



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING



MICHAEL P. FLANAGAN  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION

JENNIFER M. GRANHOLM  
GOVERNOR

March 31, 2008

**TO:** State Board of Education  
**FROM:** Michael Flanagan, Chairperson  
**SUBJECT:** Legislative Update

**OVERVIEW** (The House and Senate are currently on their spring breaks)  
This year, so far, the budget process is following a more typical budget schedule. Most budgets have passed their first chamber. Upon returning from break, the second chamber will begin its work. This includes both the Michigan Department of Education and the School Aid budgets, which have passed the Senate. The House Appropriations Subcommittee on K-12 Education is expected to begin work on those budgets the week of April 7<sup>th</sup>. The Subcommittee is expected to report these bills to the full House Appropriations Committee in early May.

The budget process will continue with the May Consensus Revenue Estimating Conference on May 16<sup>th</sup>. After that point, targets will be set, and the budgets will begin their final steps either through concurrence or conference committee.

**HOUSE ACTION**

Bills to change the age range for compulsory school attendance from 6 to 16, to 5 to 18 now are both awaiting action on the House floor.

**House Bill 4662 (H-2) – Rep. V. Smith (D-Detroit)**

The House Education Committee reported the bill to lower the compulsory school attendance age to 5, effectively mandating kindergarten. However, the committee adopted several amendments to the bill including:

- Requiring full-day programs beginning with the 2011-2012 school year only in districts that do not make Adequate Yearly Progress (AYP) for two years;
- Phasing in a move from the December 1<sup>st</sup> age cut-off date to a September 1<sup>st</sup> age cut-off date, while still allowing certain 4-year-old child(ren) to attend at the parents choice; and
- Allowing parents to sign a waiver if they do not wish their 5-year-old child(ren) to attend school.

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The first amendment is problematic as schools may make AYP off and on over time. This implies that a school might be required to offer full-day kindergarten one year and then discontinue the program the next. The second amendment regarding precisely how old a child should be to enter kindergarten has been debated for years. It's unclear whether the amendment will remain in the bill. Finally, the third amendment returns the bill almost to what we have now. Currently, parents can *opt-in* and send their child(ren) to school at age 5 if they choose; with that amendment this bill would allow parents to *opt-out* of sending their child(ren) to school at age 5 if they so choose. It is, in many ways, a difference of only semantics.

It is early in the process and unclear in what form the final bill will be, if and when it moves. The bill, as introduced, is a bill for which the State Board has previously stated its support. Any contacts you can make to legislators, in the House especially, to support this legislation would be helpful.

### **House Bill 4042 – Rep. Lemmons (D – Detroit)**

As reported previously, the House Education Committee reported a bill to phase-in the raising of the drop out age to 18. The phase-in is important for a number of reasons: 1) if the law is changed to suddenly raise the age without some lag time, there is no way from a practical standpoint to find the children between the ages of 16 and 18 who have dropped out already to bring them back; and 2) this will provide the education community with some time to ensure there are support services, programs, and alternative education options in place to engage children at risk of dropping out.

This is a bill for which the State Board has previously stated its support. Any contacts you can make to legislators, in the House especially, to support this legislation would be helpful. I recommend that contacts on these two bills (HBs 4042 and 4662) focus on the following members of the House Education Committee and House Leadership:

### **House Leadership:**

Speaker of the House Andy Dillon (D), District 17 - [andydillon@house.mi.gov](mailto:andydillon@house.mi.gov)

Majority Floor Leader Steve Tobocman (D), District 12 -  
[stevetobocman@house.mi.gov](mailto:stevetobocman@house.mi.gov)

Minority Leader Craig DeRoche (R), District 38 - [craigderoche@house.mi.gov](mailto:craigderoche@house.mi.gov)

Minority Floor Leader Dave Hildenbrand (R), District 86 -  
[rephildenbrand@house.mi.gov](mailto:rephildenbrand@house.mi.gov)

### **House Education:**

Tim Melton (D), **Committee Chair**,  
29th District

Mary Valentine (D), Majority Vice-  
Chair, 91st District

Kathy Angerer (D), 55th District

Terry L. Brown (D), 84th District

Barb Byrum (D), 67th District

Brenda Clack (D), 34th District

Marc R. Corriveau (D), 20th District

Robert Dean (D), 75th District

Hoon-Yung Hopgood (D), 22nd District

Steven Lindberg (D), 109th District

Andy Meisner (D), 27th District

Fred Miller (D), 31st District

Gino Polidori (D), 15th District

Bettie Cook Scott (D), 3rd District  
John Moolenaar (R), **Minority Vice-Chair**, 98th District  
Judy Emmons (R), 70th District  
Jacob Hoogendyk (R), 61st District  
Glenn Steil Jr. (R), 72nd District

Tom Pearce (R), 73rd District  
Dave Hildenbrand (R), 86th District  
Tonya Schuitmaker (R), 80th District  
Marty Knollenberg (R), 41st District  
Paul E. Opsommer (R), 93rd District

## **SENATE ACTION**

### **Michigan Department of Education and School Aid Budgets (HBs 1096 and 1107, respectively)**

The Senate passed the Michigan Department of Education and the School Aid budgets. On the positive side, changes requested in the MDE budget were included as related to testing and some oversight and monitoring positions. Additionally, the Senate included an increase in the per-pupil-foundation allowance. There is much debate though, over how to structure that increase. Unfortunately, they did not include the Governor's 21<sup>st</sup> Century Schools Fund or the boilerplate language requiring that kindergarten be funded proportionally to the length of the kindergarten program day. This would have encouraged schools to provide a full-day of kindergarten.

Here are links to the MDE and School Aid budget highlights as passed the Senate:

- MDE: <http://www.legislature.mi.gov/documents/2007-2008/billanalysis/Senate/pdf/2007-SFA-1096-U.pdf>
- School Aid: <http://www.legislature.mi.gov/documents/2007-2008/billanalysis/Senate/pdf/2007-SFA-1107-U.pdf>

There is still an effort by both sides of the aisle to have as little rancor as possible over the budget.

### **Senate Bill 834 – Senator Michael Switalski (D – Roseville)**

The Senate Education Committee reported Senate Bill 834 unanimously. Senate Bill 834 would amend the Revised School Code to allow financial literacy to count toward the fourth mathematics credit. The Michigan Merit Curriculum (MMC) requires students to take four credits of mathematics. Three credits must reflect all of the required mathematics high school content expectations (HSCE). The fourth credit is at the discretion of the district. Currently, the law includes language listing suggestions for that fourth credit. The bill adds financial literacy to that list of possible suggestions.

The following groups support the bill: Michigan Department of Education, Michigan Department of Treasury, Michigan JumpStart Coalition, United Way, Detroit Parent Network, Michigan Bankers Association, Michigan Association of Public School Academies, Junior Achievement, and the Michigan Credit Union League. Given the broad support, this bill will likely move further after the legislative break.

If you have any questions or concerns regarding these legislative issues, please contact Lisa Hansknecht at 517-335-4913, or at [hansknechtl@michigan.gov](mailto:hansknechtl@michigan.gov).



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April 2, 2008

MEMORANDUM

TO State Board of Education

FROM: Michael P. Flanagan

SUBJECT: Update on Federal Issues

ESEA/NCLB on Hold as other Issues Take Forefront

General disagreement over what direction to take, and a shift in interest to the economy, housing crisis, fuel policy, health care, and overseeing the war in Iraq, have moved the reauthorization of the Elementary and Secondary Education Act (ESEA)/No Child Left Behind Act (NCLB) aside at least for the time being and more than likely until 2009. Certainly there is staff work taking place behind the scenes in both chambers, and still some hope on the part of Senate Health, Education, Labor and Pensions Chairman Edward Kennedy (D-Massachusetts) that a reauthorization package can emerge in the months ahead. But the prevailing thinking is that true, productive legislative activity will not happen until after Congressional organization meetings of the 111<sup>th</sup> Congress in 2009.

In the meantime, for education advocates there is a focus on the education priorities in the federal budget and the Medicaid regulations shifting costs to states, including one severely curtailing reimbursement for school-based services. The State of Michigan and the Department of Education have joined a number of coalitions to advocate for increases in education funding, and to put the Medicaid regulations on hold. Representative of these efforts are communications attached for your information: a letter headed Coalition to Preserve the Medicaid Safety Net, a Committee for Education Funding to House Members advocating for increased Title I and Individuals with Disabilities Act funding, a memo to the Michigan Congressional Delegation advocating for the restoration of Title V, and the resulting Congressman Tom Allen "Dear Colleague" letter to appropriators, co-signed by three Michigan Members, including Congressman Dale E. Kildee (D-Flint), Chairman of the Subcommittee on Early Childhood, Elementary and Secondary Education.

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# Coalition to Preserve the Medicaid Safety Net

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April 2, 2008

The Honorable John D. Dingell  
2328 Rayburn House Office Building  
Washington, DC 20515

The Honorable Tim Murphy  
322 Cannon House Office Building  
Washington, DC 20515

Dear Representatives Dingell and Murphy:

The undersigned organizations, representing a broad national coalition of public health, disability, education, hospital, organized labor, health care providers, and others write in support of the "Protecting the Medicaid Safety Net Act of 2008" (H.R. 5613). We strongly support this legislation placing a temporary one-year moratorium on seven Medicaid regulations that would make major cuts to the Medicaid program over the next five years.

These regulations will shift billions of dollars in costs to the states at a time when nearly all state budgets are already in serious trouble and will almost certainly eliminate federal participation in many important Medicaid programs. As a result, states will likely cut critical services such as specialized medical transportation to school for children with disabilities, case management services that allow people with disabilities to remain in the community, and rehabilitation services for the disabled.

We are convinced the regulations issued by the Centers for Medicare and Medicaid Services will not improve Medicaid program efficiency or the quality of Medicaid services. These regulations will be a major fiscal blow to most states and will harm our most vulnerable citizens, particularly children, by preventing beneficiaries from receiving the care they need. We support a moratorium on these regulations in order to give Congress time to conduct a review of the regulations and their implications for Medicaid recipients.

Thank you again for your leadership on this important public health issue. We look forward to working with you to move this critical legislation forward.



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**Deborah Rigsby**, Vice-President  
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**Nancy O'Brien**  
National Education Association

**Laurie Quarles**  
American Association of  
Community Colleges

**Gerald Stroufe**  
American Educational Research  
Association

**Edward Kealy**, Executive Director  
Committee for Education Funding

March 10, 2008

Dear Representative:

The Committee for Education Funding (CEF), a non-partisan coalition of 100 organizations reflecting the broad spectrum of the education community, recognizes the important increase in Function 500 for education over current service levels provided in H.Con Res 312, the House Budget Committee's FY09 Budget Resolution. The resolution would halt the damaging decline in federal education investment since FY04 and make a down-payment on the more substantial investments clearly needed for the success of America's students.

More than twenty million students served by federal education programs in schools, colleges and libraries across the country have seen the resources they need eroded and stretched thin by the costs of rising inflation and enrollment growth.

In the current school year, 59 percent of all Title I school districts will receive less funding for education of the disadvantaged than they did in the previous year. Over the past 10 years, the number of students enrolled in special education programs has risen 30 percent. At the same time the promised 40 percent funding level for IDEA is only at 17%, creating a shortfall of \$10.9 billion for states and local school districts.

In 2007-2008, more than 5.3 million students with a median family income of less than \$20,000 received Pell Grants. The average Pell Grant award now covers just 22% of the cost of attending a public, four-year institution. Yet discretionary appropriations for the Pell Grant program were cut in last year's omnibus bill, resulting in roughly 20,000 students losing their Pell Grant eligibility.

Increased education investment will more than pay for itself by increasing employability, producing increased earnings and boosting tax revenues while also reducing the incidence of costly social issues such as unemployment, poverty and crime. Given the current uncertainty of our economy as well as the increasingly competitive global marketplace, robust investment for all education programs is essential for the continued well-being and prosperity of our nation.

We urge you to complete the FY09 Budget Resolution and look forward to working with you to pass funding bills that make a substantial education investment. We also support amendments which increase funding for education but not at the cost of cutting other education programs.

Sincerely,

  
Hilary Goldmann  
President



Edward Kealy PhD  
Executive Director



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MICHAEL P. FLANAGAN  
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JENNIFER M. GRANHOLM  
GOVERNOR

March 18, 2008

Memorandum

To: Michigan Congressional Delegation

From: Roberta E. Stanley, Director of Administrative Law and Federal Relations

Subject: "Dear Colleague" Letter from Congressman Tom Allen

Across the education community, urban, suburban and rural, private and public, there is one program in the No Child Left Behind Act (NCLB) on which we can all agree: Title V, Innovative Programs. Title V actually permits local and state education recipients to put in place the flexibility that has been advocated and promoted with NCLB.

While Title I is the linchpin of the federal education investment, Title V incorporates many of the equity and access initiatives for the wide spectrum of populations who are served in our schools. With its flexibility, comprehensiveness, and ability to adapt to each local area's or state's needs, it is the only federal funding source available to all districts to support all the NCLB goals. In short, Title V fills in whatever gaps a state or local district may have in meeting the rigorous demands of NCLB.

The state as a whole received \$10.02 million in Title V funds in FY 2004, \$6.5 million in FY 2006, and \$3.33 in FY 2007. In FY 2008, we will receive no funding whatsoever. This is creating a serious gap. At the state level, we have worked toward improving student achievement with Title V funds. How?

- o With improvements on the new accreditation/accountability system, the Michigan School Report Card, mandated by NCLB;
- o With clarifications to the state-based teacher certification requirements for "highly qualified" teachers, the institution of a new portfolio system and other improvements to our alternative teacher certification system;
- o With streamlining the state's grant management system, and improving the feedback system and data collection, thereby lessening paperwork burdens;
- o By updating Grade Level Content Expectations for several curricular areas to assist teachers and administrators in preparing for the ongoing implementation of annual testing of Grades 3-8, central to the NCLB mission;

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- o And with developing and enhancing a Coaches Institute that relies on exemplary Michigan educators to help high priority schools, as determined by the Adequate Yearly Progress data.

Michigan's 800 local school districts use Title V funds for improving student achievement in reading and math, enhancing teacher quality, supplementing critical Safe and Drug Free School projects, and increasing access for the many diverse populations our state continues to draw. Districts also have chosen to supplement adult and family literacy, establish much-needed alternative education programs, improve school libraries, offer gifted and talented programs, and institute important dropout prevention efforts. Title V can accomplish all of these goals. That is its greatest asset.

As you know, Michigan's state budget is constrained. For the current Fiscal Year 2008, we were able to provide an average of \$7,708 per pupil in the State School Aid basic foundation allowance, but for some years there has been little or no increase in state funding for K-12. While the state continues to provide the greater share of per pupil funding, districts have determined that where improvement needs to occur, Title V funds have proven to be invaluable.

Please join your colleagues in supporting the restoration of this important program. We respectfully request your support for the "Dear Colleague" letter from Congressman Tom Allen calling for the restoration of Title V, Part A, in NCLB to its Fiscal Year 2007 appropriations level of \$200 million.

Should you have any questions, please contact Ms. Mary Ann Chartrand, Director, Grants Coordination and School Support at 517/373-4013, or me at 517/373-8369

Thank you for your consideration

**Congress of the United States**  
**Washington, DC 20515**

March 19, 2008

The Honorable David Obey  
Chairman, Subcommittee on Labor, HHS and Education Appropriations  
2358 Rayburn House Office Building  
Washington, DC 20515

The Honorable James Walsh  
Ranking Member, Subcommittee on Labor, HHS and Education Appropriations  
1016 Longworth House Office Building  
Washington, DC 20515

Dear Chairman Obey and Ranking Member Walsh:

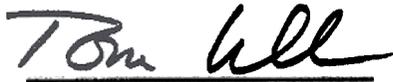
We are writing to ask that you fund Title V, Part A of the No Child Left Behind Act. We respectfully request that funding be restored for the Innovative Education Grants to at least its fiscal year 2005 appropriation level of \$200 million.

Title V is a unique source of flexible funds that allows public and private school systems to initiate reforms that meet both local and federal priorities. The flexibility of this program is one of its greatest strengths, promoting local innovation and customization to maximize each school's ability to deliver the best educational opportunities for all students. School administrators, teachers, students, and families consider Title V many funded initiatives to be highly successful and invaluable. Title V funds are also often used to effectively leverage additional funding for such things as technology updates for rural areas, curriculum development, and statewide staff development.

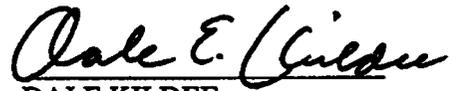
Despite the difficult budget landscape, funding for local schools and education reform efforts should not be shortchanged.

We ask for your support to restore Title V, Part A to at least its fiscal year 2005 appropriated level of \$200 million to preserve this much needed, flexible funding stream. Thank you for your consideration.

Sincerely,



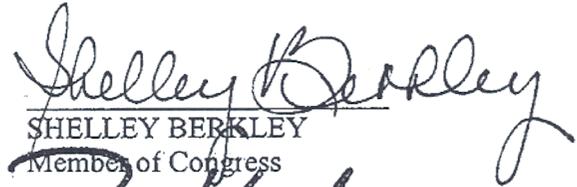
**TOM ALLEN**  
Member of Congress



**DALE KILDEE**  
Member of Congress



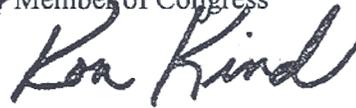
**MICHAEL MICHAUD**  
Member of Congress



**SHELLEY BERKLEY**  
Member of Congress



**TIM MURPHY**  
Member of Congress



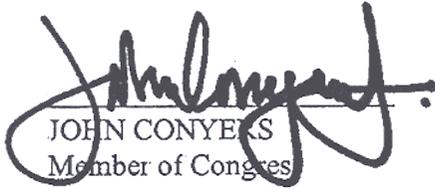
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