



SCHOOL EQUITY CAUCUS

Making a difference for the public school children of Michigan

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November 30, 2021

Dear Colleagues:

I hope you and yours were able to enjoy a restful Thanksgiving weekend with family and friends! The month of November was a relatively slow one in Lansing with the legislature off for hunting and the Thanksgiving break.

As we head into December, here's the latest from our state capital:

1. Voucher Bills Vetoed, Petition Language Approved

As expected, Governor Whitmer vetoed SB's 687/688 and HB's 5404/5405 earlier this month. These were the identical pairs of bills designed to create a "student opportunity scholarship" program, labelled by many observers as the latest attempt to introduce a form of private school vouchers in Michigan. It was estimated that the financial hit to state revenues from this program could be as high as \$500 million.

Advocates of the legislation have now indicated that they will be focused on collecting voter signatures in an effort to use the initiative petition mechanism present in the state constitution. Under this provision, if a group brings a petition containing signatures equal to at least eight percent of the total votes cast for governor in the prior election, the Legislature is able to directly enact a law without the governor's signature.

On Monday, November 29, the State Board of Canvassers approved the summary and form of the two petitions (equivalent to the two bills from each chamber listed above that were vetoed by the governor). With this approval, the way is now clear for the "Let MI Kids Learn" group to begin collecting signatures.

Opponents of these bills/petitions have argued that they violate provisions of the Michigan Constitution which states that "No payment, credit, tax benefit, exemption or deductions, tuition voucher, subsidy, grant or loan of public monies or property shall be provided, directly or indirectly, to support the attendance of any student or the employment of any person at any such nonpublic school." It seems likely that there will be legal challenges to the "student opportunity scholarship" program at some point as a violation of this provision of the state's Constitution.

The collection of petition signatures could begin in the next week or two.

2. Legislative Round-Up

While the pace of legislative work slowed in November, there was some activity on a few pieces of legislation related to schools. Those include:

- **HB 5424** (sponsored by Rep. Hornberger) prohibits the use of public funds to pay (or reimburse) for membership dues for a host of school personnel including school board members, administrators, or teachers in any education association or trade union. This would obviously decimate the ability of statewide organizations to provide the many outstanding services they bring to the table for Michigan's educators. The bill received a hearing in the House Education Committee in early November, but has not yet been reported out.
- **HB 5190** (sponsored by Rep. Farrington) would add a required personal finance course (0.5 credits) to the Michigan Merit Curriculum, and would reduce the foreign language requirement from two to 1.5 credits. This would be in addition to current law which allows a personal economics course to substitute for the 0.5 credit requirement in economics in the mandatory curriculum. This bill has moved out of the House Education Committee to the floor of the House.
- **HB 4854** (sponsored by Rep. Rogers) would require the Department of Health and Human Services to create training materials for mandated reporters. These materials would then need to be provided by employers to their personnel that are considered mandated reporters (including K-12 school personnel), unless the employer provides its own similar training. The bill passed the House earlier this month and has been referred to the Senate Committee on Judiciary and Public Safety.
- **HB 5097** (sponsored by Rep. Beeler) has also passed the House. This legislation stipulates that no form of race or gender stereotyping may be included in any curriculum developed by the State Board of Education or by local school districts, nor can curricula contain any content that could be understood as implicit race or gender stereotyping. The bill has now been sent to the Senate Committee on Education and Career Readiness.

Other legislation has not moved during November. Here is a brief overview of some of those bills we continue to monitor:

- **SB's 600-603** (various sponsors) are a series of bills related to COVID-19. SB's 600 and 601 include a host of regulations pertaining to mask-wearing and COVID testing as conditions required for certain activities. For instance, the bills would prohibit districts from requiring an Emergency Use Authorization vaccination to participate in activities or for the public to attend meetings. They would also require districts to provide a waiver option for parents who do not wish their children to be masked. SB's 602 and 603 prohibit the Michigan Department of Health and Human Services from enacting rules requiring vaccination, face masks, or COVID tests for asymptomatic children as a condition for various school-related activities. These bills passed the State Senate at the end of October on a party-line vote and have been referred to the House Education Committee where they remain.
- **SB 664** (sponsored by Sen. Schmidt) would allow for students to receive synchronous or asynchronous instruction and still be counted (given certain requirements are met) for attendance purposes through the 2021-22 school year. It also brings back certain two-way communication requirements. The bill moved rapidly through the Senate in October and was referred to the House Education Committee several weeks ago where it still remains.

- **HB 4199** (sponsored by Rep. Hornberger) would remove the requirement that Michigan schools start after Labor Day, and with that requirement out of the way, would also repeal provisions in the law regarding waivers for districts wishing to start prior to Labor Day. This bill was discharged from the House Education Committee in early October to the House floor where it has remained.
- **SB 460** (sponsored by Sen. Theis) passed the Senate Education Committee at the end of October and remains on the Senate floor. This bill would require that school boards ensure their curriculum did not include critical race theory, the 1619 Project, or other specified theories. The bill also contains a 5% state aid penalty for violation of these provisions.
- **HB 4953** (sponsored by Rep. Martin) would require MDE to develop information packets for students in 8th – 12th grade regarding dual enrollment along with college and career opportunities. The bill was referred from the House Education Committee in October and remains on the floor of the House.

3. **Making Connections**

I always look forward to opportunities where I can present information on the Caucus and on school funding. These interactions also help me to have more “real life” stories with which we can better describe the needs and circumstances of our members. If you would be interested in a visit or presentation to your district or county/region superintendents’ or board meeting, please contact me.

That’s it for this month’s update!

As always, please be in touch with questions or concerns.



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