

LegislativeUpdate

Michigan Association of Superintendents & Administrators | October 18, 2019



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Summary

No significant progress was made on the budget, we are still hoping resolution will be achieved on issues like Sec. 22d (isolated district funding) and other school aid priorities. Lawmakers and the governor appear to be continuing conversations, but to what end remains to be seen. We continue to advocate against SB 455 which will grant further tax abatements to technology firm Switch resulting in a cut to school revenues and more legislation was introduced this week that seems to abate sales and use tax for technology firms (more on that next week).

House Regulatory Reform-School Safety

The House Regulatory Reform committee reported HB 4689 to the Ways and Means committee. The bill is sponsored by Rep. Scott VanSingel (R-Grant) and would allow schools to install temporary door barricade devices.

These devices are anchoring mechanisms that are installed on the interior of a door to prevent forced entries. The bill would enforce a number of standards for these devices, including a requirement that they are portable and not permanently affixed to the door. They would also need to be able to be disengaged from the inside of the door without a special tool. The law would further require that school administrators would have to notify local law enforcement and the fire department before installing these devices and that all staff would have to complete in-service training on these devices.

Several Michigan schools have already installed and are using these products. HB 4689 is necessary to codify this practice and would prevent the state from creating and enforcing any rules that prohibit schools from having these devices.

The bill was reported as an H-2 with amendments to allow for multiple providers of these devices. MASA supports the legislation but warns members that when they install them, they should preemptively work with local fire marshals to ensure compliance with local occupancy requirements.

House Natural Resources-Water Testing

The House Natural Resources committee met on a significant number of bills related to lead testing this week. Included in these bills are requirements specific to schools. HB 4064 sponsored by Rep. Sheldon Neeley (D-Flint) establishes a program to assist schools and childcare centers to test for remedy lead contamination. The bill establishes this program under the Department of Environment, Great Lakes, and Energy (EGLE).

Schools would be required to conduct periodic sampling and testing of drinking water for the presence of lead and send the test results to EGLE. The department would post the results of the tests on their website. The bill requires repair, replacement or removal of drinking water coolers that were found to be contaminated.

MASA opposed this legislation last session due to the increased costs schools would incur as a result of the sampling. Additional costs are anticipated for the replacement and the repair of drinking stations.

Similar concerns from the previous session were brought up during committee discussion. The department commented on the use of a 2-parts per billion threshold for water contaminants and discussed that this could be an issue because it is not yet the established standard in Michigan. Further on the topic of water, a bipartisan package of bills was introduced in both the House and Senate this week to create a program for the installation of water filtration systems for drinking and cooking sources in school buildings. The four bills have been called the "Filter First" package. The

Senate bills were referred to the Senate Environmental Quality Committee and the House bills were referred to the House Natural Resources and Outdoor Recreation Committee. MASA will monitor these and work to ensure this does not result in increased costs for schools and that the state pays its fair share of new requirements.

House Ways and Means-Evaluations

The House Ways and Means committee took up HB 4208 which is sponsored by Rep. Steve Johnson (R-Wayland). This bill would prohibit a teacher's end of the year evaluation from being conducted by family member or similarly situated teacher. This is a reintroduction of legislation from last session. When this bill had a hearing in the House Education committee, we were concerned that this may cause a burden on smaller districts due to the broad definition of family members. We worked with other education associations that shared our concern to get an amendment to the bill to allow for local control and the ability for school boards to approve exceptions.

The H-3 version of the bill includes language that specifies if an individual is unable to conduct an evaluation due to a family member relationship or because a teacher is similarly situated to the teacher who has that relationship, an evaluation may be conducted by another individual. The school board would ensure that this evaluation was completed by another individual. There also is language that states that a board may apply to the Michigan Department of Education for an exception to the bill due to demographic characteristics or a limitation in staff.

MASA does not have a position on this bill at this time but some of our original concerns still remain. We are working to address those concerns.

House Appropriations-School Aid Fund

The House Appropriations committee took up HB 4125 sponsored by Rep. Scott VanSingel (R-Grant) on Wednesday. The bill modifies earmark for the School Aid Fund and the Michigan Transportation Fund and eliminates earmark for the Renew Michigan Fund.

You may recall that after the U.S. Supreme Court's Wayfair decision last year, the legislature agreed to carve out online sales tax money that came from the decision and put it into the Clean Michigan Fund. This fund ran out of a stable revenue source a couple years ago when its bonding money ran out. This was a lame duck decision and was achieved by changing the lowering the percentage of revenue the school aid fund receives from the income tax and redirected it to roads and the environment. At the time, Republican leaders in the legislature argued the "new" money from the Wayfair decision would hold the school aid fund harmless.

The school community argued this was not new money for the state to spend however they wanted, but lost revenue from years gone by, and if the school aid fund doesn't see growth, we'll never properly fund our schools.

House Bill 4125 reverses last year's legislation and returns the SAF earmark, beginning October 1, 2019, to its level before 2018 PA 588 was enacted. HB 4125 would increase the SAF by \$172 million in FY 2019-20 and \$177 million in FY 2020-21.

MASA supports the legislation.

ICYMI: MDE Updates

[MEMO #123-19](#)

Educator Workforce Annual Report

The Michigan Department of Education (MDE) Office of Educator Excellence (OEE) has released this year's Educator Workforce Annual Report.

[MEMO #124-19](#)

Section 99h, For the Inspiration and Recognition of Science and Technology (FIRST) Robotics (VEX) Competitive Grants

The Michigan Department of Education (MDE) will again administer the competitive Section 99h, FIRST Robotics (VEX) Grant. The purpose of the grant is to improve mathematics, science, and technology skills by participating in events hosted by FIRST in Michigan or those hosted by the Robotics Education and Competition (REC) Foundation, known as VEX. The intent of the grant is to increase the number of students demonstrating proficiency in science and mathematics on the state assessments and to increase the number of students who are college- and career-ready upon high school graduation.

[MEMO #125-19](#)

Information about the Low Income Reimbursement Program for 2019-2020 School Year

The state of Michigan has financially supported assessments for low-income students for more than a decade. This support will continue for the AP (Advanced Placement) exam, IB (International Baccalaureate) exam and CLEP (College Level Examination Program) exam.

[MEMO #126-19](#)

Public Comment on the Revised Model 24/7 Tobacco-Free Schools Policy

The Michigan Department of Education, Office of Health and Nutrition Services, is requesting public comment on the Revised Model 24/7 Tobacco-Free Schools Policy.