



**Capitol Services, Inc.**  
110 W. Michigan Ave., Ste 700. Lansing, MI 48933  
517.372.0860 Fax 517.372.0723  
[www.CapitolServices.org](http://www.CapitolServices.org)

To: Council About Parochiaid  
From: Cara Marie Dobie  
Date: June 12, 2015  
Re: Legislative Update

### **Education Omnibus Budget Ordered Enrolled**

On June 3, both the House and the Senate passed HB 4115 outlining the Education omnibus budget in three bills including the School Aid Appropriations in HB 4089. In the House, 40 Democrats supported HB 4115 and it passed 99-10. On the Senate side, all Democrats voted against the bill and were joined by Senators Colbeck, Jones and Rocca for a total vote of 24-14.

The bill totals \$15.818 billion toward education for FY 2016, which is an increase of \$67 million from the FY 2015 budget. Of that, \$13.896 billion goes specifically toward the K-12 budget which shows an increase of \$210 million. Part of this increase comes from the average net increase for school districts of \$135.96 per pupil, with the minimum increase being \$25 per pupil. Only 47 of the 841 school districts will be seeing the minimum increase with most districts receiving an increase somewhere between \$70 and \$140 per pupil.

The new budget also added \$70 million to the \$308.9 million at-risk funding program and provides \$26.4 million toward improving early literacy. An additional \$3 million is provided for school consolidation grants and a total of \$13.4 million going toward early childhood block grants. Another \$50 million has **not** been appropriated and will most likely be used to either assist Detroit Public Schools or provide additional funding to all school districts.

### **Department of Education Budget Approved**

The budget for the Department of Education was approved through the conference report for HB 4097. The bill increased federal funding for the Child Care Developmental Fund to raise the threshold for determining eligibility from 121% to 250% of the federal poverty level.

Overall, the budget contains \$305.8 million, which is \$7.3 lower than the Executive recommendation, \$3.7 million lower than the Senate recommendation, and \$2.3 million higher than the House recommendation. The report includes \$2.5 million for educator evaluations but not the \$3.6 million recommended by Governor Snyder for staffing, compliance monitoring and IT system modifications.

This bill requires that the Department of Education use increased funds to create progress reports on 1). both the on-site and off-site activities (and how many times they are performed by licensing consultants) that are intended to improve child care provider quality ratings, 2). how many on-site visits a single licensing consultant has made during fiscal year 2015-2016, 3). types of on-site visits and the number of visits for each type a single consultant has made in fiscal year 2015-2016, 4). number of providers that have improved their rating during fiscal year 2015-2016 compared to the same time period in 2014-2015, 5). types of activities (and how many times they are performed by the managers and administrators) that are intended to improve licensing consultant performance and child care provider quality.

The conference committee also made a gross reduction of \$7.3 million toward child development and care caseloads to align with the caseload estimates and costs per case estimates. An interdepartmental grant of \$3.5 million also went to the Department of Licensing and Regulatory Affairs to offset an equivalent amount that originally went to the Department of Health & Human Services. Finally, aid to libraries increased by \$1 million and renaissance zone reimbursements to libraries increased by \$600,000.

### **Representative Tim Kelly Calls For the End of DPS**

Rep. Tim Kelly (R-Saginaw Township), Chair of the House Appropriations K-12 School Aid Subcommittee, spoke over the weekend regarding Detroit Public Schools and its failure to “live up to [its] mission of educating kids.” Rep. Kelly specifically advocated for expanding choice for Detroit parents as many students have left the district over the past ten years. In the 2002-2003 school year, 156,182 students attended DPS. In the 2014-2015 school year, only 47,959 students attended. Many families are moving out of the city, but even more parents are opting to send their children to charter schools, private schools or other districts through school of choice.

Rep. Kelly has long supported creating a voucher system which would allow Detroit parents to use public money to send their children to private school. In his broadcast on Off The Record, he even suggested that may include a check from the state and that parents could decide where to spend it. Governor Snyder recently suggested buying down DPS’s \$483 million deficit with public funds and only keeping DPS as a shell to pay down the debt. Rep. Kelly stated that he is open to that option, but reforms need to come with it. He also stated that eliminating the district would eliminate the need for state oversight regarding spending of the public funds.

Rep. Stephanie Chang (D-Detroit) described dissolving DPS as “offensive” and called for solutions to the district’s problems instead of an elimination. Sen. Goeff Hansen (R-Hart) stated that he did not see the solution as being as simple as closing the school district because it would not guarantee that the students of DPS would receive a better education. Sen. Hansen said he was open to discussing solutions for the school district, but he sees dissolving DPS as a last resort.

### **SB 103 Passes in the Senate**

On May 19, the Senate voted 22-15 to pass SB 103 which includes a new set of teacher and administrator evaluation standards. All ten Democrats voted against the bill as well as Sens. Margaret

O'Brien (R-Portage), Tory Rocca (R-Sterling Heights), Dale Zorn (R-Ida), Tonya Schuitmaker (R-Lawton) and Rick Jones (R-Grand Ledge).

SB 103, sponsored by Sen. Phil Pavlov (R-St. Clair) allows a district or charter school to develop or adopt an evaluation for teachers that must be consistently used across the district. This does not have to be the same tool used for administrators.

SB 103 made some changes from the previous bills being discussed in the House in that it does not list acceptable vendors to conduct the evaluations and does not include a \$17 million appropriation to implement the changes. It also lowers the percentage of the evaluation based on student growth in test scores for the 2017-2018 school year from 50% to 25% and raises it to 40% in the 2018-2019 school year. The remaining evaluation is based on the tool adopted by the district or charter.

Sen. Margaret O'Brien inserted an amendment that requires student growth and assessment data only be considered when that data is available for three consecutive school years. This would keep results of the Michigan Student Test of Educational Progress (M-STEP, which debuted this year) from factoring into the teacher evaluations until the 2018-2019 school year.

The bill also changes current law so that if a student is being taught by a teacher who has been rated ineffective for the two most recent evaluations, the pupil's parent or guardian would be notified beginning in the 2018-2019 school year (instead of the current mandate of the 2015-2016). The bill also "encourages" evaluations to include certain criteria such as a system that determines professional competence through evaluation of professional practices using a research based framework.

Sen. O'Brien also suggested, but failed to pass, an amendment that would have outlined explicit standards for evaluation tools using 1). whether the tool has been designed, tested, and calibrated using empirical research, 2). whether the tool was developed by authors with expertise in evaluating teachers, and 3). whether there is demonstrated evidence of reliability, validity, and efficacy.

Representative Adam Zemke (D-Ann Arbor) noted that not having a minimum standard would allow the current disconnect regarding evaluations across the state to continue. Sen. Pavlov stated he did not want the explicit standards because he would like schools to have "local control" over which tools they use to evaluate teachers.

The Michigan Association of School Boards (MASB), the Michigan Association of Public School Academies (MAPSA) and the Calhoun Intermediate School District all testified in support of SB 103. Education Trust-Midwest and the Michigan Association of Secondary School Principals (MASSP) testified against the bill. MAPSA supports the flexibility afforded to schools in the bill. MASSP opposes the fact that the bill provides little guidance or support to school administrators who must make high-stakes decisions regarding personnel.

At Thursday morning's House Education Committee, testimony was taken on the bill.

### **Funding for School Costs Study**

In the Department of Technology, Management and Budget spending plan, \$500,000 was set aside to study the amount of per pupil resources sufficient to ensure all pupils can attain proficiency in the

state's required curriculum. Although there was some question as to whether the funding would be included for the DTMB to carry out the study, it was confirmed to be included in the budget that passed through both chambers.

The money would pay for a vendor to conduct the study which must include:

- an examination of the potential benefits of geographic cost-of-education indexing
- investigation of additional categories of funding that could be necessary to meet needs unique to schools and pupils such as socioeconomic status, English proficiency, special needs, etc.
- examination of the impact of food service, transportation, community service, adult education, and school building construction and maintenance
- debt service costs and determination of the cost impact of pupil population growth and decline.

### ***Truancy Bill***

*Although HB 4041, sponsored by Rep. Al Pscholka (R-Stevensville), already passed the House and Senate, the State Board of Education came out with a statement condemning the bill. HB 4041 links cash assistance for needy families to children's attendance in school.*

### ***Home School Registry***

*HB 4498, sponsored by Rep. Stephanie Chang (D-Detroit) would create a registry for home-schooled children. The bill was referred to the House Education Committee. The SBE released a statement with a vote of 5-1 (Zeile in opposition) supporting the bill.*

### **State Ed Board Selects Whiston As Its Superintendent Choice**

Dearborn Superintendent Brian Whiston beat out superintendents Vickie Markavitch and Scott Menzel of Oakland Schools and Washtenaw ISD, respectively. The final vote by the Board of Education was 7-1 with Eileen Weiser (R) voting no. Whiston was formerly a lobbyist for the Oakland ISD, a member of the county's road commission, a legislative aide and a school board member. Whiston's experience in Lansing and working with the Legislature is a large part of what made him an appealing candidate for the position.

On June 10, Whiston fielded several questions from the leaders of the House Education Committees. Rep. Phil Potvin (R-Cadillac), chair of the House Education Appropriations Subcommittee said, "He's here because he wants to work with us. This is a team effort."

The questions ranged from school choice, charters, special education, teacher evaluations Detroit Public Schools and home schooling.

Rep. Amanda Price (R-Park Township), chair of the House Education Committee noted afterward that Whiston is, "clearly sending the message that he wants to work with the Legislature." Whiston also told lawmakers that he is planning to meet with various education groups across the state at upcoming State Board of Education meetings in order to create a plan to make Michigan a top 10 state in academic achievement.