



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



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MEMORANDUM

DATE: January 7, 2005
TO: State Board of Education
FROM: Kathleen N. Straus, President
SUBJECT: Report of the Legislative Committee

Earlier this week, Carolyn Curtin and I met with Bob Morris to discuss legislative activities for the 2005-06 legislative session. Our discussion ranged from high priority issues such as potential Education Reform legislation, based on the ongoing activities of the State Board of Education, to more routine issues such as eliminating antiquated laws. We also discussed the need to hold off on any new legislation that would increase costs and to oppose legislation that creates unfunded mandates for the Department of Education. Education Reform and Funding Legislation will hopefully be the top priority of 2005. Finally, it needs to be noted that legislative priorities and new issues will evolve as the year progresses. Following our meeting, I discussed the legislative proposals with Marianne McGuire, another member of the State Board's Legislative Subcommittee. Mrs. McGuire supports the activities.

The following is a brief review of the legislative issues that are ready to be taken to the Legislature:

- 1 Increase Dropout Age.** Students are currently allowed to drop out of school at 16 years of age. The Michigan Legislature should pass legislation to increase the drop out age to 18. Last session, legislation was introduced in the House and Senate to accomplish this option, but neither bill received the courtesy of even having a hearing. As the Governor, the Lt. Governor, the State Superintendent, and the State Board of Education have said, the time has come and gone when a young person can drop out of high school, walk into a manufacturing facility, and find a job. From another perspective, in the 21st Century, the cost of a high school dropout to society is simply too enormous. Drop out rates are simply too high and must be dramatically reduced.

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2. **Principal Certification.** In 2002, State Board Member Marianne McGuire led a task force that recommended reinstating principal certification in Michigan. The vast majority of states require some form of administrative certification. From a Professional Development standpoint, as well as meeting future NCLB requirements, Michigan should reinstitute this process. Principal certification may well have averted a recent incident when an assistant principal was arrested on charges of sexual misconduct. There is a work group developing proposed legislation. Final legislative language should be developed soon
3. **Public School Academy Oversight.** Legislation needs to be developed that will begin to implement key elements of the McPherson report regarding Public School Academy oversight. The issue is that these institutions spend public dollars and it is important that such institutions and management entities are authorizing public dollars effectively. The Auditor General has raised the issue of state oversight of Public School Academies and has been informed that current laws simply do not adequately address the issue. The Department of Education has also said it would seek legislation to address the oversight issue. Public School Academies should simply receive the same oversight as public schools.
4. **Appropriation Issues.** Every year new issues emerge in the Department's annual budget. While we may not be sure exactly what those issues will be in the upcoming budget, (we have yet to see the Governor's budget proposal), we know key substantive issues will evolve as the proposal moves through the legislative process.
5. **Pupil Transportation Act.** Public Act 187 is the law that provides oversight for school transportation of students. This law generally works fine, but experts agree it is time to modernize this law. A Department of Education committee known as the Pupil Transportation Advisory Committee has developed non-controversial draft legislation that we hope will move through the legislature fairly quickly.

The committee also discussed some concepts that need more internal work, but should also evolve into legislation during the coming months. These issues include:

1. **Repeal Antiquated or Unfunded Legislation.** The Department needs to inventory existing laws that are either antiquated or are not being adequately implemented due to lack of funding. It is not uncommon for the Department to receive audit citations for specific programs that have been eliminated. Legislation that is either non-functional or not funded needs to be reviewed and, if necessary, repealed.

2. **Required Expulsions.** In the early 1990s, legislation was signed into law requiring the automatic expulsion of any student that brings a weapon into a school, is guilty of arson, or guilty of sexual criminal conduct. While the intent of the legislation might have merit, to put a student on the street is not a solution. One option could be that students who are expelled from a school be required to attend an alternative school. Another option could be that the students would be prevented from involvement in any school extra-curricular activities. This issue needs further research and review. As it stands now, the current law simply encourages students to drop out of school.
3. **University Responsibility Toward Prospective Teachers with Criminal Records.** Universities that provide education degrees need to inform students considering an education career that a felony or misdemeanor will likely prevent them from being certified as a teacher by the State of Michigan. The Department sees too many examples of young people applying for teacher certification only to be denied due to a previous criminal record. Before legislation is developed, it is hoped the Department would work with the higher education community to see if standards could be developed to address this issue.
4. **ISD Partnership.** As the ISD Partnership with the Department continues to evolve, one possible outcome of this work is new legislative proposals. The Department will work with the ISD community to successfully turn these proposals into law.
5. **High School Reform.** Dr. Jeremy Hughes has been leading a task force addressing needed changes at the high school level. It is possible that this group will develop legislative recommendations (such as raising the drop out age from 16 to 18 years of age) that will also become legislative priorities.

As indicated above, this overview of legislative priorities is a list that will evolve over the new legislative session. Our committee will continue to watch these issues and work with Department personnel to encourage legislative solutions as necessary.