



SCHOOL EQUITY CAUCUS

Making a difference for the public school children of Michigan

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Dear Colleagues:

It was great to see so many of you in person at our annual fall general meeting and luncheon! Thanks also to our business partners, American Fidelity, Northland Securities, and Christman Company, for their sponsorship of the luncheon! What made the event particularly memorable was the opportunity to be able to celebrate a major milestone on the road to equity – the closure of the foundation allowance gap at \$8,700!

We are continuing the conversation on the many other areas where inequity exists within the structure of Michigan's education system, and we appreciate your support in this ongoing work!

Here's the latest from Lansing:

1. 2021-22 State Budget Signed

This week Governor Whitmer signed the 2021-22 general government budget bill (as contained in SB 82 and HB 4400). As you have undoubtedly heard by now, in addition to funding all areas of government (other than K-12 education whose budget was established over the summer), the bills contain numerous prohibitions of mask mandates and other provisions intended to restrict local health department decision-making in response to COVID-19.

As she signed the bills, Governor Whitmer highlighted the strong bipartisan nature of their passage (the main omnibus budget passed 35-0 in the Senate and 99-6 in the House, while the higher education/community college bill passed 34-2 and 98-7). At the same time though she labelled many of the COVID provisions of the bills as unconstitutional or unenforceable. You can read the governor's full transmittal letter by [clicking here](#).

Over the past several years, the School Aid Fund (SAF) has become involved in these other budget talks due to the funding of community colleges and universities out of the SAF, and this year was no exception. As has been the case for the last several budget cycles, community colleges were wholly funded for the SAF, to the tune of nearly \$432 million. On the university side, funding from the SAF was increased by 1.5% (about \$5.3 million).

The one positive coming of the higher education budget was that things could have been worse. At one point in the development of the budget, proposals were being discussed

that would have used some \$760 million of SAF money to complete the full funding of UAAL costs for those universities that still have connection to the MPERS system. In the end, the final budget allotted a much smaller portion of funding toward the remaining UAAL underfunding (\$84.7 million), and that full amount was drawn from the state's General Fund rather than from the SAF.

2. No Word Yet from Washington

As of this writing there has not yet been word from Washington regarding the potential disallowing of some \$362 million in ARP/ESSER III funds in Section 11t of the School Aid Act. This section of the Act called for a portion of the ESSER III money to be used to provide all districts with a minimum of \$1093 per pupil regardless of their district allocation through the ESSER III formula grant. In short, Section 11t funds (from ARP/ESSER III) would backfill some districts' formula funding (based on Title I status, expected to be over 200 districts) to bring them up to \$1093 per pupil.

Discussions continue between Michigan officials and the US Department of Education in an effort to resolve this issue. As noted previously, districts would be well served not to rely on a quick – or indeed, any – approval of this language in the State School Aid Act. If the allocation is disallowed, the legislature could potentially provide the funding from remaining state SAF fund balance, but such an expenditure would require additional legislative action through a supplemental spending bill and is not guaranteed.

3. Attendance Flexibility Under Discussion

The Senate Education and Career Readiness Committee had a brief initial hearing this week on SB 644 (sponsored by Sen. Wayne Schmidt) – an effort to provide flexibility in order to count students under quarantine as present for attendance purposes. Subsequently, a new bill (SB 664) was introduced by Sen. Schmidt to address several areas of statute that would also need to be addressed in order to achieve the goals of the initial bill.

The new bill 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. In a positive sign, this replacement bill is currently scheduled to be considered by the committee at its meeting next week.

4. Other Legislative Action

- **HB 4854** (sponsored by Rep. Rogers) was reported out of the House Judiciary Committee to the full House. This bill 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.
- **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 received a hearing this week in the House Education Committee (chaired by the sponsor).

- The House Education Committee also reported **HB 5097** (sponsored by Rep. Beeler) to the full House this week along party lines. This bill 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.

5. Redistricting Commission Coming Under Pressure

As the calendar moves forward, the inaugural Michigan Citizens' Redistricting Commission continues to work toward their final proposed maps for the US House, State Senate, and State House of Representatives. Originally the Commission had intended to have draft maps finalized by September 17, with final adoption completed – as required by the state constitution – by November 1. As of now, those deadlines have been moved back, with finalization of the draft maps planned for November 5 and their final adoption targeted for December 30.

Part of the issue leading to the delay was a significant delay in receiving the results of the 2020 US Census as a result of COVID-19. This has truncated the amount of time that the commission has had to do their work.

Once approved, the new district maps will remain in place for the next decade, so the political stakes are high. Criticism has been raised in some quarters that the draft district maps appeared to maintain a Republican advantage across the state based on both 2016 and 2020 presidential election results. You can see the latest analysis done by Bridge Magazine by clicking these links: [US House](#), [State Senate](#), [State House](#).

That's all for this update! Hope your school year is off to a good start!

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



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