



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



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SUPERINTENDENT OF
PUBLIC INSTRUCTION

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MEMORANDUM

TO: State Board of Education

FROM: Mike Flanagan, Chairman 

SUBJECT: Legislative Update

There has been little legislative activity since the July meeting of the State Board of Education (SBE). It was originally planned that both houses of the Legislature would meet once a week during the summer, but that has not occurred. Legislative session and various committee activities have, for the most part, been scheduled and then canceled.

The following is an update of any legislative activity that has occurred and a brief review of issues that may be addressed when the Legislature returns:

Budget Issues. Incoming tax revenues have increased a bit more than anticipated, thus some are expecting an additional \$160 million in unanticipated revenue for next year's budget. There will be a revenue estimating conference between the Administration and the two legislative fiscal agencies in mid-August to confirm these potential revenues. It is expected that after this conference, serious discussions regarding a finalized budget will begin. The Department's Budget and the School Aid Budget remain in conference committee. All issues are on the table for potential resolution, including funding for the SBE's proposed Education Reform and Finance Study for Public Education (or Best Practices Study), out-of-state travel by the SBE, and resolution of a number of concerns within the School Aid Budget.

Child Protection Legislation. This legislation, introduced at the Governor's request, addresses a number of concerns regarding the protection of children against sexual predators. This package, which was reviewed extensively in last month's Legislative Update, includes the following:

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- Background checks on all full and part time employees. If a crime shows up, the employee may (and in some cases shall) be terminated immediately.
- If someone is convicted of a crime listed in the Sex Offenders Registration Act, that individual would lose his or her certification and would not be entitled to reinstatement.
- All school employees would have to report to the Department if they have been charged with a felony. Failure to report this information could mean automatic termination.

Other key bills include: A prohibition from anyone on the Sex Offenders Registry from residing, working or loitering within a 1000 foot zone around school-owned facilities and background checks on all day care center employees.

Administrative Certification. Senator Jelinek and Senator Switalski introduced SB 673 and SB 674, bills addressing the recommendation of the SBE's task force on this subject. The bills require voluntary certification, with appropriate fees. In addition, the legislation directs the SBE to develop administrator certification requirements, including appropriate endorsements, and to develop standards and procedures regarding education, professional experience necessary for certification, and procedures for suspension or revocation of the certificate. The bills are in the Senate Education Committee and hearings are expected in September.

Zero Tolerance Amendments. Staff is continuing to work on legislative language that can be proposed on this issue, which was discussed at the July SBE meeting. Since the July SBE meeting, a number of SBE members have discussed this issue and it is clear the overriding principle seems to be finding a solution to keeping children in school. Staff has been directed to develop a proposal that focuses on this concern so that whether this issue is Zero Tolerance, truancy, or some other issue, it is clear there is no excuse for a child not being in an appropriate school.

Truancy Legislation. Staff and SBE President Straus met with Representative Clack (D-Flint) to discuss her legislation toughening up the state's truancy laws. This legislation was introduced at the Governor's request and the key feature is that a person could not receive a driver's license unless they can demonstrate to the Secretary of State that they have been attending school on a regular basis. They would do this by providing a "certificate of good standing" which would be provided by the local school district and confirming the individual has met minimal attendance requirements.

As always, if you have any questions or concerns, please do not hesitate to contact Bob Morris or myself.