



October 18, 2016 Workshop  
LEGISLATIVE UPDATE



**MASB**  
MICHIGAN ASSOCIATION  
OF SCHOOL BOARDS



## Current Topics at MDE

- Strategies to help Michigan become a top 10 education state in 10 years
- Michigan's ESSA state plan
  - MDE proposal due in March 2017
  - Student assessment vision
  - Title I, Part A "supplement not supplant" regulations



## Pre-Labor Day Start Waivers

- The school or program is considered a bona fide year-round school or program and receives a waiver if:
  - On the same calendar as an institution of higher education and shares facilities, faculty, or courses
  - Operates on a school calendar that includes a summer break that is not greater than 8 weeks for the first 2 school years and 6 weeks for subsequent school years
  - Identified as a lowest achieving 5% of public schools
  - Has adopted a plan to conduct an extended school calendar
  - As determined by the Superintendent of Public Instruction

# Recent Activity

- Michigan Education Finance Study
- Third-grade reading legislation
- Non-public school reimbursements

# Michigan Education “Equity” Finance Study

- There is a funding disparity between school districts in Michigan and successful districts spend more than their peers.

The base cost expenditures for Notably Successful districts should be used as the per student base cost for Michigan once efficiency screens are applied.

The total base cost for the districts is \$8,667. Only 54 districts meet this standard once efficiency screens are applied.

*The study team found a main correlation between need and performance.  
Districts with low at-risk populations performed better than districts with high at risk populations*

- The study team recommends that funding from state and local sources be available for at-risk and ELL students equivalent to weights of 0.30 for at-risk students and 0.40 for ELL students.

Ensuring that districts have an appropriate level of resources to serve at-risk and ELL students is a vital part of giving all students the opportunity for academic success.

Setting the weights for at-risk and ELL students at 0.30 and 0.40, respectively, would put the weights at the low end of what is recommended in national costing-out studies

- The study team found that the data currently collected made it difficult to analyze differences in costs across the state. If Michigan wishes to further explore regional cost differences, then the state would need to collect targeted data. i.e, the study does not include a separate examination of total special education expenditures per student.

For non-instructional costs, this data could include items such as miles driven by bus, utilities costs, and building capacity utilization rates.

For capital and debt service, detailed data on the types of projects being undertaken would be important

***Our Education system is inequitable, and inequality will continue to grow if it is not addressed.  
Michigan should work to create a more equitable state funding system.***

# Third-Grade Reading Legislation

Public Act 306 of 2016 works to ensure that more pupils will achieve a score of at least proficient in English Language Arts (ELA) on the 3<sup>rd</sup> grade reading assessment through the following:

- Screening, formative, and diagnostic reading assessment systems to screen and diagnose difficulties, inform instruction and intervention needs, and assess progress toward a growth target
- Early literacy coaches
- Individual reading improvement plans for any pupil in grades K to 3 who exhibits a reading deficiency at any time
- Professional development for teachers based on data
- Evidence-based reading intervention programs including parental involvement
- Encouragement of summer reading camps staffed with highly effective teachers of reading
- Retention of pupils enrolled in 3<sup>rd</sup> grade is included with options for good cause exemptions

# Nonpublic School Reimbursements

- The FY 2016-17 State School Aid Act appropriates \$2.5 million from the general fund money to reimburse costs incurred by nonpublic schools for purposes related to education, are considered to be incidental to the operation of a nonpublic school.
- Governor Snyder requested the Michigan Supreme Court to issue an advisory opinion on whether private schools can receive state funding and was denied.
- Payments will be processed as required by law.

# Lame Duck

- Dark Stores
- Sinking funds
- Zero tolerance legislation
- Restraint and Seclusion legislation

# Dark Stores (HB 5578)

- Issue: Large box stores have been appealing their property tax values and arguing that they should be assessed at the value they would have if the store was out of business, and the building shuttered and vacant.
- The tax tribunal has ruled in favor of these stores and cost local governments and schools large amounts of property tax revenue.
- Fix: HB 5578 spells out specific criteria that must be applied in an assessment dispute when determining the true cash value of real or personal property.

# Sinking Funds (HB 4388)

- Expands the use of sinking funds to include school security and technology improvements
  - The maximum millage amount would go from five to three mills.
  - The maximum duration would go from 20 to 10 years.
  - Current sinking funds would be grandfathered in until their specified end date.

# Zero Tolerance Legislation (HB 5618-21 and 5693-95)

- The main bill, HB 5618, would amend all of the zero tolerance sections of law to require that certain factors be given consideration before expelling or suspending a student, including the student's age, disciplinary history and the seriousness of the offense.
- The bills would encourage the use of restorative justice practices before expelling or suspending a student.
- Additional flexibility for state-mandated expulsions is something many districts have desired for years but we have serious concerns with recently added rebuttable presumption language.

# Schoolwide Positive Behavioral Intervention and Support Plans

- HB 5409-5418 were reported out of the House Education Committee and is now before the House of Representatives Committee of the Whole
- The package of bills would direct the MDE to develop a state policy establishing a school wide positive behavioral intervention and support plan which would be adopted by school districts, ISDs, and PSAs.
- This policy would include prohibited practices, appropriate use of emergency seclusion and emergency physical restraint, documentation and reporting requirements, development and implementation of an emergency intervention plan, provisions concerning data collection, and training for teachers, substitute teachers, and key identified personnel.
- The State Board of Education adopted standards for the emergency use of seclusion and restraint in December, 2006

# Find and Track Legislation at [legislature.mi.gov](http://legislature.mi.gov)

The screenshot shows the Michigan Legislative Website homepage. At the top, there is a navigation bar with links for Home, Register, Why Register?, Login, News, and Help. The main content area features a 'Welcome!' message, a news item about fiscal responsibility, and a 'Recent Activity' section listing SB 1122 of 2012. Below this are search tools for legislative bills and Michigan Compiled Laws (MCL), including search boxes for bill numbers, key words, and MCL sections. A 'Legislative Activity' section provides links to various legislative events and documents. The footer contains legal notices and contact information for the Michigan House and Senate.

**MICHIGAN LEGISLATIVE WEBSITE**

Michigan Compiled Laws Complete Through PA 316 & includes 316, 319, 324 & 325 of 2012  
House: Adjourned until Thursday, November 08, 2012 10:00:00 AM  
Senate: Adjourned until Thursday, November 08, 2012 10:00:00 AM

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**Legislature**

**Welcome!**  
A free service of the Michigan Legislative Council, the Michigan House of Representatives, and the Michigan Senate.

The local government fiscal responsibility act, 1990 PA 72, MCL 141.1201 to MCL 141.1291, is reactivated pending the vote of the electors at the November 2012 election.

**NEW** New Michigan Manual! Available for Purchase!

Recent Activity (current news cycle has 2 items)

- SB 1122 of 2012 (PA 0342 of 2012) Health; children; youth athletes; require department to deve... **Last Action: 9/27/2012 - ORDERED ENROLLED**

**Legislative Bill Search**

**Bill Number (current session)**    
(ex. "4001" or "4001-4005")

**Bill Key Word Search (current session)**    
(ex. "environment")

**Michigan Compiled Laws Search**

**MCL Section**    
(ex. "2.29" or "8.40-8.50")

**MCL Key Word Search**    
(ex. "tenant")

**Legislative Activity**

Today's Calendars  
Today's House Meetings  
Today's Senate Meetings  
House Audio/Video  
Senate Audio/Video  
Recent Bill Activity  
Daily Intro/Passed/Enrolled

How do I...  
...get notified when a bill status changes?  
...find a Public Act?  
...find a bill from a prior session?  
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