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DEPARTMENT OF EDUCATION
LANSING



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SUBJ: LEGISLATIVE UPDATE

The legislature is winding down a hectic spring session. While the frenetic pace will slow by the end of June, it appears the legislature will convene at least one day per week during the course of July and August. During June, the Department has been focusing its attentions on two issues: the Child Protection legislation and budget issues.

Child Protection Legislation

On June 14, a fourteen bill package was introduced, a complete package of bills in the House and a complete package of bills in the Senate. Of the fourteen bills, four have direct impact on the Department of Education. The following is a brief description of the four bills

SB 601/HB 4402. This legislation requires each full- or part-time employee of a school district to receive a background check provided by the State Police. Additionally, the legislation sets two levels of administrative action for employees who have been found to have convictions on their records. 1) If a conviction has occurred regarding a crime listed on the Sex Registration List, the individual must be terminated. 2) If the report indicates an individual has been convicted of any other felony, continued employment can only occur if the local school superintendent and school board approve the employment.

SB 609/HB 4929. This legislation is an effort to exempt from the Teacher Tenure hearing process a teacher who has been convicted of "failure to report" or whose salary has been "escrowed" under other bills in this legislation. Department staff has significant concerns over how this legislation has been drafted and will be working with legislative staff to address these concerns.

SB 610/HB 4928. This legislation has several different elements. Some of the major issues are: 1) Prohibits a school district from paying wages to a certified teacher or other board approved employee after they have either pled guilty or

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been convicted (but not sentenced), but are still employed by the school district. These funds are placed in an escrow account. 2) Language is added to "listed offense" that includes crimes listed in the Sex Offenders Registration Act. 3) A person convicted of a "listed offense" would not be entitled to request a reinstatement hearing with the Department. 4) Appropriate state departments would work together to automate a program that would, on a monthly basis, compare all school employees with conviction information available on a State Police database.

SB 612/HB 4930. This legislation requires any school employee charged with a felony to file a report with the Michigan Department of Education. The Department would have to develop the form for general use. A person who does not file such a report would be subject to discharge from employment.

Other key bills include: 1) a 1000 foot zone around school-owned facilities, prohibiting anyone on the Sex Offenders List from residing, being employed, or loitering in this zone. 2) Similar background checks would be required for day care employees and school volunteers.

Budget Issues

Not much has changed regarding the department's budget bills since the last board meeting. The House, however, did pass their School Aid bill on June 22. There were many changes that staff is still in the process of analyzing. Perhaps the biggest disappointment is that on June 16 President Straus and board member Curtin met with the Speaker and other key legislators regarding the board's Best Practices study. At that time, the Speaker indicated he would support placing language in the budget to begin funding such a study. Yet, when the bill came up on the House floor for a vote, such an amendment was not introduced. Staff is working with the Speaker's office and other legislators to see if this issue can be resolved.

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