

# Legislative Analysis

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## REVISION OF EDUCATION REPORT REQUIREMENTS

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**Senate Bill 754 (proposed substitute H-1)**  
**Sponsor: Sen. Phil Pavlov**

Analysis available at  
<http://www.legislature.mi.gov>

**Senate Bill 755 (proposed substitute H-1)**  
**Sponsor: Sen. Marty Knollenberg**

**Senate Bill 765 as reported**  
**Sponsor: Sen. Dale Zorn**

**Senate Bill 763 (proposed substitute H-1)**  
**Sponsor: Sen. Wayne Schmidt**

**Senate Bill 766 as reported**  
**Sponsor: Sen. Goeff Hansen**

*(Enacted as Public Acts 532–536 of 2016)*

**House Committee: Education**  
**Senate Committee: Education**  
**Complete to 11-30-16**

### ***BRIEF SUMMARY:***

Senate Bills 754, 755, 763, and 765 would update the requirements for education reports required under the Revised School Code and the State School Aid Act. SB 766 would also reassign tasks which are currently held by the State Board of Education to the Superintendent of Public Instruction.

***FISCAL IMPACT:*** The bills would have a variety of impacts, which are described in detail in the *Fiscal Information* section, later in the analysis.

### ***THE APPARENT PROBLEM:***

Often when new legislation is enacted, a reporting requirement is included in order to ensure that new measures are correctly implemented and executed. Periodically, it is helpful to assess those requirements to ensure that the reports themselves are cost effective, the best use of time for all involved, and necessary to the functioning of a measure.

This bill package would amend various reporting requirements in the Code and the State School Aid Act so that certain reports would be submitted less frequently, electronically, or not at all if the information included is available elsewhere. It is hoped that the reduction in potentially burdensome requirements would direct attention and resources to work related to student instruction and achievement, as opposed to data collection and reporting.

See the following for a list of some of the current reporting requirements for the Michigan Department of Education (MDE):

[http://www.senate.michigan.gov/sfa/Departments/DataCharts/DCedu\\_ReportingRequirements.pdf](http://www.senate.michigan.gov/sfa/Departments/DataCharts/DCedu_ReportingRequirements.pdf)

## ***THE CONTENT OF THE BILL:***

### **Senate Bill 754 (MCL 380.626 et al)**

***School improvement summary:*** Currently, the State Board reviews a random sampling of school improvement plans annually, and submits a summary of improvement activities to the House and Senate school aid committees. The bill removes this requirement.

***Limit on new reports required:*** SB 754 would limit state departments and agencies (including the State Board, Superintendent of Public Instruction, MDE, Department of Treasury, and CEPI) to only require new reports to be submitted, or modify requirements for existing required reports, if state or federal law specifically requires or authorizes the report. Additionally, a modification may be allowed if the modification or addition would reduce or eliminate a reporting requirement. If these conditions are met, and a report may be added or modified, that report must be allowed to be submitted electronically.

***Personal protective devices:*** Currently, Section 1288 provides that teachers and students participating in vocational or industrial arts courses with exposure to certain elements (such as milling or sawing) must wear industrial quality eye protective devices. The bill would modify the requirement so that "industrial quality personal protective devices" must instead be worn, and that visitors to those courses must also wear the devices. Additionally, it requires that the devices must not only be used in the presence of milling, sawing, etc., but instead that they be utilized if participating or visiting a course would result in exposure "to danger of physical harm."

***School crime statistics posted online:*** The bill would modify the current requirement that school boards must report incidents of crime occurring at the schools to the superintendent of public instruction, so that schools would instead be required to post those incidents on the school's website.

***Professional development funding:*** SB 754 removes a requirement that, in order to receive state and federal professional development funding, a school district or ISD must prepare and submit an annual professional development plan to the State Board.

***Reporting of teachers convicted of certain crimes:*** Currently, the state superintendent must submit a quarterly report to the legislature detailing all final actions taken affecting a teaching certificate during the preceding quarter for a person convicted of certain crimes. The bill would modify the requirement so that the report would be annual rather than quarterly, and would detail the actions from the preceding year.

In addition, the bill updates certain terminology. Specifically, it replaces references to the Michigan Educational Assessment Program (MEAP) with the Michigan Student Test of Educational Progress (M-STEP); references to the Department of Information Technology with the Department of Technology, Management, and Budget; and references to the Department of Community Health with the Department of Health and Human Services.

Finally, the bill would repeal Sections 761, 1279, and 1333 of the Revised School Code, Section 3 of PA 209 of 1965, and PA 59 of 1966, and PA 230 of 1964.

**Senate Bill 755 (MCL 388.1619, 388.1651a, and 388.1658)**

***Appeal of graduation and dropout rate calculation:*** Currently, Section 19 of the State School Aid Act requires each district and ISD to comply with reporting requirements in providing graduation and dropout rates to CEPI. The bill would provide that the MDE must allow a school or district to appeal the calculations (with the appeal to be considered and acted upon by the MDE within 30 days), and must not report graduation and dropout rates until the decision is final.

***Educational personnel reporting:*** The bill specifies that, for purposes of reporting information related to educational personnel as required by state and federal law, CEPI may only require districts and ISDs to report information that is not already available from the Office of Retirement Services in the Department of Technology, Management, and Budget.

***Limit on new reports required:*** Also, as in SB 754, the bill would limit the superintendent, MDE, and CEPI to require new reports only when state or federal law specifically requires or authorizes the report. Any modifications or additions to existing reports must either be required or authorized by state or federal law, or the modification would reduce or eliminate a reporting requirement. If these conditions are met, and a report may be added or modified, that report must be allowed to be submitted electronically.

***Special education cost reporting:*** Concerning the reporting of special education staff compensation and pupil transportation costs, the MDE or CEPI could only require the districts and ISDs to report information that is not already available from CEPI's financial information database. Likewise, the MDE and CEPI could only require districts and ISDs to report information that is not available on CEPI's financial information database for the purposes of determining allocations to districts and ISDs for providing special education transportation services.

**Senate Bill 763 (MCL 388.1651a and 388.1658)**

The bill would amend the State School Aid Act to specify that, for certain special education cost reporting, the MDE or CEPI may only require a district or ISD to report information that is not already available from CEPI's database.

**Senate Bill 765 (MCL 380.684)**

The bill would amend the Revised School Code to provide that, for career and technical education information data, the MDE or CEPI may only require an ISD to report information that is not already available from CEPI's database.

**Senate Bill 766 (MCL 388.1008b)**

This bill would amend Public Act 287 of 1964 to provide that property, money, pledges, or promises to pay money which are currently secured by the State Board for use of the

School for the Blind in Lansing, would instead be secured by the superintendent of public instruction for the benefit of students who are blind. (The School for the Blind in Lansing closed in 1996). The state treasurer would transmit this money to the superintendent, who would place the money in a special fund, to be used for those purposes. The superintendent would also assume the responsibility for submitting a report to the House and Senate appropriations committees on the funds received and expended under this section.

[There was some concern that the change in wording, from referring to the money as "trust funds" to, now, "funds", would affect the disposition of the money. Because the contents of a trust fund are held by a trustee for the benefit of the beneficiaries, and the bill states that the money will be held by the superintendent "for the benefit of students who are blind", it does not appear that the change in terminology will have any effect.]

#### ***HOUSE COMMITTEE ACTION:***

The H-1 substitute for HB 754 removes changes to Section 684, which pertains to career and technical education. The H-1 substitutes for HBs 755 and 763 are conflict substitutes which account for changes in the applicable sections made by Public Act 249 of 2016.

#### ***FISCAL INFORMATION:***

##### **Senate Bill 754**

The bill could reduce reporting costs to the State and local entities in the following ways:

- Eliminate the requirement that the state school board review a sample of school improvement plans and provide a report to the House and Senate school aid committees concerning their findings.
- Eliminate the requirement that school districts and ISDs submit annual professional development plans to receive professional development funding.
- Require the state superintendent, and, by association, local entities, to submit annually rather than quarterly, a report to the legislature on final actions concerning a teaching certificate for a person who was convicted of a crime, as noted in Section 1535a, during the previous year.

The bill could reduce future reporting requirement costs by limiting new reports to those specifically required by state or federal law and limits all further modification of reporting requirements by the state board, superintendent of public instruction, MDE, Treasury, and CEPI.

The bill could increase safety supply costs to school districts, ISDs and PSAs by requiring pupils, teachers, or visitors that are participating in a course where there is exposure to danger of physical harm to wear industrial personal protective devices rather than only industrial eye protective devices, as well as expanding where personal protective devices are required to include field sites used for the course or training.

### **Senate Bill 755**

The bill could create additional State administrative costs by requiring the MDE to implement an appeal process for schools or districts of their graduation and dropout rates.

The bill could reduce administrative reporting costs for ISDs by limiting reports to information on educational personnel that is not already available from the Office of Retirement Services (ORS).

The bill could reduce administrative reporting costs for school districts, ISDs, PSAs by limiting reports to certain special educational costs not already available from CEPI's financial information database.

The bill could reduce future reporting requirement costs by limiting new reports to those specifically required by state or federal law and limits all further modification of reporting requirements by the superintendent of public instruction, MDE, Treasury, and CEPI.

### **Senate Bill 763**

The bill could reduce administrative reporting costs for school districts, ISDs, PSAs by limiting reports to special educational data that are not already available from CEPI's financial information database.

### **Senate Bill 765**

The bill could reduce administrative reporting costs for school districts, ISDs, PSAs by limiting reports to career and technical data that are not already available from CEPI's financial information database.

### **Senate Bill 766**

The bill would have no fiscal impact on the State or local entities

## ***ARGUMENTS:***

For:

As noted above, this bill package would amend various education reporting requirements so that certain reports would be submitted less frequently, electronically, or not at all if the information included is available elsewhere. The hope is that the reduction in potentially burdensome requirements would direct attention and resources to work related to student instruction and achievement, as opposed to data collection and reporting.

## ***Against:***

There was some concern that one of the provisions of Senate Bill 754 would run counter to a set of teacher professional development bills passed by the House Education Committee (in February 2016) and the House (in March 2016) and awaiting a hearing in the Senate Education Committee. Those bills, HBs 5156-5159, would require individualized development plans for teachers in their probationary phase (and applies to MCL 380.1527). SB 754, meanwhile, removes a requirement that, in order to receive state and federal professional development funding, a school district or ISD must prepare and

submit an annual school- or district-wide professional development plan to the State Board of Education (in MCL 380.1525). There may be concern that the loosening of professional development requirements could diminish PD standards, which were already viewed as lacking, thus prompting the PD bills.

**Response:** Removal of a reporting requirement would not necessarily weaken PD standards; rather, it would reduce the burden of submitting ever-multiplying reports to various state agencies, and would allow schools to spend that time educating children.

Moreover, many believe that professional development is best handled at a local level—where a district or ISD can determine the method of professional development administered based on the number of teachers, resources available, areas of strength and weakness, and any other factors specific to that locality. Accordingly, it is not necessary for plans to be submitted and approved by the State Board of Education.

### ***POSITIONS:***

#### The following organizations support the bills

Michigan Department of Education (11-10-16)  
Michigan Association of School Administrators (11-10-16)  
Oakland Schools (11-10-16)  
Michigan Association of School Boards (11-10-16)  
Barry, Branch, Calhoun, Jackson, Lenawee, and Monroe ISDs (11-10-16)  
West Michigan Talent Triangle (11-10-16)  
Grand Rapids Public Schools (11-10-16)  
ESA Legislative Group (11-10-16)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.