



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



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SUPERINTENDENT OF
PUBLIC INSTRUCTION

February 5, 2010

TO: State Board of Education
FROM: Michael P. Flanagan, Chairperson 
SUBJECT: State and Federal Legislative Update

State Update

The Executive Budget presentation is scheduled for Thursday, February 11, 2010. At that time, the details of the Governor's proposed budget will be public. This will include proposed changes to the retirement system that will affect public school and state employees, but will need legislation in order to be enacted.

In the State of the State, Governor Granholm expressed a desire to restore the Michigan Promise Award and to prevent the expected per pupil cuts for the FY 2011 School Aid budget. Some estimates state that without revenues or significant funding shifts, the School Aid revenue could be down as much as \$268 per pupil. The Revenue Estimating Conference established a hole of \$424 million in the School Aid Fund if one assumes baseline funding and not restoring the \$165 per pupil cut. Combined, that is a total of \$433 per pupil less than FY 2010.

The Senate begins its work on the education budgets on February 17th. The timeline is as follows:

- Senate completes budget by spring break – March 25th.
- House completes its work by mid May – May 15th.
- Target setting and the May Revenue Estimating Conference.
- Conference Committees complete work before summer break – July 2nd.

On the policy side, the House and Senate Education Committees are expected to take up and adopt the Michigan School Accreditation and Accountability System this spring.

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Federal Update

President Obama and U.S. Secretary of Education Duncan have called for reauthorization of the Elementary and Secondary Education Act (ESEA) sooner rather than later. Given that, it is the Department's understanding that the level of interest at the Congressional level has increased and there may begin to be drafts and hearings. At this point, no firm timeline or specific draft has been released. There will be updates as more information becomes available.

National associations will be weighing in with the Congressional members on this topic over the next year, as will the Governors' offices. Maggie Randolph, in our Governor's Washington, D.C. office, continues to be a great resource for this, but it is important to note that members of the State Board also have the National Association of State Boards of Education (NASBE) as a resource as well.

Per the State Board of Education Legislative Committee meeting, Michigan Department of Education (MDE) staff is working on an analysis of HR 4223, creating the Academic, Social, and Emotional Learning Act of 2010. Additionally, there has been increased discussion and some action at the state and federal levels related to Seclusion and Restraint. The MDE staff is looking at both the federal legislation recently moved by the U.S. House Education and Labor Committee (HR 4247), and legislation introduced here in Michigan by Representative Deb Kennedy (HB 5639).

According to Brustein and Manasevit, the House Education and Labor Committee passed the bipartisan legislation to make classrooms safer for students and school staff by preventing the misuse of restraint and seclusion. The committee passed H.R. 4247, the Preventing Harmful Restraint and Seclusion in Schools Act, by a vote of 34 to 10. The legislation was introduced last year following multiple Congressional hearings and a report from the Government Accountability Office detailing ongoing abuses regarding this issue.

If you have any questions or concerns regarding these or other legislative issues, please contact Lisa Hansknecht, Director, Office of State and Federal Relations, 517-335-4913.