iv) When the actor engages in the medical treatment or examination of the victim in a manner or for purposes which are medically recognized as unethical or unacceptable.

(v) When the actor achieves the sexual contact through concealment or by the element of surprise.

(c) The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.

(d) That other person is related to the actor by blood or affinity to the third degree and the sexual contact occurs under circumstances not otherwise prohibited by this chapter. It is an affirmative defense to a prosecution under this subdivision that the other person was in a position of authority over the defendant and used this authority to coerce the defendant to violate this subdivision. The defendant has the burden of proving this defense by a preponderance of the evidence. This subdivision does not apply if both persons are lawfully married to each other at the time of the alleged violation.

(e) The actor is a mental health professional and the sexual contact occurs during or within 2 years after the period in which the victim is his or her client or patient and not his or her spouse. The consent of the victim is not a defense to a prosecution under this subdivision. A prosecution under this subsection shall not be used as evidence that the victim is mentally incompetent.

✓(1) That other person is at least 16 years of age but less than 18 years of age and a student at a public or nonpublic school, and the actor is a teacher, substitute teacher, or administrator of that public or nonpublic school. This subdivision does not apply if the other person is emancipated or if both persons are lawfully married to each other at the time of the alleged violation.

✓(2) Criminal sexual conduct in the fourth degree is a misdemeanor punishable by imprisonment for not more than 2 years or a fine of not more than \$500.00, or both.

Enacting section 1. This amendatory act takes effect April 1, 2003.

Carol Morey Viventi

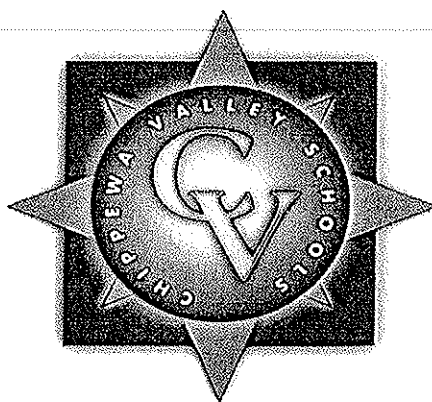
Secretary of the Senate.

Jay E. Randall

Clerk of the House of Representatives.

Approved _____

Governor.



Instructions for SafeSchools.Com Online Safety Training

How to log on to the online training program:

1. Using your web browser, go to the web page <http://chippewavalleyschools.mi.safeschools.com>. (No "www" is necessary.)
2. To access your assigned training, enter your username, which follows the following format: first initial and last name (no spaces, lower case). EXAMPLE: David Smith would be dsmith.
3. Your assigned course or courses will be listed on your personal SafeSchools home page under "Mandatory Training".
4. Select any course by simply clicking on the name of the course. The courses have audio so turn up your speakers if you wish to hear the narration. Complete all the training scenarios and the assessment to receive completion credit for the course. You will have the option to print out a Certificate of Completion once you complete the course.

If you have any questions or problems with the site, please contact Ruth at 586-723-2101.

Thank you.