



MSBO ISD Legislative Update December 21, 2017

Recently Signed Into Law:

HB 4166 (Special Education Hiring Preferences Part II)—This law, just recently signed by the Governor, removes current language requiring ISDs to grant hiring preferences to individuals impacted by the transition of a program from MDE to an ISD or from a local school district to an ISD.

HB 4181 (School Counselor Certification Requirements)— This law, just recently signed by the Governor, requires that school counselors receive professional development on “college preparation and selection counseling” as well as “career counseling” and “military counseling” in order to renew their certificate. (HFA) The law will take effect in two years for current counselors.

Bills Awaiting Governor’s Signature:

HB 5126 (SROs exempt from Seclusion and Restraint Bill)—This bill would exempt “a law enforcement officer assigned to work regularly and continuously under contract or under agreement in a public school” from the recently passed seclusion and restraint law. (HFA)

HB 4054 (Flashing Advisory Signs on Buses)—This bill would allow districts to utilize enhanced lighting systems on the front and rear of school buses to warn drivers to stop. Note that this bill does not *require* such enhancements, but instead *permits* them.

House-Approved Bills:

HB 4069 (Substitute Teacher Requirements)—This bill, which would reduce the number of credits required for an individual to substitute teach from 90 credit hours to 60 credit hours passed the House December 12, 2017 and moves to the Senate.

HB 5092 (3% Match for DC Plan)—This bill would codify into law that the MPSERS defined contribution employer match must be funded from money “appropriated specifically for this purpose and would provide that an employer must not be required to use general operating funds to make these contributions” (HFA). Currently, Sec. 147e provides funding for such contributions. This bill passed the House and has been referred to the Senate Education Committee.

[HB 5139-5142, 45 \(CTE Bill Package\)](#)—This package of bills seeks to enhance attention to, and development of career technical education programming and alternative teacher certification has passed the House and will await Senate action in the new year.

- HB 5139 requires MDE to develop a “model program of instruction in career development” (HFA) which would include instruction for students in each level (i.e. elementary, middle school, high school).
- HB 5140 would require high schools to provide students’ directory information to various entities, such as community colleges or skilled trade institutions, with parent permission.
- HB 5141 would amend the minimum requirements for CTE teachers, no longer requiring a bachelor’s degree, but instead requiring a high school diploma or equivalent, that the individual hold a professional license or certificate in the subject matter, or have previously held such a license or certification which expired no more than two years prior to the start of employment, and that they receive additional and specific PD.
- HB 5142 would amend the School Aid Act to allow noncertificated, nonendorsed CTE teachers, without penalty.
- HB 5145 would allow for the counting of externships “...with local employers or technical centers toward the renewal of a teaching certificate, professional teaching certificate, advanced professional education certificate, or school administrator’s certificate” (HFA) similar to the use of SCECHs or other PD.

Senate-Approved Bills:

[SB 584-586 \(Concealed Carry in Schools\)](#)—These bills would allow CPL holders with “enhanced training” (8 more hours and 94 more rounds fired) to be able to conceal-carry a pistol in some “no-carry zones” including schools. The bills would also close the loophole that currently allows for “open-carry” in schools. Finally, the bills would define a public school district as a “local unit of government” which would prohibit the school from enforcing “no-carry zones” on school property, but *would* allow schools to prohibit students from carrying weapons on school property as well as to set policies prohibiting employees from carrying weapons if the district chose to do so. These bills passed the Senate and have moved to the House.

[SB 574 \(Expanding Regional Enhancement Millages to PSAs\)](#)—This bill would allow Public School Academies within ISD boundaries to benefit from a regional enhancement millage. This bill would be for new regional enhancement millages, not retroactive to existing enhancement millages. Having passed the Senate, and the House School Reform Committee, this bill is now on the House Floor.

[SB 702 \(Deed Restrictions\)](#)—This bill would prohibit any deed restriction on property sold by a governmental body from being used for a lawful educational purpose (SFA).

[SB 544-549](#) (“Enhanced” Michigan Education Savings Plan)—This bill package would allow parents to create educational savings plans for their children to pay for non-core educational services (and to earn an income tax credit for such investments). The bills require the MDE to determine which services offered by public schools would be allowable under the E-MESP, and does not allow the dollars to be directed to private schools. However, some ancillary services, such as private tutoring companies, may be allowable. [SB 544-548](#) passed the Senate last week, with [SB 549](#) (the bill which would allow a tax deduction for contributions into an E-MESP) being pulled from the Agenda. The remaining bills now move to the House.

New Bills Being Monitored:

[HB 4679/SB 495](#) (Fiscal Note for New Requirements)—These very similar bills would require the legislature to consider whether new legislation under consideration would impose new requirements on local governments (including schools), what such requirements would be, and to estimate an associated cost for such mandates. In essence, these bills would require the legislature to consider the Headlee Amendment when passing new legislation.

[HB 4708](#) (Electric Choice for Schools)—This bill would allow any interested school to take advantage of the existing electric choice program that has been capped due to energy legislation passed last year.

[HB 4406-4407](#) (Opioid Education)—These bills would require MDE to create content standards and guidelines for health education to include instruction on the prescription drug epidemic and prescription opioid drug abuse. The bills have passed the House and are in the Senate Health Policy Committee.

[HB 4501](#) (Elimination of ACT WorkKeys)—This bill would prohibit the MDE from requiring students to take the ACT WorkKeys as part of the M-STEP.

[SB 684-5](#) (Talent Portfolios-Career Exploration)—These bills would require students to develop talent portfolios as part of the EDP process which would include certifications, accomplishments or experiences that demonstrate students’ talents or marketable skills.

The following legislative topics are being monitored for future updates:

[SB 384](#) (Sinking Funds for Buses)—This bill would expand the allowable uses of new sinking funds to include bus purchases. The bill is now on the Senate Floor, but, reportedly it is likely to stall...again.

[HB 5167](#) (Pre-Labor Day Start)—This is a sister bill to the Pre-Labor Day Start bill initiated earlier this year in the Senate (**[SB 271](#)**). The bill would allow districts to begin school prior to Labor Day without a waiver, but would prohibit schools from being in session on any Monday or Friday in August.

[SB 103-106 \(Truancy\)](#)—This [Detroit Free Press Article](#) highlights the issue at hand with this legislation that has passed the Senate. The bills include proposed definitions for truancy (10 unexcused absences) and chronic absenteeism (absent 10% of the days school is in session), require additional reporting for school personnel (including informing parents of absenteeism and developing attendance agreements for truant students), prohibit a child from being suspended or expelled based solely on truancy or chronic absenteeism, and seek to engage the judicial system in the process.

[HB 4621 \(Income Tax Credits and SAF\)](#): This bill, introduced early this session, is similar to the income tax shift concept proposed during lame duck last session. As you may recall, tax refunds currently come out of the General Fund, with the School Aid Fund held harmless in terms of such refunds. This bill would require tax refunds to be paid out from both the GF and the SAF. The potential impact with this shift in FY 2018 is a loss of \$459 million from the SAF, and up to \$520 million in FY 2019. There has been little to no discussion of this bill since its introduction.

[HB 4314 \(Popular Elections of ISD Boards\)](#)—This bill would require all ISD Board elections to be “popular elections.” Currently, each county can decide whether to elect ISD Board Members by popular election or by the vote of constituent Boards.

[HB 4953 \(Levying Restricted to Popularly Elected ISD Boards\)](#)—This bill would restrict the levying of any tax to only intermediate school districts represented by popularly elected boards of education.