

To: Council About Parochial Board of Directors
From: Cara Marie Dobie and Courtney VanCamp
Date: September 21, 2018
Re: Legislative Report

New Bills Support Competency-Based Learning in MI Schools

Last week, new bills were proposed in the house that involve creating a new system in schools- advancing students based on competency rather than grade level. The bills, HB 6314 and HB 6315, are sponsored by Rep. Tim Kelly (R-Saginaw Township) and would allow schools to apply to become Public Innovative Districts, which means they are officially competency based. These new programs would give educators more freedom to teach without constricting regulations and give them the opportunity to cater to student's individual needs. However, these new programs would increase costs for the state and potentially for the school districts that adopt them.

Governor Snyder's Marshall Plan already awarded \$500,000 to seven Michigan school districts so they could implement their own competency based programs. The Michigan Association of School Boards and Michigan Department of Education have yet to take a formal stance on these bills.

Teacher Evaluation Bill Gets House Committee Hearing

A few years ago, Governor Snyder signed into law legislation that altered the way teacher evaluations are performed in Michigan. Since then, at least 25% of a teacher's evaluation must be based on student growth as indicated by standardized tests. That law is scheduled to increase that proportion in the upcoming school year so that 40% of the evaluation would be based on student growth. Representative Aaron Miller (R-Sturgis) introduced House Bill 5707 that would amend state law so that the student growth portion of teacher evaluations would remain at 25%. Representative Miller stated that many factors that affect student growth are outside of a teacher's control, and that it is unfair to increase the proportion of their evaluation based on those criteria. The bill received a hearing in the House Education Reform committee in early September, and may be taken up again when the Legislature returns. Most organizations representing school employees, such as MEA and AFT-MI, are supportive of the bill.

MDE: Students Must Start In Cybers To Be Cybers

The Department of Education (MDE) recently released an addition to their Pupil Accounting Manual (PAM). This addition was based upon a 2009 law regarding hourly requirements for cyber schools. This new section in the PAM states that students are not allowed to enroll in cyber schools after the start of the school year. The MDE is receiving a lot of backlash regarding this addition, and are being accused of interpreting the 2009 law incorrectly. Critics claim that this requirement would harm students and families

Education Board Splits On 'Marshall Plan' Grants

The State Board of Education rejected criteria for grants that were a part of Gov. Rick Snyder's Marshall Plan, which aimed to start a talent search program in Michigan. The Board was split 4-4 when they voted on the decision. Critics of the plan said that the criteria used to measure student success was too vague and they also had concerns with a competency-based learning approach. Grant criteria has never been rejected before, so the next steps in evaluating the program are unknown. However, the board did approve criteria for a search firm to assist in finding a new superintendent of public instruction.

\$30 Million Slated for School Safety Still in Limbo

The budget signed into law in June by Governor Snyder included \$30 million for "school safety" projects. Unfortunately, follow-up legislation needed to allocate the funds has yet to be passed. House and Senate leaders planned to have a supplemental bill ready by September that included boilerplate language specifying how those funds should be directed, but to date that bill has not materialized. At this point, it is unlikely that anything will move on this issue before the November election.

One of the issues holding up the process is the question of whether or not school mental health services are eligible for Medicaid reimbursement. That answer to that question will have a large impact on how these funds are distributed, since the possibility of having the federal government invest more in student mental health services could free up these funds for other projects such as security measures.

Legislature Adopts Two Ballot Initiatives for the Wrong Reasons

The House and Senate held a marathon session on September 5 in order to take up two citizen initiated petitions that otherwise would have appeared on the November ballot. The first would raise the minimum wage to \$12/hour by 2022, and to \$12/hour for tipped employees by 2024. The second petition initiative would require employers to offer paid sick leave to their employees. Employees would earn one hour of paid sick leave for every thirty hours worked, capping out at a total of 72 hours of paid sick leave per year. Employees of small businesses (fewer than 10 employees) could get up to 40 hours per year with some exceptions that would allow them to receive more.

Business organizations such as the Michigan Chamber of Commerce and the Michigan Restaurant Association have taken positions in opposition to both ballot proposals, and they encouraged the legislature to take steps to prevent the initiatives from reaching the ballot. After a series of court challenges failed to stop the initiatives, their only recourse to prevent their appearance on the November ballot was to have the Legislature pass the initiatives into law. By passing them into law, the Legislature prevents them from going on the ballot, and it preserves the opportunity for the Legislature to amend them (or even repeal them) before the end of the year.

The conventional wisdom in Lansing is that, after the election, the Legislature will bring up the issues again in the Lamé Duck session for the purpose of either limiting the new minimum wage and sick leave laws, or possibly repealing them altogether. Attorneys for both ballot proposals have claimed that the Legislature would be violating the Michigan Constitution if they amend the proposals before a newly elected Legislature is seated in January. Leaders in the House and Senate have disagreed with that legal

assessment, and maintain that they are free to alter the proposals yet this year in any way the majority chooses.

Since many legislators only voted to approve the ballot initiatives and make them state law for the express purpose of amending or repealing them in November or December, we expect these issues to come back again soon after the election.

More Competitive Seats Than Expected in State Senate

With more Senate seats moving into the 'competitive' column, Senate leadership cancelled a handful of session days in Mid-September. At this point, both the House and Senate are scheduled to return for session the week of September 23rd. Then, only four session days remain in October before the November 6th General Election.

Michigan's General Election: AT-A-GLANCE

The 2018 Elections

- All 110 State House seats
- All 38 state senate seats
- All 14 U.S Representatives
- 1 of Michigan's 2 U.S. Senators (Debbie Stabenow)
- All state-wide seats: Governor, Attorney General, and Secretary of State.
- Numerous judicial races, boards, etc.
- October 9: last day to register to vote in the November election

The 2019-20 Legislative Session:

- New Governor, new Administration;
- At least 63 of 110 seats in the State House will be filled by freshmen (one is likely to be a current state senator returning to serve her final term in the House (Senator Rebekah Warren); and
- At least 27 of the 38 seats in the State Senate will be filled by freshmen (but many will have formerly served in the House- not complete 'unknowns').

Current Partisan Composition of State Government: Republican controlled.

- Governor, Secretary of State, Attorney General – Republicans.
- House of Representatives – out of 110 seats, 63 Republicans, 46 Democrats, 1 vacancy (Andy Schor became Mayor of Lansing).
- State Senate – out of 38 seats, 27 Republicans, 10 Democrats, 1 vacancy.