TO: MSBO – ISD Committee
FROM: Jerry Johnson, Assistant Superintendent for Legislation and Education Policy
RE: Legislative Update
DATE: November 21, 2019

Education Budget

The legislature is now on a two-week break and will return for session in the first week of December. However, both the House and Senate have put one day on the books (November 20) as a possible session date. This provides the opportunity for the Legislature to act if agreement is reached with the Governor to make adjustments to items that were vetoed, or that were shifted through action of the Administrative Board.

Unfortunately, the biggest sticking point standing in the way of supplemental budgets is a disagreement about limiting powers of the Administrative Board and the Governor’s ability to use the Administrative Board. Since the Governor vetoed numerous line items and implemented substantial redirection of resources through the Administrative Board, Republican leadership has not been happy. They desire to see a permanent fix in statute, so that the Governor cannot exercise that level of authority again.

Over the last week, it was believed that Governor Whitmer and House Speaker Chatfield had come to an agreement, in which the governor would agree to boilerplate language that presumably prevented her from further engaging the Administrative Board and rearranging budgets.

Senate Majority Leader Shirkey wants a permanent solution in law, though, rather than one in boilerplate language. With this impasse, there is no ability to move forward with supplemental budgets that reinstate funding which was vetoed. This adds frustration to the fact that there are essentially supplemental budget bills already agreed to and drafted; waiting for action.

So, without an agreement of some sort on the Administrative Board, it appears that a supplemental budget will not move forward before December. There is still hope that this will come together by the end of the year. With only nine session days on the books, however, that leaves very little room for error.
### Senate Bills

#### SB72 – Student Records
- The bill prohibits MDE, CEPI, schools, and education management organizations from disclosing records to parents when disclosure is prohibited by a personal protection order under the Address Confidentiality Program Act. The bill passed out of the Senate and is in the House Judiciary Committee.

#### SB171 – Diploma Requirements
- The bill modifies certain graduation requirements for obtaining a high school diploma. The bill is receiving testimony in the Senate Education Committee.

#### SB228 – Suicide Prevention Commission
- The bill establishes a 25 member commission with a priority to study the cause and possible underlying factors of suicide in Michigan. The bill passed the Senate and House. The bill awaits final enrollment and signature into law.

#### SB386 – Opioid Educational Videos
- The bill allows model instructional videos regarding the dangers of prescription opioid drug abuse to be implemented in certain curricula. The bill is in the Senate Education and Career Readiness Committee.

#### SB436 – School Funding
- The bill allows funding for, and use of, the Michigan Education Corps. The bill is in the Senate Education and Career Readiness Committee.

#### SB455 – Data Centers
- The bill allows an eligible data center property located in a renaissance zone to be exempt from certain property taxes relating to bonds, school sinking fund obligations and special assessments levied by the local tax collecting unit in which the property is located. The bill has passed out of the Senate and the House Commerce and Tourism Committee. The bill awaits action by the full chamber.

#### SB461 – Children’s Cabinet
- The bill creates a Children’s Cabinet within the department of management and budget. Its duty is to hold hearings, gather and review information, generate recommendations, and align funding sources with respect to services and programs for children and their families. The bill is in the Senate Government Operations Committee.

#### SB473-476 – Foundation Allowance
- The bills change various statutes to modify the references to basic foundation allowance to instead be target foundation allowance. The bills passed out of the Senate and are in House Appropriations.

#### SB496 – Graduation Requirements
- The bill eliminates the Algebra II requirement for curriculum. The bill is in the Senate Education and Career Readiness Committee.

#### SB509 – Deaf Children
- The bill creates certain resources for parents and legal guardians of deaf and hard of hearing children. The bill is in the Senate Education and Career Readiness Committee.

#### SB531 – Bullying Policy
- The bill modifies policies and procedures about the prohibition of bullying in school. The bill is in the Senate Education and Career Readiness Committee.

#### SB532 – Professional Development
- The bill makes instruction and professional development on warning signs and risk factors for suicide and depression mandatory for educators. The bill is in the Senate Education and Career Readiness Committee.

#### SB540 – School Board Members
- The bill requires continuing education for school board members. The bill is in the Senate Education and Career Readiness Committee.

#### SB541 – School Board Training
- The bill provides funding to reimburse school districts for board member training. The bill is in Senate Appropriations.

#### SB552 – Play Project
- The bill restores funding to section 54e to train at least 60 early-on providers in the components of evidence-based, parent-implemented models of intervention for the treatment of autism.
SB555 – Public School Academy Increase – The bill restores $35 million in funding to provide a $240 per-pupil increase for public school academies.

SB556 – CTE Equipment Grants – The bill restores funding to section 61c to provide funding to CEPDs for equipment and professional development.

SB558 – Summer School Literacy Intervention Grants – The bill restores funding to section 35a to provide summer school reading programs for 3rd-grade students not meeting proficiency in reading.

SB561 – Secure Schools – The bill restores funding to section 97 to provide one-time dollars for Michigan State Police to award for a secure school program and panic button app.

SB575 – Rural Districts – The bill restores funding to section 22d to provide payments to small, geographically isolated districts for transportation.

SB577 – School Aid Supplemental – The bill is a multi-section supplemental bill that adds $120.5 million in increased spending for School Aid in fiscal year 2019-2020.

SB584 – First Aid Kits – The bill requires the placement of first aid response kits in school buildings. The bill is in the Senate Education and Career Readiness Committee.

SB594 – Integrated Student Support – The bill provides for standards for integrated student support services. The bill is in the Senate Education and Career Readiness Committee.

SB600 – Michigan Merit Curriculum – The bill modifies sections of the Michigan Merit Curriculum. The bill is receiving testimony in the Senate Education and Career Readiness Committee.

SB601 – Michigan Merit Curriculum – The bill removes references in certain sections regarding the Michigan Merit Curriculum of the Revised School Code. The bill is receiving testimony in the Senate Education and Career Readiness Committee.

SB614 – Professional Development – The bill mandates instruction and professional development in the warning signs for suicide and depression. The bill is in the Senate Education and Career Readiness Committee.

SB633 – Third Grade Reading – The bill amends the state’s third grade reading law by removing the mandated retention of students not deemed proficient in reading. The bill is in the Senate Education and Career Readiness Committee.

SB645 – School Aid Supplemental – The bill provides supplemental appropriations for fiscal year 2019-20 for foundation allowances for certain public school academies. The bill is in Senate Appropriations.

SB650 – School Aid – The bill eliminates the February 2020 sunset within the School Aid Act that allows districts to have a teacher of record for a dropout recovery program who is employed or contracted through an education management organization. The bill is in the Senate Education and Career Readiness Committee.

SB651 – Dropout Recovery Program – The bill establishes requirements and exemptions related to dropout recovery programs. The bill is in the Senate Education and Career Readiness Committee.

SB657 – Teaching Certificate – The bill revises requirements for professional teaching certificates and requirements for the alternative teaching certificate process. The bill is in the Senate Education and Career Readiness Committee.
HB4075 – Sinking Funds – The bill expands the permissible use of sinking funds to include school bus purchasing.

HB4087 – School Start – The bill eliminates the post-Labor Day school start requirement and prohibits school from being in session on any Monday or Friday in August, including the Friday immediately prior to Labor Day.


HB4162 – Education Assessment – The bill establishes a prohibition such that MDE shall not require the administration of an assessment that assesses a pupil’s ability to apply reading and mathematics skills in a manner that is intended to allow employers to use the results in making employment decisions. The bill passed out of the House and is in the Senate Government Operations Committee.

HB4174 – Occupational Schools – The bill exempts certain apprenticeship programs from occupational school regulations.

HB4195 – Professional Development – The bill requires school districts to provide training related to student disclosures about assaults and to have a policy regarding sexual abuse.

HB4207 – Teacher Evaluation – The bill prohibits a limit on the number of teachers rated as highly effective.

HB4208 – Teacher Evaluation – The bill requires for conflict of interest provisions for performance evaluation systems for public school teachers. The bill passed out of the House Education and the Ways and Means Committees, and awaits action by the full chamber.

HB4221 – Teacher Evaluation Data – The bill would modify the existing law that says in 2019-2020 40% of the annual year-end evaluation shall be based on student growth and assessment data. The bill strikes that language and locks it in at 25% of the annual year-end evaluation be based on student growth and assessment data.

HB4222 – Administrator Evaluation Data – The bill modifies performance evaluation systems for school administrators to keep the percentage of annual year-end evaluations based on student growth and assessment data to 25 percent for all building level and central office administrator evaluations.

HB4223 – Child Dental Screenings – The bill requires dental screenings for children prior to starting kindergarten or first grade. The bill has passed out of the House, the Senate Health Policy and Human Services Committee, and awaits action by the full Senate.

HB4262 – Minor Work Permits – The bill allows parents of home-schooled students to issue work permits. The bill was referred out of the House Education Committee to the Ways and Means Committee.

HB4269 – Curriculum – The bill establishes 21st century skills credit requirements to obtain a high school diploma. The bill is tie barred with HB4270. The bill was referred out of the House Education Committee to the Ways and Means Committee.

HB4270 – Curriculum – The bill modifies requirements to obtain a high school diploma and is tie barred with HB4269. The bill was referred out of the House Education Committee to the Ways and Means Committee.

HB4271 – Curriculum – The bill revises the MMC math requirement to allow a student to fulfill the algebra II requirement by completing a statistics course or a financial literacy course,
as long as that course aligned with the subject area content expectations for math. The bill was referred out of the House Education Committee to the Ways and Means Committee.

**HB4274 – Retirement** – The bill expands the annuity option for public school employees. The bill was referred out of the Financial Services Committee to the Ways and Means Committee.

**HB4282 – Curriculum** – The bill allows a student enrolled in a state-approved career and technical education (CTE) program to fulfill the health education requirement (accounting for half of the health and physical education graduation requirement, or one half credit) by completing at least 30 hours of educational training provided by OSHA relating to occupational health and safety standards applicable to general industry or construction. The bill was referred out of the House Education Committee to the Ways and Means Committee.

**HB4368 – Waiver Request Hearing** – The bill removes the requirement to allocate funding for a joint hearing regarding a waiver request to start school prior to Labor Day. The bill was referred out of the House Education Committee to the Ways and Means Committee.

**HB4369 – School Start** – The bill eliminates the restriction on schools starting before Labor Day. The bill was referred from the House Education Committee to the Ways and Means Committee.

**HB4376 – Child Abuse Reporting** – The bill includes K-12 coaches and volunteers as mandatory reporters of suspected child abuse or neglect. The bill passed out of the House and was referred to the Senate Government Operations Committee.

**HB4377 – Child Abuse Reporting** – The bill requires distribution of a training package to mandatory reporters of suspected child abuse or neglect. The bill passed out of the House and was referred to the Senate Government Operations Committee.

**HB4379 – Student Sexual Assault** – The bill requires schools to take certain actions regarding pupils who report sexual assault. It also prohibits expelling students who have reported a sexual assault except under certain circumstances.

**HB4382 – School Unprofessional Conduct** – The bill requires schools request certain information on unprofessional conduct of job applicants and requires they forward that information to the Department of Education.

**HB4483 – Handwriting Curriculum** – The bill creates a model program of instruction in cursive handwriting and makes it optional for public schools to utilize.

**HB4540 & HB4541 – Marketplace Facilitators** – The bills define marketplace facilitators and revise the use tax act. The bills passed out of the House and the Senate Finance Committee. The bills await action by the full chamber.

**HB4542 & HB4543 – Out of State Retailers** – The bills require out-of-state retailers to remit sales tax and use tax. The bills passed out of the House and are in the Senate Finance Committee. The bills passed out of the House and the Senate Finance Committee. The bills await action by the full chamber.

**HB4546 & HB4547 – Dual Enrollment** – The bills modify certain dual enrollment eligibility requirements in the career and technical preparation act and the postsecondary enrollment options act. The bills define that an eligible course must be one that is offered when the district or is in session, except that a course offered only when the district is not in session could be an eligible course as determined by the district. The bills passed out of the House and are in the Senate Education Committee.

**HB4582 – Income Tax** – The bill provides an income tax credit for expenditures by certain school teachers for certain supplies.
HB4583 – Third Grade Reading – The bill amends the third grade reading law by deleting the provisions related to grade advancement prohibitions, grade retention requirements, and district communication and reporting requirements. The bill has been referred to the House Education Committee.

HB4591 – School Boards – The bill requires monthly board meetings for all public schools, including cyber schools. The bill has been referred to the House Education Committee.

HB4610 – Vaccine Notices – The bill requires schools to provide public notices if a board determines that more than 5% of the pupils enrolled have not been tested for and immunized or protected against diseases named by DHHS.

HB4614 – Graduation Requirements – The bill requires the Free Application for Federal Student Aid (FAFSA) to be completed by pupils as a condition of graduation. The bill has been referred to the House Education Committee.

HB4667 – GSRP Eligibility – The bill revises eligibility for GSRP to allow participation of children 3 years of age who meet the program's income eligibility guidelines.

HB4668 – Great Start Readiness – The bill expands income eligibility for GSRP by raising the family income eligibility threshold from 250% of federal poverty level to 350%.

HB4669 – Reading Improvement – The bill expands implementation of a reading improvement plan to allow a teacher to identify a student that needs an individual reading improvement plan by observation or other assessment other than the current reading assessment.

HB4670 – Childhood Programs – The bill modifies funding for early childhood programs with an additional $3 million to provide home visits for at-risk children and their families.

HB4671 – Reading Programs – The bill provides a grant program to fund the "Every Child Ready to Read" program.

HB4675 – Public School Academies – The bill modifies enrollment requirements for strict discipline academies. The bill passed out of the House Education Committee and was referred to the Ways and Means Committee.

HB4689 – School Safety – The bill allows temporary door barricade devices in school buildings and provides standards for their use. Schools are not mandated to use the devices and have the choice to do so. The bill passed out of the House and is in the Senate Regulatory Reform Committee.

HB4694 – Public School Retirement – The bill allows a retiree to be employed at a reporting unit under certain conditions without forfeiting retirement allowance or health care coverage. The bill passed out of the House and is in the Senate Appropriations Committee.

HB4739 – School Inspection – The bill requires annual inspections of all public and nonpublic schools for health and safety violations. The bill received testimony in the House Education Committee.

HB4823 – Millage Language – The bill revises regional enhancement millage ballot language so that every district name is not required to be listed. The bill passed out of the House Elections and Ethics Committee and the Ways and Means Committee. The bill awaits action by the full chamber.

HB4826 – Entrepreneurship Classes – The bill establishes a program of instruction in free enterprise and entrepreneurship as a required part of the curriculum. The bill is receiving testimony in the House Education Committee.

HB4856 – Teaching Certificates – The bill provides for nullification of certain endorsements on teaching certificates or grade-level certifications included in teaching certificates after 7 years of non use. The bill received testimony in the House Education Committee.
HB4887 – Special Education Reimbursement – The bill modifies certain requirements related to allocations for special education funding or reimbursements. The bill is in the House Local Government and Municipal Finance Committee.


HB4904 – Performance Evaluations – The bill modifies performance evaluation systems for public school teachers and school administrators. The bill is in the House Education Committee.

HB4905 – Performance Evaluations – The bill modifies ratings related to performance evaluations for teachers. The bill is in the House Education Committee.

HB4906 – Collective Bargaining – The bill allows for the inclusion of length of service as a factor in personnel decisions. The bill is in the House Education Committee.

HB4907 – Prohibited Bargaining Subjects – The bill revises the list of prohibited subjects of bargaining for public school employers to remove contracting with third party non-instructional services and compensation structures. The bill also removes provisions related to the state school reform office and CEO. The bill is in the House Education Committee.

HB4926 – Enhancement Millage Modification – The bill will remove an enhancement millage from the eligible millage cap calculation for ISD operating millages. The bill passed out of the House Tax Committee and is in the Ways and Means Committee.

HB4927 – Basic School Operating Mills – The bill clarifies the calculation of the PPT reimbursements for school operating loss not reimbursed by the school aid fund. The bill passed out of the House Tax Committee and is in the Ways and Means Committee.

HB4929 – Industrial and Commercial Property – The bill includes school district and ISD debt millage, school district hold harmless millage, and the state education tax millage in the calculation of a TIFA’s PPT reimbursement. The bill passed out of the House Tax Committee and is in the Ways and Means Committee.

HB4974 – Merit Curriculum – The bill modifies merit curriculum requirements to include computer coding as meeting the foreign language requirement. The bill passed out of the House Education Committee and was referred to the Ways and Means Committee.

HB4988 – Immigration Status – The bill prohibits certain school policies regarding cooperation with federal officials in retaliation to the immigration status of certain individuals. The bill is in the House Education Committee.

HB5039 – School Buses – The bill enacts sentencing guidelines for crime of entering school bus with intent to do bodily harm. The bill is in the Military, Veterans and Homeland Security Committee.

HB5040 – School Buses – The bill modifies allowable painting of school buses. The bill is in the Military, Veterans and Homeland Security Committee.

HB5041 – School Buses – The bill allows school bus stop-arm cameras and provides penalties for violations. The bill is in the Military, Veterans and Homeland Security Committee.

HB5042 – School Buses – The bill allows school bus stop-arm cameras. The bill is in the Military, Veterans and Homeland Security Committee.

HB5077 – Public School Academy Increase – The bill restores $35 million in funding to provide a $240 per-pupil increase for public school academies.
HB5078 – Summer School Literacy Intervention Grants – The bill restores funding to section 35a to provide summer school reading programs for 3rd-grade students not meeting proficiency in reading.

HB5079 – CTE Equipment Grants – The bill restores funding to section 61c to provide funding to CEPDs for equipment and professional development.

HB5080 – Secure Schools – The bill restores funding to section 97 to provide one-time dollars for Michigan State Police to award for a secure school program and panic button app.

HB5081 – Play Project – The bill restores funding to section 54e to train at least 60 early-on providers in the components of evidence-based, parent-implemented models of intervention for the treatment of autism.

HB5087 – School Board Members – The bill requires continuing education for school board members. The bill is in the House Education Committee.

HB5088 – School Board Training – The bill provides funding to reimburse school districts for board member training. The bill is in the House Education Committee.

HB5093 – Rural Districts – The bill restores funding to section 22d to provide payments to small, geographically isolated districts for transportation.

HB5133 – Counseling Education – The bill creates the school counselor corps grant program. The bill is in House Appropriations.

HB5142 – School Records – The bill would require information related to mental health to be included in the contents of a pupil’s records. The bill is in the House Health Policy Committee.

HB5165 – Teacher Grants – The bill creates the Making a Difference for a Teacher Act. The bill is in House Tax Policy.

HB5166 – Teacher Grants – The bill establishes a Making a Difference for a Teacher income tax checkoff. The bill is in House Tax Policy.

HB5187 – School Aid Fund – The bill allows for a reimbursement of revenue lost to the School Aid Fund as a result of certain exemptions in the Use Tax. The bill is in House Commerce And Tourism.

HB5188 – School Aid Fund – The bill allows for a reimbursement of revenue lost to the School Aid Fund as a result of certain exemptions in the Sales Tax. The bill is in House Commerce And Tourism.

HB5189 – Student Supports – The bill establishes standards for providing integrated student support services. The bill is in House Education.

HB5223 – Troops to Teachers – The bill promotes participation of military spouses in Troops to Teacher program. The bill is in House Education.

HB5258 – School Salaries – The bill requires a salary cap for school administrators and certain other school employees. The bill is in House Education.