




Michigan Association of Superintendents & Administrators

MASA Legislative Update

Brought to you by: 

April 14, 2023

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Summary

The Legislature returned to action this week after a two-week break. It was a relatively quiet week for action on the floor, but several committees met and a package of bills dealing with prohibited subjects of bargaining was introduced in the House. We also expect budget action to heat up in the coming weeks. For now, we have a few updates to share with you.

As always, please [contact MASA](#) with any questions or concerns.

Prohibited Subjects Bills Introduced – Quick Action Expected

Legislation was introduced this week that would **restore several prohibited subjects of bargaining**. We've been anticipating these bills for several weeks, and **we expect quick action on this legislation**.

[HB 4354](#), introduced by Rep. Weiss (D-Oak Park), reinstates the following subjects of bargaining:

- Teacher placement
- Layoff/recall
- Evaluations
- Discipline and discharge
- Classroom observations
- Merit pay
- Ineffective teacher notification

Additionally, [HB 4356](#) introduced by Rep. Carter (D-Detroit), would reinstate third party non-instructional services. Trailer bills [HB 4355](#) and [4357](#) were also introduced by Rep. Weiss (D-Oak Park) and Rep. Hood (D-Grand Rapids) respectively. The bills implement the substantive changes in other bills.

These **bills would repeal every prohibited subject from the 2011 changes, and we have major concerns with several of the reinstated provisions**, foremost reinstating the prohibitions on teacher placement, layoff/recall, and discipline/discharge. Allowing these subjects to be bargainable would be bad for students and new teachers, as well as our efforts to combat the educator shortage. We are fully in favor of increasing educator wages and treating the profession with the respect it deserves, but we are also mindful of the pendulum swinging too far in the other direction and are **not supportive of changes that will have a negative impact on children's learning environment and on our attempts to attract new teachers**.

The bills now await a hearing in the House Committee on Labor chaired by Rep. Haadsma (D-Battle Creek). MASA will continue to meet with the bill sponsors and committee members and will keep you updated as the bills move through the legislative process.

We encourage you to contact your legislator with concerns regarding this legislation. Please reach out to the House Labor Committee [members](#) and express your concerns.

- Chair, Rep. Haadsma (D-Battle Creek)
 - Vice Chair, Rep. Mentzer (D-Mount Clemens)
 - Minority Vice Chair, Rep. Wozniak (R-Macomb)
 - Rep. Koleszar (D-Plymouth)
 - Rep. O'Neal (D-Saginaw)
 - Rep. Andrews (D-St. Joesph)
 - Rep. Churches (D-Wyandotte)
 - Rep. Wegela (D-Inkster)
 - Rep. Mueller (R-Genesee)
 - Rep. Kunse (R-Clare)
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House and Senate Education Committee Roundup

The House Committee on Education met and reported two bills with no further testimony. [HB 4064](#), introduced by Rep. Carter (D-Detroit) will require **development of an optional cursive writing program** and was reported on a vote of 12-1. The bill also passed the House Thursday on a 103 to 4 vote. The bill now heads to the Senate for consideration. [SB 63](#), introduced by Sen. Polehanki (D-Livonia), **expands the use of sinking funds to transportation and transportation maintenance** was reported on a vote of 9-1 with three passes. The bill now heads to the full floor for consideration.

The Senate Committee on Education heard testimony on [HB 4166](#), which **repeals the A-F accountability system**. Rep. Koleszar, the sponsor of HB 4166, testified in support of the bill, as did the Department of Education. MASA supports this legislation and looks forward to the bill being sent to the Governor soon for her signature.

Other Committee Action

In the House Health Committee, the “filter first” bills – [House Bills 4340, 4341, 4342](#) were up for testimony. Testimony from bill sponsors and several parents included the bills' history, the need for filter first water systems in schools, and the importance of clean water in schools and childcare facilities.

MASA opposes [HB 4341](#), introduced by Rep. Puri (D-Canton), because it **requires notification to all parents for any positive test result in school districts**. We are working with our colleagues to get this aspect of the bill changed.

Gun Bills Signed by Governor – "Red Flag" Bills Pass the House

Governor Whitmer signed legislation **establishing universal background checks and safe storage laws for firearms** at a bill signing ceremony at MSU. Whitmer signed Senate bills 79-81 and House bills 4138 and 4142.

In addition, [House Bill 4145](#), introduced by Rep. Puri (D-Canton) and [Senate Bill 83](#), introduced by Sen. McMorrow (D-Birmingham) passed the House, which establishes a red flag system for purchasing firearms.

This Week's Introduced Bills

[House Bill 4354 \(Weiss\)](#) Removes prohibited subjects of bargaining for public school employers including performance evaluation standards, merit pay standards, and decisions on layoff, recall, hiring, position eliminations, classroom observation, teacher placement, evaluation, discipline, and discharge

[House Bill 4355 \(Weiss\)](#) Amends the statute related to collective bargaining with public school employees

[House Bill 4356 \(Carter\)](#) Removes a public-school employer's decision to contract with a third party for noninstructional support services from prohibited subjects of bargaining

[House Bill 4357 \(Hood\)](#) Amends statute related to employer's decision to contract with a third party for noninstructional support services from prohibited subjects of bargaining

[House Bill 4389 \(Arbit\)](#) Allows for certain number of excused mental health days

[House Bill 4397 \(Andrews\)](#) Creates ombudsman for public employees

[House Bill 4392 \(Witwer\)](#) Modifies whistleblower protection modify to include employees reporting to the state employee ombudsman or the press

[House Bill 4415 \(Meerman\)](#) Provides supplemental appropriations in the school aid act

[Senate Bill 250 \(Wojno\)](#) Modifies waiting period for employment of certain retired coaches

[Senate Bill 261 \(Polehanki\)](#) Provides allocation to certain school districts to pay down debt