

## **Criminal Convictions**

With a focus on educator professional practices, Michigan Compiled Law (MCL) 380.1230d authorizes the fingerprinting of school employees for employment within Michigan K-12 schools and school districts, public and non-public. In addition, MCL 380.1535a authorizes the Superintendent of Public Instruction to take action against Michigan educator certificates for specifically enumerated or listed offenses.

**Conviction for a listed offense requires termination of Michigan K-12 employment and action against the educator's certificate.**

### **Listed Offenses:**

- Accosting, enticing, or soliciting a child for immoral purposes.
- Involvement in child sexually abusive activity or material.
- A third or subsequent violation of any combination of engaging in obscene or indecent conduct in public, indecent exposure, or a local ordinance substantially corresponding to either offense.
- First, second, third, or fourth degree Criminal Sexual Conduct (CSC).
- Assault with intent to commit CSC. If the victim is less than 18 years of age, the crime of gross indecency (except for a juvenile disposition or adjudication), kidnapping, sodomy, or soliciting another for prostitution.
- Leading, enticing, or carrying away a child under 14 years of age.
- Pandering.
- Any other violation of a state law or local ordinance constituting a sexual offense against an individual less than 18 years of age.
- An offense committed by a sexually delinquent person.
- An attempt or conspiracy to commit one of the offenses listed above.

### **Convictions subject to action against an educator certificate:**

- Any Felony.
  - Any of the following misdemeanors:
    - Felonious assault on a child, child abuse in any degree, or an attempt to commit child abuse in any degree.
    - Cruelty, torture, or indecent exposure involving a child.
    - Delivery of a narcotic to a minor or student or within 1,000 feet of school property. (MCL 333.7410)
    - Breaking and entering. (MCL 750.115)
  - Knowingly allowing a minor to consume or possess alcohol or a controlled substance at a social gathering. (MCL 750.141a)
  - Accosting, enticing, or soliciting a child for an immoral purpose. (MCL 750.145a)
  - Larceny from a vacant dwelling. (MCL 750.359)
  - Assault; assault and battery. (MCL 750.81)
  - Assault; infliction of serious injury. (MCL 750.81a)
  - Selling or furnishing alcoholic liquor to a person less than 21 years of age. (MCL 436.33)

**Convictions requiring immediate suspension, upon conviction, of educator certificate:**

- Any crime that is a listed offense.
- Manufacturing/delivering controlled substance. (MCL 7401(2)(a)(i))
- Possession of a controlled substance. (MCL 7403(2)(a)(i))
- Recruiting, inducing, soliciting or coercing minor to commit a felony. (MCL 333.7416)
- Assault with intent to commit murder. (MCL 750.83)
- Assault with intent to rob and steal armed. (MCL 750.89)
- Attempt to murder. (MCL 750.91)
- First degree murder. (MCL 750.316)
- Second degree murder. (MCL 750.317)
- Armed robbery aggravated assault. (MCL 750.529)
- Misdemeanor—Delivery of a narcotic to a minor. (MCL 333.7403)