

(i) The actor is a teacher, substitute teacher, administrator, employee, or contractual service provider of the public school, nonpublic school, school district, or intermediate school district from which that other person receives the special education services. This subparagraph does not apply if both persons are lawfully married to each other at the time of the alleged violation.

(ii) The actor is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.

(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.

Given that young people may date individuals 5 or more years older or younger, this crime is particularly important for young people to understand.

2. Resources on Adoption and the Safe Delivery of Newborns

This section is particularly useful for Michigan teachers complying with the requirement that states: (2) Material and instruction in the sex education curriculum under section 1507 that discusses sex shall...(j) Provide information for pupils about how young parents can learn more about adoption services and about the provisions of the safe delivery of newborns law, chapter XII of the probate code of 1939, 1939 PA 288, MCL 712.1 to 712.20. (subsection J of Section 1507b of the Michigan School Code)

Adoption

- Comprehensive information about adoption is available at Michigan's adoption website: www.michigan.gov/adoption
- Adoption Information from the Michigan Department of Health and Human Services: <http://www.michigan.gov/mdhhs>
- "Adopting a Child in Michigan" (Pub823) from Michigan Department of Health and Human Services: <http://www.michigan.gov/mdhhs>
- Updated lists of public and private licensed adoption agencies at the Michigan Adoption Resource Exchange (MARE) website: <http://www.mare.org>

Safe Delivery of Newborns

- Information about Michigan's Safe Delivery law is on the Michigan Department of Health and Human Services website: www.michigan.gov/safedelivery.
- General provisions of the Safe Delivery of Newborns law at the Michigan Department of Health and Human Services website: <http://www.michigan.gov/mdhhs>
- Downloadable information on the safe delivery act targeting teens, as well as young adults, from the Michigan Department of Health and Human Services: <http://www.michigan.gov/mdhhs>

3. Criminal Sexual Conduct

This appendix is particularly useful for Michigan teachers complying with the requirement that states:
 (2) Material and instruction in the sex education curriculum under section 1507 that discusses sex shall...
 (k) Include information clearly informing pupils that having sex or sexual contact with an individual under the age of 16 is a crime punishable by imprisonment and that 1 of the other results of being convicted of this crime is to be listed on the sex offender registry on the internet for up to 25 years. (subsection K of Section 1507b of the Michigan School Code)

Criminal Sexual Conduct

Penetration	OR	Contact	+	Circumstances	=
Sexual intercourse Anal intercourse Cunnilingus Fellatio Object (anal) Object (genital)		Intentional touching of: Groin Genital area Inner thigh Buttock Breast Clothing covering above body parts		<ol style="list-style-type: none"> 1. Victim is under 13 years of age. 2. Victim is 13, 14, or 15 and assailant is a member of household 3. Victim is 13, 14, or 15 and assailant is in a position of authority. 4. Victim is 13, 14, or 15 and assailant is related by blood or affinity. 5. Another felony is committed. 6. Multiple assailants and victim is known to be incapacitated. 7. Multiple assailants and force is used. 8. Assailant is using a weapon. 9. Assailant causes personal injury and force is used. 10. Assailant causes personal injury and victim is incapacitated. 11. Victim is incapacitated and assailant is related by blood or affinity. 12. Victim is incapacitated and assailant is in a position of authority. 13. Victim is 13-15 student at public or non-public school and assailant is teacher or administrator of that school. 14. Victim is a prisoner and assailant is an employee of a prison. 15. Victim is 13, 14, or 15. 16. Force is used. 17. Assailant knows victim is incapacitated. 18. Related by blood or affinity not otherwise covered. 19. Victim is 16-18 student at public or non-public school and assailant is teacher or administrator of that school. 20. Victim is 13, 14, or 15 and assailant is at least 5 years older. 21. Assailant is a mental health professional and victim is a client or patient within 2 years of occurrence. 	
<div> <div> Maximum Sentences <p>1st degree = up to life 2nd degree = up to 15 years 3rd degree = up to 15 years 4th degree = up to 2 years or \$500</p> </div> <div> Degrees of CSC <p>1st degree (felony) = Penetration + any 1 of circumstances 1-13 2nd degree (felony) = Contact + any 1 of circumstances 1-14 3rd degree (felony) = Penetration + any 1 of circumstances 15-19 4th degree (misdemeanor) = Contact + any 1 of circumstances 16-21</p> </div> </div>					

Source: Michigan State Police

4. Michigan Laws Pertaining to Responsibility of Parents For Children Born In and Out of Wedlock

This appendix is particularly useful for Michigan teachers complying with the requirement that states: (2) Material and instruction in the sex education curriculum under section 1507 that discusses sex shall...(d) Advise pupils of the laws pertaining to their responsibility as parents to children born in and out of wedlock. (subsection D of Section 1507b of the Michigan School Code)

Below are excerpts of Michigan statutes related to child abuse, neglect and child support. For the complete language of Michigan Compiled Laws, go to www.michiganlegislature.org. Concerns regarding interpretation should be directed to legal counsel.

Child Protection Law

722.622 Definitions

- (f) **“Child abuse”** means harm or threatened harm to a child’s health or welfare that occurs through nonaccidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment, by a parent, a legal guardian, or any other person responsible for the child’s health or welfare or by a teacher, a teacher’s aide, or a member of the clergy.
- (j) **“Child neglect”** means harm or threatened harm to a child’s health or welfare by a parent, legal guardian, or any other person responsible for the child’s health or welfare that occurs through either of the following:
- (i) Negligent treatment, including the failure to provide adequate food, clothing, shelter, or medical care.
 - (ii) Placing a child at an unreasonable risk to the child’s health or welfare by failure of the parent, legal guardian, or other person responsible for the child’s health or welfare to intervene to eliminate that risk when that person is able to do so and has, or should have, knowledge of the risk.

Support Laws

There are many laws in Michigan that govern the determination of child support, enforcement, and procedure. The Attorney General relies upon the following two criminal statutes to prosecute those who fail to support their children:

- MCL 750.161
- MCL 750.165

750.161 Desertion, abandonment, or refusal or neglect to provide shelter, food, care, and clothing; felony; penalty; bond; probation; failure to comply with conditions in bond; forfeiture of bond; disposition of sums received; continuing offense; proof.

Sec. 161.

(1) A person who deserts and abandons his or her spouse or deserts and abandons his or her children under 17 years of age, without providing necessary and proper shelter, food, care, and clothing for them, and a person who being of sufficient ability fails, neglects, or refuses to provide necessary and proper shelter, food, care, and clothing for his or her spouse or his or her children under 17 years of age, is guilty of a felony, punishable by imprisonment in a state correctional facility for not less than 1 year and not more than 3 years, or by imprisonment in the county jail for not less than 3 months and not more than 1 year

750.165 Refusing to support wife or children as required by court order; violation as felony; penalty; exception; suspension of sentence; bond; “state disbursement unit” or “SDU” defined.

Sec. 165.

(1) If the court orders an individual to pay support for the individual’s former or current spouse, or for a child of the individual, and the individual does not pay the support in the amount or at the time stated in the order, the individual is guilty of a felony punishable by imprisonment for not more than 4 years or by a fine of not more than \$2,000.00, or both.

Sources:

- Michigan Legislature www.michiganlegislature.org

Additional Resources on Child Support:

- Information about Michigan's child support law is on the Michigan Department of Health and Human Services website: www.michigan.gov/childsupport.
- An order form to get free materials related to child support: <http://www.michigan.gov/mdhhs>
- Understanding Child Support: A Handbook for Parents: <http://www.michigan.gov/mdhhs>