

LegislativeUpdate

Michigan Association of School Administrators | May 18, 2018



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Summary

We had a full agenda this week in Lansing with education issues up in both chambers and in a number of different committees. Additionally, the Consensus Revenue Estimating Conference provided us with some good news on the

revenue front. The Legislature is speeding toward summer recess and many issues that have been relegated to the backburner might pop up last minute, so keep your eyes peeled for special messages and alerts.

We hope to see you at our Legislative Conference next Tuesday.

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

Consensus Revenue Estimating Conference

The May Consensus Revenue Estimating Conference (CREC) was held Wednesday. This conference included the State Treasurer, Budget Director, and the House and Senate Fiscal analysts. These principals presented the agreement reached for the economic and revenue figures for the remainder of Fiscal Year (FY) 2018 and for the upcoming 2019 and 2020 fiscal years.

For FY 2018, General Fund revenue is projected at \$10.46 billion, an increase of \$155.9 million from estimates in January. FY 2018 School Aid Fund (SAF) revenue is now estimated at \$13.24 billion, an increase of \$159.5 million from January. Combined, General Fund and School Aid estimates are up approximately \$315 million for FY 2018.

The significant growth is attributed to increased income and sales tax collection in FY 2018, which far exceed the rates estimates from January. As the budget process continues, the House and Senate will have extra dollars available to spend. Many have speculated where the money will go but it has been largely reported this week that the Governor and House Republican Leadership are in agreement that roads, school safety, paying down debt and the Budget Stabilization Fund are the priorities. MASA will continue to push for these dollars heading toward K-12 purposes.

The State's Executive summary and consensus revenue agreement can be found [here](#).

Marshall Plan

The Senate Appropriations Committee held a hearing Wednesday to discuss legislation that will implement the Governor's Marshall Plan for Talent. Several individuals testified on SB 941 and SB 942. Sponsored by Sen. Dave Hildenbrand (R-Lowell), SB 941 would appropriate \$100 million in Fiscal Year (FY) 2019 from the Talent Investment Fund for work projects. If any funds are not utilized, they would be carried into FY 2020 with the work project estimated for completion by the end of FY 2023. SB 942 is sponsored by Sen. Goeff Hansen (R-Hart) and would allow for a \$100 million payment into the Talent Investment Fund from the more than \$140 million balance in the Student Loan Operating Fund.

While we appreciate the tenets and goals of the Marshall Plan, MASA testified during committee highlighting a number of concerns with the current version of the legislation.

One area of concern is the competitive nature of all the grants in the proposal. Competitive grants have the potential to favor well-resourced districts and won't encourage expansion of CTE opportunities in areas where none exist. Members have suggested some sort of hybrid where the grants could be issued regionally and possibly based on need so that skilled trades programs can grow in areas where they currently exist and expand into areas where they do not.

Additionally, the complexity and number of grants should be revised to allow for a concise application process. We've continued to work with lawmakers and the executive branch to tweak amendments and make sure the language is right. It is expected that the bills will be voted out of committee next Wednesday.

Dental Screenings

The House Health Policy took introductory testimony on legislation that requires dental screenings for all children entering kindergarten. HB 5241, sponsored by Rep. Scott VanSingel (R-Grant), amends the portion of the public health code that currently requires local health departments to conduct hearing and vision screenings to also include dental screenings. The bill specifies that dental screenings would include a limited clinical inspection by a dentist or dental hygienists with the intent to identify signs of disease, malformation or injury, and potentially lead to a referral for treatment.

The Department of Health and Human Services would establish and administer programs to assist local departments in maintaining dental screenings and testings for children. Local health departments would have the option to provide the screenings or contracts for the service. When a screening indicates that a child is in need of follow up care, the authorized agency would provide a written statement that details the needed action.

HB 5241 includes a provision that allows parents to opt-out of the screenings for religious obligations or if their child received dental screenings and testings elsewhere. School principals or administrators would give state and local health departments a summary of submitted dental reports, and DHHS would make these available to health agencies. The bill language also specifies that failure to meet this requirement would not prohibit a child from attending school.

The intent of the legislation is to provide dental care to children who do not have dental insurance. The House Fiscal Agency estimated that there are anywhere from 64,800 to 161,500 children in Michigan without dental insurance. Depending on the number of parents that opt-out of the screenings and families with existing dental coverage, this legislation would cost the state in the range of \$1 to 3 million dollars. Although there is no current budget appropriation for this piece of legislation, language is included in HB 5241 that states if the bill is

enacted, it will not be implemented unless it is funded.

MASA joins a large group of supporters of the legislation, including the Michigan Dental Association, Michigan Dental Hygienists Association, Delta Dental, Michigan Association for Local Public Health and the Michigan Association of Counties, among others.

School Safety Update

This week the Senate Education committee began their discussion on school safety. The committee heard testimony on the following bills:

SB 983 sponsored by Sen. Marty Knollenberg (R-Troy) would require school districts and local law enforcement to conduct a biennial school safety assessment for every district operated building. If passed the bill would be in effect for the 2019-2020 school year and assessments would be conducted biennially at a minimum. Then by January 1, 2020, an ISD would have to develop an emergency operations plan for every building. Plans include guidelines and procedures for a number of emergencies including school violence and attacks, threat of violence, intruders, threats to a school-sponsored activity on or off school premises, active shooter protocol and a plan to train teachers on mental health, among others. The plan would have to be adopted by majority vote of a district's board members during an Open Meeting. Districts would have 30 days to notify MDE of a completed assessment and adopted emergency operations plan. MDE would be required to post to its website at least annually a list of each district that has not developed an emergency operations plan.

SB 990 sponsored by Sen. Margaret O'Brien (R-Portage) would require a district to consult with a local law enforcement agency before beginning construction or major renovation of a school building. We have already had

several productive meetings with Sen. O'Brien and are working to amend the bill to address some of our concerns.

SB 991 sponsored by Sen. Dale Zorn (R-Ida) would require the governing body of a school to identify a school official as an emergency contact for the school and provide their information to the Department of State Police. This information would need to be submitted at least biannually.

SB 957 is also sponsored by Sen. Dale Zorn (R-Ida), would repeal the sunset on the Student Safety Act, which created the OK2SAY program.

Additionally, the Senate Government Operations committee discussed SB 924. The bill is sponsored by Sen. Mike Kowall (R-White Lake) and would allow for private security police to be licensed and given the power to arrest individuals on the premises of the business or school at which they are working through a contracted company. The bill defines "private security police" as a licensee that is engaged by a legally organized entity to provide protection on its premises.

If you're keeping score, in total there have been 29 bills introduced regarding school safety. Below is a comprehensive list of all of the school safety bills introduced as of this week.

- [SB 601](#) (Hildenbrand) would create school safety grants. 15 million would go to state police for K-12 facility grants with remaining funding designated for expanding OK2SAY and for a new alert system.
- [SB 933](#) (Ananich) would require a \$100 million supplemental from the Budget Stabilization Fund. A total of \$50 million would be used under the bill for the hiring of additional school counselors, social workers, and armed school resource officers. The remaining dollars would be directed toward school security enhancement grants.
- [SB 934](#) (Hertel) would expand universal background checks to close what is known as the gun show loophole, meant to prevent unlicensed dealers from selling at events such as gun shows.
- [SB 935](#) (Hertel) would close the open carry loophole in schools.

- [SB 936](#) (Ananich) would set sentencing guidelines for background check changes.
- [SB 937](#) (Knezek) would create a legal process for law enforcement to seize firearms from individuals who could be a danger to themselves or others. Additionally, it creates the Extreme Risk Protection Order Act outlining the process for allowing courts to authorize such firearm seizures.
- [SB 938](#) (Knezek) amends the Firearm Act to include the red flag provisions.
- [SB 982](#) (Nofs) creates an Office of School Safety, outlines its powers and duties, and allows for oversight by the Department of State Police.
- [SB 958](#) (Booher) and [HB 5851](#) (LaFave) add a requirement to the Revised School Code to require schools to report annually on attempted acts of school violence. School districts will provide reports to the Michigan Department of State Police. Reports will include attempted acts of violence on school grounds and threats off school grounds that are directed at school, staff or students. Both prevented and thwarted acts of violence must be included. Reports will include a description of the incident and how the incident was thwarted or prevented and exclude the name of the school or names of any individuals involved. The state police will generate an annual report with this information and provide the report to the School Safety Commission.
- [SB 959](#) (Zorn) and [HB 5852](#) (Bellino) add a requirement for the Michigan Commission on Law Enforcement Standards to include active shooter training that emphasizes gaining of tactical advantage and the rapid response of law enforcement officers. A commission will promulgate rules to develop the minimum standards for active shooter training. It will include scenario-based training, formations with law enforcement officers, and coordination with first responders.
- [HB 5828](#) (Wentworth) would designate the Comprehensive School Safety Plan Fund within the Department of Treasury, and also creates

the School Safety Commission. The commission will make recommendations on the school safety measures and metrics that will be used to evaluate schools. Measures will address school building layouts, building proximity to law enforcement agencies, emergency planning strategies, employment of SROs, and surveillance technology, among others. The commission will implement a plan to ensure each school building is inspected within 30 months and employ school safety inspectors to make recommendations to the commission after every inspection. Funding will be expended through competitive grants to schools. Application details will be developed by the commission. Grants will be awarded for 1 year, and schools that have received an inadequate safety grade will be prioritized. Grant funds can only be used to implement additional safety measures by either purchasing and installing security equipment and school building upgrades.

- [HB 5829](#) (Hornberger) would require all school boards to designate a liaison to work with the School Safety Commission. The individual will be employed by the district to regularly and continuously work under contract with the district. The liaison will identify and evaluate school safety measures for the commission's review. Districts must submit to an inspection of every building operated with the district
- [HB 5830](#) (Kosowski) would create new safety protocol procedures and building code standards for any newly erected or constructed schools. All new school buildings, both public and nonpublic, must be constructed with the safety measures defined by the commission.
- [HB 5848](#) (Barrett) mandates that the Department of State Police will develop or adopt an active shooter training program for schools by August 1, 2019.
- [HB 5850](#) (Iden) would eliminate the sunset on School Safety Act
- [HB 5873](#) (Kosowski) requires all districts to develop and implement an emergency response plan with local law enforcement for every building operated by the district.

- [HB 5920](#) (Kosowski) creates a safety certification program for schools.
- [HB 5966](#) (Miller) establishes grant programs and funding for school safety and student mental health programs.
- [HB 5967](#) (Kosowski) establishes mandatory reporting by certain individuals of credible threats of violence against a school.
- [HB 5942](#) (LaFave) provides for penalties for threatening a school with a firearm or other deadly or dangerous weapon.
- [HB 5943](#) (VanSingel) provides for sentencing guidelines for threatening a school with a firearm or other deadly or dangerous weapon.
- [HB 5984](#) (Kesto) would require annual inspections of all public and nonpublic schools for safety concerns.

