

EXECUTIVE ORDER

No. 2019-9

The Governor's Educator Advisory Council

Department of Education

A robust and effective public education system is critical to the well-being and success of this state, its residents, and its economy.

The educators who work in the state's public education system, and whose diligence and dedication make the system run every day, are uniquely qualified to provide insight and guidance regarding the system's effectiveness and improvement.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor.

Section 8 of article 5 of the Michigan Constitution of 1963 obligates the governor to take care that the laws be faithfully executed.

Acting pursuant to the Michigan Constitution of 1963 and Michigan law, I order the following:

1. Creating the Governor's Educator Advisory Council

- (a) The Governor's Educator Advisory Council ("Council") is created as an advisory body within the Department of Education ("Department").
- (b) The Council shall consist of 15 voting members appointed by the governor and shall include individuals representing various roles in Michigan's public education system, such as teachers, administrators, counselors, specialists, and support staff.
- (c) One of these 15 voting members appointed by the governor shall be the Michigan Teacher of the Year.
- (d) Of the members of the Council initially appointed by the governor under section 1(b), 4 members shall be appointed for a term of 4 years; 4 members shall be appointed for a term of 3 years; 3 members shall be appointed for a term of 2 years; and 3 members shall be appointed for a term of 1 year. After these initial appointments, members shall be appointed for a term of 4 years. The member of the Council

appointed by the governor under 1(c) shall serve a term of 1 year beginning on September 1 of the year in which the award was announced.

- (e) A vacancy on the Council created other than by the expiration of the term of a member of the Council shall be filled in the same manner as the original appointment, for the remainder of the unexpired term. A member of the Council may be reappointed for additional terms.

2. Charge to the Council

- (a) The Council shall act in an advisory capacity to the governor.
- (b) The Council shall review and make recommendations regarding legislation relevant to this state's public education system.
- (c) In addition, the Council shall do the following at the governor's request:
 - (1) Identify and analyze issues impacting the effectiveness of Michigan's public education system;
 - (2) Identify best practices in public education and recommend corresponding changes and improvements to Michigan's public education system; and
 - (3) Provide other information or advice relevant to public education.

3. Operations of the Council

- (a) The Department shall assist the Council in the performance of its duties and provide personnel to staff the Council. The budgeting, procurement, and related management functions of the Council shall be performed under the direction and supervision of the superintendent of public instruction ("Superintendent").
- (b) The Council shall adopt procedures, consistent with this order and applicable law, governing its organization and operations.
- (c) The Council shall comply with the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.231 to 15.246.
- (d) The Council shall comply with the Open Meetings Act, 1976 PA 267, as amended, MCL 16.261 to 15.275.
- (e) The governor shall designate the chairperson or co-chairpersons of the Council.
- (f) The Council may select from among its members a vice chairperson.
- (g) The Council shall meet at the call of its chairperson(s) and as otherwise provided in the procedures adopted by the Council.

- (h) A majority of the members of the Council serving constitutes a quorum for the transaction of the business of the Council. The Council must act by a majority vote of its serving members.
- (i) The Council may establish advisory workgroups composed of individuals or entities participating in Council activities or other members of the public as deemed necessary by the Council to assist it in performing its duties and responsibilities. The Council may adopt, reject, or modify any recommendations proposed by an advisory workgroup.
- (j) The Council may, as appropriate, make inquiries, studies, and investigations, hold hearings, and receive comments from the public. The Council also may consult with outside experts in order to perform its duties, including experts in the private sector, organized labor, government agencies, and at institutions of higher education.
- (k) The Council may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Superintendent deems advisable and necessary, consistent with this order and applicable law, rules and procedures, subject to available funding.
- (l) The Council may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations shall be received and used in accordance with law.
- (m) Members of the Council shall serve without compensation. Members of the Council may receive reimbursement for necessary travel and expenses consistent with applicable law, rules, and procedures, subject to available funding.
- (n) Members of the Council shall refer all legal, legislative, and media contacts to the Executive Office of the Governor.

4. Implementation

- (a) All departments, committees, commissioners, or officers of this state shall give to the Council, or to any member or representative of the Council, any necessary assistance required by the Council, or any member or representative of the Council, in the performance of the duties of the Council so far as is compatible with their duties and consistent with this order and applicable law. Free access also must be given to any books, records, or documents in their custody relating to matters within the scope of inquiry, study, or review of the Council, consistent with applicable law.
- (b) Nothing in this order shall be construed to diminish the constitutional authority of the State Board of Education pursuant to section 3 of article 8 of the Michigan Constitution of 1963.
- (c) This order is not intended to abate a proceeding commenced by, against, or before an officer or entity affected by this order. A proceeding may be maintained by, against,

or before the successor of any officer or entity affected by this order.

- (d) If any portion of this order is found to be unenforceable, the unenforceable provision should be disregarded and the rest of the order should remain in effect as issued.
- (e) This order is effective upon filing.

Given under my hand and the great seal of the State of Michigan.

Date: April 11, 2019

GRETCHEN WHITMER
GOVERNOR

By the Governor:

SECRETARY OF STATE