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TO: State Board of Education
FROM: Michael P. Flanagan, Chairman 
SUBJECT: Education Legislative Update

The legislature ended its post-Labor Day session on September 20 and recessed until after the November 7 election. Perhaps the most significant event regarding education issues during this short session was the first meeting of the Subcommittee on High School Curriculum. The Subcommittee's request to delay final consideration in adopting the new high school science content expectations was discussed at length at the September 12, 2006 State Board of Education meeting. Letters of legislative input have been received from Representative Brian Palmer (R-Romeo), Chair, and Representative Fred Miller (D-Mt. Clemens), Vice-chair of this subcommittee. In addition, there was activity on a number of bills that we have been watching, including:

Transfer of Programs from DLEG to MDE. A series of bills (HB 6370 to HB 6384) were approved by the House Higher Education and Career Preparation Committee and then passed by the full House. In 1999, Governor Engler issued an executive order transferring significant programs from the Department of Education to the former Department of Career Development. These programs included Career and Technical Preparation, Adult Education, and Postsecondary Education. Many legislators now feel that since the Department of Career Development has been absorbed by the Department of Labor and Economic Growth, it is time to restore these programs to the Department of Education. This legislation passed the House on a series of party-line votes. Republicans argued that it is time to move these functions back to MDE, however, the Democrats argued that since the bills were moved by executive order of the Governor, they should be restored by executive order. The bills are currently in the Senate Education Committee.

Early Childhood Subcommittee. This subcommittee is currently chaired by Representative Tom Meyer (R-Bad Axe), who has taken this responsibility seriously by attending meetings on early childhood issues in Chicago and other parts of the state. On September 20, the subcommittee met and reported two bills to the full

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House Education Committee. HB 6285, introduced by Representative Meyer, requires that an on-line parenting education curriculum course be developed by Michigan Virtual University. This bill also requires high schools to offer the program as an elective to students. The Department indicated to Representative Meyer that we recognize the merit of such a program, but also expressed concerns regarding the fact that the state has just adopted the new high school graduation requirements that are already placing significant pressures on local high schools. We did suggest that this concept could be developed as part of the on-line learning experience required by the new high school curriculum legislation. Representative Meyer also introduced HB 6285, which amends the Child Abuse and Neglect Prevention Act essentially by codifying in law many of the early childhood requirements that are currently appropriated each year. The Department indicated support for this bill. Both bills are now in the House Education Committee and it is not clear if they will be addressed during the remaining weeks of session.

HB 6403 -- HB 6406. These bills were introduced for the purpose of providing school superintendents the power to seek personal protection orders against individuals who have been convicted of certain sex-related crimes, but may not be on the sex offender's list. These bills were taken up in the House Judiciary Committee on September 20 and passed the full House later that day. While moving through the House floor, the bills were expanded by amendment to allow principals or their designees to seek personal protection orders against individuals that are known for manufacturing, possessing, or delivering controlled substances. These bills have yet to be assigned a committee in the state Senate. The Department was neutral on the bills.

HB 6307. HB 6307, introduced by Representative Emmons (R-Sheridan), attempts to add additional employment categories to existing law that prohibits a teacher from having a sexual relationship with a student over the age of consent (16 years of age). The legislation would essentially add all school employees, including substitute teachers, aides, paraprofessionals, volunteers (other than a student), and administrators. There was a bi-partisan effort made to amend the bill in committee to exempt people who were less than two years apart in age – a "Romeo and Juliet" situation. However, the amendment was defeated under the grounds that an older person may well be in a power relationship with a younger person. This bill was reported out of the House Judiciary Committee and remains on the House floor.

As always, I hope this information is useful and if you have any questions, please contact Bob Morris or myself.