

LegislativeUpdate

Michigan Association of Superintendents & Administrators | October 11, 2019



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Summary

This week in Lansing the budget showdown continued.

A number of supplemental bills were introduced in the House and Senate to restore specific pieces of the Fiscal Year (FY) 2020 budget. Republican-backed supplemental spending bills total \$257 million: \$91 million in general fund, \$71M School Aid Fund, \$73M Federal, \$21M Restricted, and \$27k private.

Some of these items include restoring dollars for private college grants, \$8.7 million in payments to local governments and \$13.1 million in road patrol dollars.

Unlike what we see in typical supplementals, where line-items are packed into one or two bills, Republicans separated the spending items into individual bills to make the potential future votes on specific priorities possible. Michigan Senate and House Republicans introduced identical bills to

reverse Whitmer line-item vetoes. The Senate GOP stated that the supplemental spending bills introduced are "by no means" an exhaustive list" of vetoes the Legislature wants to be restored.

Education Veto Restorations

Here's what they include education-wise:

HB 5077/SB 555 – Restores Sec. 20(j) Public School Academy Increase

- Governor vetoed the \$240 per-pupil increase for public school academies
- Restores \$35 million in funding for this foundation allowance increase

HB 5078/SB 558 – Restores Sec. 35a. (9) Summer School Literacy Intervention Grants

- New section only included in the Conference Report includes one-time funding for summer school reading programs for 3rd-grade students not meeting proficiency in reading, and for K-2 students not reading at grade level if the program has capacity

HB 5079/SB 556 – Restores Sec. 61c. CTE Equipment Grants

- \$16 Million in TIF funds
- Equal payments to Career Education Planning Districts (CEPD). A CEPD is eligible for funding if at least 50% of the area served by a CEPD is located in an ISD that did not levy a CTE millage in 2018. Half of the dollars under this section has to be used for equipment upgrades, PD, and some other requirements

HB 5080/SB 561 — Restores Sec. 97 Secure Schools

- \$5.2 Million SAF & \$4.8 Million GF
- One-time dollars for Michigan State Police to award for a secure school program and panic button app. The rest of the money would be given for tech, hardening or safety assessments

HB 5081/SB 552m – Restores Sec. 54e Play Project

- \$350K GF one-time funds
- A NEW pilot program to train at least 60 early-on providers in the components of evidence-based, parent-implemented models of intervention for the treatment of autism. MDE would be required to do an impact study.

HB 5093/SB -575 – Restores Sec. 22d Small and Rural Districts

- \$7 Million SAF

- Payments to small, geographically isolated districts for transportation

Then, on Thursday, Senate Minority Leader Sen. Curtis Hertel (D-East Lansing) introduced two supplemental bills that he worked on closely with the governor's office. The bill puts a combined total of \$475 million in spending to the Fiscal Year (FY) 2020 budget, including \$100 million for the Rainy-Day Fund. The proposed spending equals half of the \$947 million vetoed this month.

There are four items that overlap the two budgets – secondary road patrol, veteran grants, rural hospital funding, and the autism navigator program.

In terms of school funding, SB 577 is a multi-section school aid bill that adds \$120.5 million in increased spending. This would be split between increased spending of \$60 million from the Talent Investment Fund, \$50 million General Fund, and \$10.5 million School Aid Fund.

SB 577 increases spending in Section 35a, the section of the budget dedicated to early literacy coaches. The proposed supplemental increase is similar to what the governor proposed in her budget. The supplemental increases the funding by \$21.5 million SAF for a total of \$31.5 million. The bill would remove the ISD cost-sharing that is found in current law and replace it with State grants. The number of literacy coaches funded would remain at 280 since, under the bill, the increase in State funds would replace the local match that currently exists.

Gov. Whitmer had a meeting Thursday with the Legislative Quadrant that, by all accounts, went well. So well, in fact, that they plan to do it again on Tuesday.

House Education Committee

It was a full agenda this week in the House Education Committee. Four bills were reported by members and referred to the House Ways and Means Committee. Two of these bills deal with dual enrollment for career and tech programs, HB 4546 and HB 4547.

The strict disciplinary academies legislation was also among the bills reported.

HB 4675 sponsored by Rep. Lynn Afendoulis (R-Grand Rapids) would expand opportunities for districts to refer students to strict discipline academies. The bill would allow a district to refer a student requiring Tier 3 support based on a multitiered system of supports (MTSS) before expelling or suspending the student.

A substitute to the bill was adopted to allow districts to refer students before they are expelled if the student has been identified as requiring intense intervention to address highly accelerated or severe and persistently challenging academic or nonacademic needs or requires Tier 3 supports under MTSS.

MDE testified in opposition to the bill due to concerns related to special education students and compliance with federal law. We share the department's concern with the legislation and will work with the bill sponsor to ensure the bill is amended accordingly.

Testimony was taken on HB 4826 sponsored by Rep. Tommy Brann (R-Wyoming) which requires all schools to include a program of instruction in free enterprise and entrepreneurship in their 8th grade curriculum. The proposed bill would go into effect for the 2019-2020 school year. HB 4836 requires

MDE to develop or adopt a model program, however, it must be project-based and include a number of areas of instruction. The bill also requires the State Board of Education to ensure that the 8th grade social studies standards include instruction in free enterprise and entrepreneurship. HB 4826 would increase costs for MDE and presumably for districts. The question remains, where would this go in the already full curriculum?

Additionally, the committee took testimony on HB 4739 sponsored by Rep. Ryan Berman (R-Wixom). This legislation requires the annual inspection of all public and non-public schools. Under the bill, the Michigan Department of Health and Human Services (DHHS) would be required to conduct yearly inspections of school buildings before August 15. Under this definition, a school building would include any building used primarily to provide instruction to pupils as well as recreational or athletic structures used by pupils.

DHHS would have 14 days to provide notice of any violations to the school's governing body, and then the school would have an additional 14 days to submit proof that actions were taken to correct any violations.

The House Fiscal Agency estimates that this bill would increase costs to DHHS by \$3-\$4 million dollars. This is primarily caused by the number of employees the department would be required to hire to fulfill these inspections, as well as their travel, and the new information technology costs associated with these 30 plus new employees.

There are 3,592 public school buildings in Michigan. There are at least 461 non-public school buildings and 1,167 other school buildings that may or may not fall under this definition. Schools are already subjected to inspections for elevators, indoor bleachers, outdoor bleachers, boilers, pool areas, backflow preventers, wells, kitchen areas, and fire systems. HB 4739 would create additional inspection requirements, with tight timelines and an overly broad definition for inspection and health and safety violations. MASA is opposed to this legislation as it's written.