




Michigan Association of Superintendents & Administrators

MASA Legislative Update

Brought to you by: 

November 6, 2020

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Summary

As we told you last week, this update will go out before we know who the President of the United States will be as several states are still “too close to call.” Here in Michigan, the results are clearer. Secretary of State Jocelyn Benson confirmed that **more than 5.5 million Michiganders voted in this election**, which surpasses the record of 5.039 million in 2008. This means that 70% of all voting-age Michiganders voted, the highest percentage since 72.7% voted in the Kennedy-Nixon election in 1960. Another statistic to note is that two-thirds of our Michigan ballots were cast absentee.

In non-election related news, Governor Whitmer held a press conference yesterday to provide an update on the state’s COVID response. No formal actions were announced, but the governor called on the legislature to put their stamp of

approval on the statewide mask mandate and address this issue as soon as they resume session. Both Senate Majority Leader and incoming Speaker, Rep. Jason Wentworth (R-Clare) on Thursday afternoon rebuked the idea, so it's probably not going to happen legislatively.

This week, the **Senate also passed the Youth Work permit legislation yesterday**. SB 910, sponsored by Sen. Roger Victory (R-Georgetown Twp.), amends the Youth Employment Standards Act, and would **remove the requirements that the permits be issued in person as well as the color paper distinction**. The bill was reported 34Y-0N and is on its way to the House. MASA supports this legislation which has been reported on in previous updates.

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

Election Recap

Despite polling leading up to this election that indicated a strong possibility that our state House would flip this cycle, House Republicans maintained their 58-52 majority. Both sides of the aisle successfully flipped two seats. For Republicans, they were victorious in flipping HD-96 and HB-48 and unseated two incumbents seeking re-election, Rep. Brian Elder (D-Bay City) and Rep. Sheryl Kennedy (D-Davison). At the same time, Democrats successfully gained seats in HD-61, which is Kalamazoo, and HD-38, which is Novi.

Sen. Peter MacGregor (R-Rockford) won his race for Kent County Treasurer, and Sen. Pete Lucido (R-Shelby Twp.) won his race for Macomb County Prosecutor. They will vacate their Senate seats starting next year and will leave the Republicans with a 20-16 majority until there is a special election to fill those seats.

Former Rep. Ellen Cogen Lipton and Jason Strayhorn won the two open seats on the State Board of Education. The board will consist of a 6-2 Democratic majority.

Elizabeth Welch and Chief Justice Bridget Mary McCormack won their races for the Michigan State Supreme Court. Democrat-backed justices will have a 4-3 majority on the court when the newly elected Welch is seated.

Additionally, congratulations to all of our MASA members that were successful in their bond elections!

House Names Next Leadership Positions for the 2021-22 Session

On Thursday, the House held caucus elections for the upcoming session starting in January. No real surprises here, as it was indicated over the previous session what members were slated to take these positions:

- Rep. Jason Wentworth (R-Clare) House Speaker
- Rep. Ben Frederick (R-Owosso) House Majority Floor Leader
- Rep. Pamela Hornberger (R-Chesterfield Twp.) House Speaker Pro Tempore
- Rep. Matt Hall (R-Emmett Twp.) Caucus Chair
- Incoming Representative Andrew Beeler (R-St. Clair) Caucus Vice Chair
- Rep. Andrea Schroeder (R-Independence Twp.) Majority Whip
- Rep. Jack O'Malley (R-Lake Ann) Majority Deputy Whip
- Rep. Donna Lasinski (D-Scio Twp.) House Minority Leader
- Rep. Yousef Rabhi (D-Ann Arbor) Minority Floor Leader

No other leadership posts were announced for the Democrats this week.

Congratulations to all these lawmakers on being selected for these leadership roles.

House Passes Language Acquisition Bill

On Thursday, the House acted on a few pieces of legislation, including HB 5836, sponsored by Rep. Kathy Crawford (R-Novi). The bill was reported out of Ways and Means and passed through the House.

This legislation would institute several requirements for the Michigan Department of Education (MDE) related to resources and assessments for children who are deaf or hard of hearing. These tools and assessment would be used by local districts. HB 5836 also creates requirements for learning environments and parent resources.

The bill also establishes an advisory committee consisting of 15 volunteer members appointed by the State Superintendent. The committee would have several responsibilities including the **solicitation of input from experts on the selection of language developmental milestones for children who are deaf or hard of hearing** that are equivalent to those for children who are not deaf or hard of hearing, for inclusion in the parent resources and ultimately make recommendations to MDE on what should be included.

MDE is required to produce a report on students with disabilities that is specific to the language and literacy development of children who are deaf and hard of hearing and are age five or younger as compared to their peers. MDE would have to make this report available on its website.

There is intent language in the legislation for the legislature to allocate funding for the changes the bill would make, **however in HB 5836's current form it is an unfunded mandate.**

Senate Committee Reports Solar Energy Exemption Bills

The Senate Finance committee reported out SB 1105 and SB 1106, **a pair of bills that create the "Renewable Energy Facilities Payment in Lieu of Tax Act."**

This legislation details many different aspects of how this act would operate, but what you need to know is that **as introduced, the bills reduce state revenues and increases costs to the school aid fund.** Instead of paying property tax, under the proposed act, an owner or lessee of a qualified renewable energy facility, for which a certificate was issued, would have to make an annual payment in lieu of tax in the amount of \$3,500 per megawatt of nameplate capacity, unless the owner or lessee and the local governmental assessing authority agree to a

lesser amount per megawatt of nameplate capacity. This exemption also includes school operating millages and the State Education Tax. As with other PILT programs, we lose future opportunities to capture revenue growth.

As with any piece of tax legislation that may negatively impact the School Aid Fund, MASA opposes this legislation and is working actively to remedy the potential impact on school revenue.

ICYMI: MDE Updates

Extended COVID-19 Learning Plans Due Nov. 6

Re-confirmed Extended COVID-19 Learning Plans, as required by [Public Act 165 of 2020](#), are **due Friday, Nov. 6**. These plans must be submitted by the first week of the month in which the plan is enacted. Submissions must be completed in MDE's GEMS-MARS, which can be reached through the [Learning Plan Monthly Questionnaire](#) link. This will allow districts to submit a baseline plan for September and updates, if applicable, for October and November. If there were no changes, districts must confirm their plan through the October and November submissions.

Note, districts providing hybrid instruction must report the minimum and maximum number of days of in-person instruction per week. For reporting purposes, days of in-person instruction should reflect the cumulative days' worth of instructional hours, not the number of calendar days students were in the building.

While a MEIS login is not required to submit data, users with a GEMS/MARS account are encouraged to sign-in using their existing account as it provides additional features such as saving incomplete submissions. For questions regarding the GEMS-MARS application, call 517-241-6270 or email mde-gems@michigan.gov. Questions on reporting plan information to CEPI should be directed to CEPI's customer support team at cepi@michigan.gov.

MEMO #102-20

Seclusion and Restraint Data Reporting and Analysis Requirements

State law (MCL 380.1307f) requires that seclusion and restraint for all students must be reported in the Michigan student data system (MSDS) this year, regardless of the mode of instruction being provided to students during a pandemic. [Read the full memo.](#)

Other Important Information:

1. Teacher and Support Staff COVID-19 Grant Programs -- Eligible Support Staff

The Michigan Department of Treasury (MDOT) has received a number of questions regarding who qualifies for the Support Staff COVID-19 Grant.

MDOT has issued the [Teacher and Support Staff COVID-19 \(TSSC19\) Grant Topic](#) to provide basic examples that should allow local and intermediate school districts and public school academies to gain a better understanding of what positions qualify for the Support Staff COVID-19 Grant and meet the eligibility requirements to receive grant funding.

For additional Teacher and Support Service COVID-19 (TSSC19) Grant information, links to statute, forms, the Frequently Asked Questions (FAQ) and to sign up for the TSSC19 Grants Listserv, please visit www.michigan.gov/TSSC19Grants.