

LegislativeUpdate

Michigan Association of Superintendents & Administrators | May 17, 2019



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Summary

There was a lot of speculation this week that the House and Senate would push through auto no-fault reform against Gov. Whitmer's objections. That did not happen, as all three leaders seemed to have reached a détente and continue negotiating in good faith.

On Wednesday the full Senate reported out their version of the budget. A number of amendments were proposed on the floor by Democratic members. The amendments were not adopted but included changes such as adding the governor's proposed weighted funding formula, restoring the Michigan Fitness Foundation funding, increasing dollars for early literacy coaches and repeal the pre-Labor Day hearing requirement, to name a few. Sen. Tom Barrett (R-Pottersville) was the only Republican to vote no on the budget and stated the explanation for his vote was due to the continued use of the school aid fund for higher education. If you're wondering what's in the House budget, you're not alone. The House has yet to take any action on the School Aid budget. At this time, we don't know when we can expect their budget.

We finally have answers on snow days through a memo MDE sent yesterday. We did send this through the Listserv, but in case you missed it, the information is below in the MDE memos section (Memo 071-19). For specific questions, please contact Jessica Beagle at beaglej1@michigan.gov or 517.241.6435.

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

CREC

The May Consensus Revenue Estimating Conference (CREC) took place this morning. Recall that CREC is when state officials come together to determine how much money the state has to spend in the fiscal year. In January we learned that state revenues showed some growth, but that trend is slowing and is definitely not favoring the School Aid Fund.

So what we heard this morning should come as no big surprise. The good news, the legislature will have a slight buffer of revenue to complete budget work in the weeks ahead for the current fiscal year and fiscal year 2019-20 under the Revenue Estimating Conference agreement reached.

For the remainder of the 2018-19 budget year, estimates show a total General

Fund and School Aid Fund revenue of \$24.334 billion, up \$14.9 million from the \$24.25 billion decided upon at the January Revenue Estimating Conference. General Fund revenue is expected to be \$10.871 billion, an increase of \$151.5 million from the \$10.7 billion in January while School Aid Fund was at \$13.482 billion, a decrease of \$68.2 million from the \$13.55 billion set in January.

The CREC estimates for fiscal year 2019-20 show that General Fund and School Aid Fund revenue will total \$24.617 billion, an increase of 1.2 percent over the current fiscal year, or \$282.7 million.

General Fund for the fiscal year 2019-20 is projected to be \$10.777 billion, down \$74.8 million from the January projection of \$10.717 billion and the School Aid Fund revenue is expected to be at \$13.840 billion, an increase of \$357.5 million from the January estimate of \$13.926 billion.

These numbers will be used to draw the final budget numbers in the legislature, but that timeline is very much up in the air as lawmakers and the governor continue to differ on approach for road funding.

Committee Summaries

Education Committee Talks Social and Emotional Learning

On Tuesday the House Education Reform committee met to hear a presentation on school-based mental health professionals. Chairwoman Pam Hornberger (R-Chesterfield) stated that this topic was one of her legislative priorities for the committee to address this term. The Michigan School Counselor Association, Michigan Association of School Psychologists and the Michigan Association of School Social Workers presented collectively on how their professions work together to address mental health in our schools. They touched on the responsibilities of their positions on a school mental health team, and the services provided based on the assessment of student needs.

The committee chair noted that there has been a bill introduced on this topic, HB 4054 by Rep. Leslie Love (D-Detroit). The bill would establish the minimum number of school counselors to be employed by a school district, intermediate school district or public school academy. The legislation was referred to the House Education Committee but was not included in Tuesday's meeting as an agenda item. There has not been an indication of what legislation will be coming on this topic, but MASA will continue to keep you updated on the latest. We continue to stress the importance of funding to make any of the abovementioned goals a reality.

Dental Health Screenings Discussed

The House Families, Children, and Seniors Committee heard testimony on legislation to require dental screenings for children registering for kindergarten or first grade. The bill is HB 4223 sponsored by Rep. Scott VanSingel (R-Grant). Under the legislation, beginning in the 2019-20 school year, parents or guardian registering a child for the first time in kindergarten or first grade would be required to provide a written statement that ensures the child had an oral assessment from a dentist or dental hygienist six months before the date of registration.

If the parent or guardian does not certify that their child has received the oral assessment, they must ensure that the child will receive one from the DHHS approved entity that the school district has contracted with. A child may be exempt for religious reasons. However, a child would not be excluded from school attendance if the parent or guardian failed to present a statement to school officials on or before the first day of school as required by the bill.

Regarding the assessment, if it was indicated that a child required follow-up care, the dentist, dental hygienist, or entity conducting the assessment would have to present to the individual who brought the child a written statement clearly indicating that follow-up treatment is required.

This bill is a reintroduction of legislation from last session. The current version addressed MASA's concerns with the old bill. In addition to not excluding children from school due to this requirement, the bill provides that it would not apply in a fiscal year in which the legislature did not appropriate money for the dental oral assessment program as to not create an unfunded mandate.

Chairwoman Kathy Crawford (R-Nov) stated that the committee will tentatively vote on this bill next week. MASA is supportive of the bill.

Senate Talks Press Box Fix

The Senate Regulatory Reform Committee on Tuesday met to discuss a fix to a requirement for school press boxes. SB 294 sponsored by Sen. Dale Zorn (R-Ida) would amend Michigan's construction code to clarify that interior spaces, such as press boxes, that are built as viewing areas for outdoor sporting activities are exempt from the permanent heating requirements.

The bill sponsor testified on an example from his district where state building inspectors are interpreting current mechanical codes to say that the press box is an "occupied space" and must have permanent heating facilities capable of maintaining a minimum room temperature of 68 degrees. This requirement is a significant cost increase to the construction project to add heat for a seasonal building that is not frequently used.

A house version of the bill has also been introduced by Rep. Bronna Kahle (R-Adrian), the bill was referred to the House Regulatory Committee. The bill will possibly be amended to include a longer list of buildings like concession stands and will likely address a concern related to elevators and press boxes. We anticipate a vote on this bill in the near future.

Additionally, the Senate Regulatory Committee reported out the bills regarding fire pull stations in schools. The bills, HB 4066 and 4077 are both sponsored by Rep. Julie Calley (R-Portland) and amend the Fire Prevention Code. The legislation removes the current requirement that a school with a secure vestibule install a fire alarm in that vestibule, so long as an alarm is located within five feet of the door on the secure side. Often, the first set of doors is unlocked but the second set is secured, and the visitor must request access. Even if the person is not permitted admittance to the school, they can simply pull the fire alarm and evacuate the building. HB 4067 amends the Construction Code so that the language would be consistent. MASA is supportive of the bills.

MDE Updates

MEMO #070-19

Read by Grade Three Retention Guidelines

In 2016, the Michigan legislature passed what is now referred to as the “Read by Grade 3” (RBG3) legislation. This law requires that students who are more than one year behind grade-level in reading are subject to retention and additional support to improve their reading level. This component of the law takes effect for the 2020-2021 school year, using assessment data from the spring 2020 assessments. This communication is provided as a courtesy heads up for schools and districts in advance of the actual implementation of this component of the law. [Read the memo.](#)

MEMO #071-19

State Aid Supplemental Legislation, Public Act 11 of 2019 (House Bill 4206 of 2019)

The Governor recently signed House Bill 4206 into law with immediate effect as PA 11 of 2019. Effective for the 2018-19 school year only, this law amends Section 101(4) of the State School Aid Act (MCL 388.1701), allowing districts to have canceled instructional time forgiven if instruction was scheduled but not provided on 1 or more days included in the period, January 29, 2019 through February 2, 2019, for which the governor issued an executive order declaring a state of emergency across this state. Any day that is forgiven under this language will also have the subsequent number of instructional hours originally scheduled for that day forgiven. [Read the memo.](#)

MEMO #072-19

Alternative Education and Innovative Programs (Hours and Days) Waivers 2019-20 Application Process and 2018-19 Required Report

The State School Aid Act, Section 101(9) [MCL 388.1701], permits the

State Superintendent to waive the minimum number of hours and days of pupil instruction for alternative education programs or other innovative programs approved by the Michigan Department of Education (MDE). This waiver can only be granted for alternative education or innovative programs and is not intended for individual students. [Read the memo.](#)

MEMO #073-19

Notice of Application Window for Offline/Project-Based Learning Seat Time Waivers

The application process for districts wishing to operate an offline or project-based Seat Time Waiver (STW) is now open. According to Section 5-O-B of the Pupil Accounting Manual, a district must receive approval from the Department in cases where the district wishes to provide self-scheduled, project-based learning courses that have no online or computer-based component. [Read the memo.](#)

MEMO #074-19

T-Mobile's EmpowerEd Grant Accepting Applications

Wireless telecommunications provider T-Mobile is accepting applications for their EmpowerEd grant, a program designed to help school districts close the homework gap by providing mobile internet devices and wireless “hot spots” for student use. Schools can choose one of two data plans to support student devices, ensuring no out-of-pocket costs to students or families, and T-Mobile offers filtering options to ensure CIPA compliance and student safety. Awarded applicants receive support from T-Mobile in the planning, implementation, and deployment of devices. [Read the memo.](#)