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Michigan Association of Superintendents & Administrators

MASA Legislative Update

Brought to you by: 

December 4, 2020

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Summary

This week in Lansing the legislature returned from hunting break and had a busy week of back-to-back committee hearings and action on the floor. We've been monitoring several different bills and issues (detailed below). **While some have promised or threatened a lame, Lame Duck, it's shaping up to be an eventful few weeks.**

This week in the Michigan Department of Education's Spotlight on Student Assessment and Accountability, it was stated that **the department is "planning on administering the federally required Spring 2021 state summative tests."** Any changes in this plan would have to come from President-Elect Biden's yet-to-be-named Sec. of Education. We will obviously keep you apprised of any changes at the federal level.

We expect an announcement early next week on any possible changes or extension of the MDHHS order suspending 9-12 in-person learning. Gov. Whitmer, in several press conferences and media comments has hinted that

Have a great weekend and as always, please [contact MASA](#) with any questions or concerns.

House Moves Needed Substitute Teaching Relief

Since the onset of the COVID-19 pandemic, one issue that many districts face is related to staffing. To that end, we are **working toward securing temporary changes to allow for additional school personnel to be eligible to serve as substitute teachers**. HB 4342 would amend the Revised School Code to permit, for the 2020-2021 school year only, a district to employ any school employee with a high school diploma or equivalent to serve in the role of substitute teacher. If passed and signed into law, **this temporary change may be utilized for this year only. Districts would not be required to utilize this allowance, either.**

HB 4342 was reported by the House Education Committee on a party-line vote and then was referred to the House Ways and Means Committee. The following day the House Ways and Means Committee met and sent the bill to the floor unanimously.

Ways and Means also referred SB 910 to the floor. This legislation is sponsored by Sen. Roger Victory (R-Georgetown Twp.) and amends the Youth Employment Standards Act **to remove the requirements that youth work permits be issued in person as well as the differing color paper distinction for minors' permits under and over the age of 16.**

MASA supports both bills, and we will continue working toward their passage.

Committee Roundup

House Ways and Means

On Tuesday, this committee acted on a bill that we have not seen action on since last December. HB 4826 is sponsored by Rep. Tommy Brann (R-Wyoming) and in its introduced form would have required school districts **to include free enterprise and entrepreneurship in their 8th-grade curriculum. The committee adopted an H-2 version of the bill that revised it substantially.** Now, the bill encourages, rather than requires a board to adopt this into their curriculum. Additionally, the bill now encourages this program for

Previous versions of the bill required MDE to develop or adopt a model program, however, the H-2 removes that section. The current version of the bill still requires the free enterprise program to be project-based and includes other requirements that the program may include.

Senate Education

The Senate Education Committee briefly met on Tuesday to vote on SB 41. As introduced, SB 41 required MDE and MDHHS to develop or adopt a professional development course for teachers on mental health first aid. During the committee, Sen. Dayna Polehanki (D-Livonia) offered a substitute to the bill that made to changes to the bill.

First, **the substitute added state associations representing mental health professionals**, including school mental health professionals to the list of organizations tasked with developing this professional development. Next, the substitute revises the purpose of the legislation to instead develop professional development standards rather than developing one course.

As a point of clarification, **SB 41 would not add to professional development requirements but rather provide another option for content that could be selected to fulfill the existing requirements.**

Additionally, Senate Education met later in the week to adopt a substitute for SB 25, which would require the State Board of Education to be elected among regions in the state. You can find the analysis of changes to this bill [here](#).

Both bills are now before the Senate.

Senate Judiciary and Public Safety

You may remember a series of bills that emerged after recent high-profile sexual assault cases that addressed **various changes to mandatory reporting and sexual assault information in schools**. This week the Senate Judiciary and Public Safety Committee heard testimony on updated versions of these bills and three of those impact K-12 instruction.

SB 216, sponsored by Sen. Stephanie Chang (D-Detroit), would require MDE to develop information regarding sexual assault and sexual harassment that is appropriate for students in grades 6-12. The bill stipulates that MDE must work with experts on this topic and make these materials available to all public schools. All districts must then distribute the informational materials to all enrolled students in grades 6-12.

Buren), **expands the list of mandatory reporters to include athletic trainers.** Additionally, HB 4377 sponsored by Rep. Kristy Pagan (D-Belleville), **requires DHHS to create training materials for individuals required to report suspected child and make those materials public on their website.** Employers of mandatory reporters would be required to provide the training materials to an employee that is a mandatory reporter.

The committee did not vote on the bills, there were some concerns raised by senators on the committee regarding other bills in the package that will likely need to be addressed before a vote is taken.

Micro-Fulfillment Tax Exemptions

The Senate Economic Development Committee reported the micro-fulfillment center tax exempt package to the floor. As a reminder, these bills **would eliminate tax revenue from local governments without a mechanism to replace it. Further, the impact on sales and use tax will continue to erode resources and block growth of the School Aid Fund.** MASA currently opposes this bill package, and we continue to urge against passage of these types of corporate welfare at the expense of education funding. Our counterparts at MASB have information and talking points to contact your legislators on this issue. You can find their action alert [here](#) and we encourage you to reach out to your House and Senate members on this issue.

Additionally, the Senate Economic Development Committee took up HB 5059 sponsored by Rep. Bradley Slagh (R-Holland). The **legislation would reimburse intermediate school districts for tax revenue that is captured by the Brownfield Redevelopment Authority.** Currently, revenues for local school districts in a Brownfield are held harmless, but ISDs are not. The School Aid Fund reimburses a local district for school taxes that are captured by the Brownfield Redevelopment Authority through the per-pupil foundation. When ISDs are not reimbursed, this equates to fewer dollars available for special education, career and technical education, and other local programs. This bill addresses a tax parity issue, and the MASA Council has supported this legislation. HB 5059 was referred favorably from the committee and is now before the full Senate.

Open Meetings Act

HB 6207, sponsored by Rep. Luke Meerman (R-Allendale), would make further revisions to the Open Meetings Act to temporarily extend the timeframe that

through December 31, 2020. **After January 1, 2021, a board may have virtual meetings if there is a declared state of emergency.**

With many unknowns as we approach 2021, we know that for many it is a priority for the legislature to extend this deadline through the majority of 2021. HB 6207 would extend the deadline from December 31, 2020, to March 31, 2021. Committee discussion on this bill included an ask for an even longer extension to the end of the school fiscal year, however, the sponsor testified that at this time, the March 31 date is the compromise between leadership.

ICYMI: MDE Updates

MEMO #115-20

Annual Certification Reminder and Requirements

The Michigan Department of Education (MDE) is reminding local education agencies (LEAs), both traditional public school districts and public school academies, to begin the annual review of staff credential expiration dates. Educators with a certificate expiration date of June 30, 2021 should be encouraged to log into the Michigan online educator certification system (MOECS) and begin updating account information. [Read the full memo.](#)

MEMO #116-20

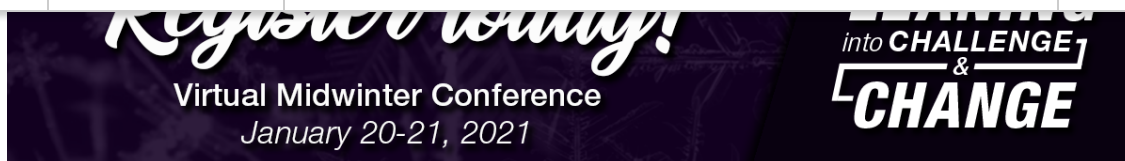
Extended Daily Substitute Teaching Permits Reminder

If an educator placed under a daily substitute permit in a consecutive assignment has not yet met the requirements for a full-year permit and needs to remain in this assignment, the daily substitute permit may be extended for an additional 90 consecutive calendar days. A daily substitute permit extension is necessary for an individual to remain in the same vacant assignment beyond 90 consecutive calendar days from the start of placement for the 2020-21 academic year. [Read the full memo.](#)

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