



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



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TO: State Board of Education

FROM: Michael P. Flanagan, Chairman 

SUBJECT: State and Federal Legislative Update

State Update

Following a final flurry of activity, the Michigan Legislature is now adjourned until the final adjournment *sine die* (Latin for "without day" recognizing the constitutional closing of session) on December 29, 2010. The Legislature will then return on the second Wednesday in January (Michigan Constitution Article IV § 13), which for 2011 falls on January 12, to begin the new session with new members being sworn into office, and leadership votes officially occurring. Please note: all remaining bills from this session essentially are put to rest at *sine die* adjournment and would need to be reintroduced next year if there is to be any action on them in the future.

Education Jobs Fund Bill

Previously, the Governor vetoed a portion of the bill appropriating the Education Jobs Fund, as that earlier bill would have appropriated the funds in a way unacceptable to the federal government. A new bill to appropriate the funds using an approved method has now been passed.

HB 5887 uses what is referred to as the "2x Formula" to appropriate the federal money to local districts. This formula provides those districts with a lower foundation allowance twice the increase that districts with a higher foundation allowance receive with the goal of reducing the funding gap in the state (\$222 and \$111, respectively). This was important legislation needed to move the \$246 million in federal funds to local schools.

This legislation also included a resolution of the ADAIR lawsuit by funding data collection. The State Budget Office was the lead on this along with the Center for Educational Performance and Information (CEPI). This legislation passed both chambers and is now on its way to the Governor's desk.

MI-SAAS Hearings

As you know, MCL 380.1280 states that the school accreditation system must be approved by the House and Senate Education Committees.

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The Senate was unwilling to schedule a hearing on the State Board of Education-approved Michigan School Accreditation and Accountability System (MI-SAAS). Consequently, there was no point in holding the House Education Committee hearing, although the House Education Chair was willing. Time is up on the current session and this will need to be addressed next year in the new legislative session.

HB 4410 and SB 638 Teacher Evaluations Linked to Tenure

There was some effort during the last month of legislative session to pass these two bills to align the Tenure Act with the teacher evaluation requirements adopted last year in the Revised School Code (part of the State's education reform legislation). In the end, the labor opposition to this legislation prevented action in the House. This will need to be addressed next session.

Senate Bill 1284 (Senator Nancy Cassis R-Novi) – Encourages Districts to Implement an Early Intervention Program.

The State Board supported SB 1284 at its October 12, 2010 meeting. Unfortunately, time ran out on this legislation. The House did not take it up during the final hours of session. The bill summary is available in the report from October 12, 2010 (http://www.michigan.gov/documents/mde/Legislative_Report_334601_7.pdf).

Federal Update

Federal Child Nutrition Act

The federal Child Nutrition Act previously passed by the U.S. Senate is expected to be voted on by the U.S. House before the year ends. There had been much debate on this legislation as the Senate had used funding from the food stamp program to fund part of this act in an offset. House members had been vocally opposed to that. Given that time is running out in the current session, it appears the House is moving toward passing this version as it is considered better than nothing, or at least better than whatever would happen in the next session under different leadership.

I hope this information is helpful to you. If you have any questions or concerns regarding these or other legislative issues, please contact Lisa Hansknecht, Director, Office of State and Federal Relations at 517-335-4913.