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BILL ANALYSIS



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Senate Bills 754, 755, 763, 765, and 766 (as introduced 2-9-16)

Sponsor: Senator Phil Pavlov (S.B. 754)
Senator Marty Knollenberg (S.B. 755)
Senator Wayne Schmidt (S.B. 763)
Senator Dale W. Zorn (S.B. 765)
Senator Goeff Hansen (S.B. 766)

Committee: Education

Date Completed: 3-1-16

CONTENT

Senate Bill 754 would amend the Revised School Code to do the following:

- Specify that, under certain circumstances, the Department of Education or the Center for Educational Performance and Information (CEPI) would have to require an intermediate school district (ISD) to report only information that was not already available from CEPI's database.
- Require each school board to post reports pertaining to school expulsions and incidents of crime at a school on its website.
- Require the Superintendent of Public Instruction to submit annual, rather than quarterly, reports pertaining to final actions taken affecting a person's teaching certificate or State Board of Education approval.

The bill also would repeal Sections 761, 1279, and 1296 of the Revised School Code and Public Acts pertaining to, among other things, the State Board of Control for Vocational Education.

Senate Bill 755 would amend the State School Aid Act to do the following:

- Require CEPI and the Superintendent to use data supplied by the Office of Retirement Services to determine the number of educational personnel employed on each pupil count day.
- Require the Department of Education to allow a school or district to appeal the calculation of graduation and dropout rates.
- Specify, for certain special educational services, that the Department or CEPI would have to require districts to report only information that was not already available from CEPI's database.

Senate Bill 763 would amend the State School Aid Act to specify, for certain special educational services, that the Department or CEPI would have to require districts to report only information that was not already available from CEPI's database.

Senate Bill 765 would amend the Revised School Code to specify that, under certain circumstances, the Department of Education or CEPI would have to require an ISD to report only information that was not already available from CEPI's database.

The bill also would repeal Section 1172 of the Code, which requires the State Board to promulgate rules concerning personality tests administered to pupils at school projects or as parts of the school program.

Senate Bill 766 would amend Public Act 287 of 1964, which provides for the functions of the State Board of Education and the Superintendent of Public Instruction, to do the following:

- Allow the Superintendent, instead of the State Board, to use donated money, property, or promises to pay money for the benefit of blind students.**
- Require the State Treasurer to transmit that money in the State Treasury to the Superintendent.**
- Require the Superintendent to place the money in a special fund to be spent as he or she authorized.**
- Require the Superintendent to submit a report of all money received and spent to the Senate and House Committees on Appropriations.**

Each bill would take effect 90 days after its enactment.

Senate Bill 754

Career & Technical Education

Under the Revised School Code, an intermediate school board in which an area career and technical education program has been established is permitted to operate the program or contract with local school districts or community colleges to operate the program. The intermediate school board also may contract with a private degree-granting postsecondary institution if the ISD is not within a community college district and there is a written agreement for the operation of such a program. In addition, an intermediate school board may expand area career and technical education funds for the operation of area career and technical education programs for instructional, support, and administrative costs associated with providing career and technical education activities.

The ISD must ensure that the following are met:

- The ISD must notify the Department at the time the area career and technical education program is established.
- The ISD must establish a program advisory committee pursuant to administrative guidelines established by the Office of Career and Technical Preparation within the Department.

The ISD also must ensure that a) the program collects career and technical education information data and distributes the data to the appropriate State department or departments and to the program advisory committee; and b) the ISD submits its career and technical education plan to the Department in the form and manner prescribed. Under the bill, for the purposes of both of these requirements, the Department or CEPI would have to require an ISD to report only information that was not already available from the financial information database maintained by CEPI.

Expulsion & Crime Reports

At least annually, a school board must prepare and submit to the Superintendent of Public Instruction a report stating the number of pupils expelled from the school district during the previous school year. Also, a school board must report to the Superintendent incidents of crime occurring at school within the school district. Under the bill, instead of submitting the

reports to the Superintendent, a school board would have to post those reports on the district's website.

Teaching Certificates & State Board Approval

Sections 1535a and 1539b of the Code provide for the suspension of a person's teaching certificate or State Board approval, respectively, if the person is convicted of certain crimes. The Superintendent must submit to the Legislature quarterly reports of all final actions that he or she has taken under Sections 1535a and 1539b affecting a person's teaching certificate or State Board approval during the preceding quarter. Under the bill, the Superintendent instead would have to submit an annual report of all actions taken during the preceding year.

Repealed Sections & Acts

The bill would repeal Sections 761, 1279, and 1296 of the Revised School Code. Section 761 pertains to a requirement for an ISD to conduct a study concerning opportunities for its constituent districts to share services with other providers of those services. Section 1279 pertains to a requirement for the board of a school district or board of directors of a public school academy to administer State assessments to high school pupils until the end of the 2005-2006 school year. Section 1296 requires the board of a school district that provides certain auxiliary services to its resident pupils to provide those services on an equal basis to elementary and secondary grades at nonpublic schools.

The bill would repeal Section 3 of Public Act 209 of 1965, which requires the State Board of Education to submit a report of projects to the Legislature.

The bill also would repeal the following Public Acts:

- Public Act 59 of 1966, which authorized the State Board of Education to accept Federal funds under the National Vocational Student Loan Insurance Act.
- Public Act 230 of 1964, which provided for appropriations from the School Aid Fund to school districts pending settlement of taxes paid under protest.
- Public Act 44 of 1964, which authorized the State Board of Control for Vocational Education to accept Federal money to expand vocational education opportunities.
- Public Act 28 of 1964, which abolished the State Board of Control for Vocational Education and transferred its duties to the State Board of Education.
- Public Act 198 of 1962, which authorized the State Board of Control for Vocational Education to accept Federal money to establish occupational training programs for the unemployed or underemployed.
- Public Act 149 of 1919, which accepted the requirements and benefits of the Federal Smith-Hughes Act.

Senate Bill 755

Apportionments, Educational Personnel

Except as otherwise provided, the State School Aid Act requires the apportionments and limitations of the apportionments under the Act to be made on the membership and number of teachers and other professionals approved by the Superintendent of Public Instruction employed as of the pupil count day of each year and on the taxable value and operating millage of each district for the calendar year. In addition, a district maintaining school during the entire year must count memberships and educational personnel pursuant to rules promulgated by the Superintendent and must report to CEPI as required by State and Federal law. The bill would require CEPI and the Superintendent to use data supplied by the Office of Retirement Services in the Department of Technology, Management, and Budget for the purposes of determining the number of educational personnel, as described above.

The bill also would eliminate a requirement for each district and intermediate district, by November 1 of each year, to submit to CEPI annual comprehensive financial data.

High School Graduation & Dropout Rates

A district or intermediate district must comply with all applicable reporting requirements specified in State and Federal law. Each district also must furnish to CEPI, within five weeks after pupil membership count day and by June 30, the information necessary for the preparation of the district and high school graduation report. The Center must calculate an annual graduation and pupil dropout rate for each high school, each district, and the State, and must report those rates to the Senate and House Education Committees and Appropriations Committees, the State Budget Director, and the Department within 30 days after publication of a list of school or district accountability designations. Under the bill, before reporting those graduation and dropout rates, the Department would have to allow a school or district to appeal the calculations. The Department would have to consider and act on an appeal within 30 days after it was submitted and could not report those rates until after all appeals had been considered and decided.

The Act requires a district to furnish information related to educational personnel as necessary for reporting required by State and Federal law by the first business day in December and by June 30 of each year. The bill would eliminate this requirement, and require CEPI to use data supplied by the Office of Retirement Services to obtain information related to educational personnel for required reporting.

Special Education Services

Section 51a provides allocations for reimbursements to districts and intermediate districts for special education programs. A district or intermediate district that employed special education support services staff to provide those services and that receives the same type of support services from another district or intermediate district must report the cost of those services for special education reimbursement purposes.

If an intermediate district purchases a special education pupil transportation service from a constituent district that was previously purchased from a private entity, and various conditions are met, then upon application by the intermediate district, the Department must direct the district to continue to report the costs associated with the specific service.

Allocations to districts and intermediate districts for providing special education transport services must be based on data reported by the districts and intermediate districts for the current school year.

Under the bill, for the situations described above, the Department or CEPI would have to require districts and intermediate districts to report only information that was not already available from CEPI's financial information database.

Senate Bill 763

As noted above, Section 51a of the State School Aid Act provides allocations for reimbursements to districts and intermediate districts for special education programs from the appropriations for State public schools, and requires districts and intermediate districts to report the costs of certain special education support services and special education pupil transport services. The bill specifies that, for the purposes of Section 51a, the Department or CEPI would have to require a district or intermediate district to report only information that was not already available from the financial information database maintained by CEPI.

Section 58 provides that allocations to districts and intermediate districts for providing special education transport services must be based on data reported by the districts and intermediate districts for the current school year. Under the bill, the Department or CEPI would have to require districts and intermediate districts to report only information that was not already available from CEPI's financial information database.

Senate Bill 765

The bill would make the same amendments to the Revised School Code as proposed by Senate Bill 754 with respect to requirements for an ISD to report career and technical education data.

Senate Bill 766

Public Act 287 of 1964 permits the State Board of Education to take in any lawful manner, property, money, pledges or promises to pay money for the exclusive use of the School for the Blind at Lansing or to be spent within the State for any purpose for the benefit of the School for the Blind. The bill instead would authorize the Superintendent of Public Instruction, to take property, money, pledges, or promises to pay money could be used for the benefit of blind students.

The Act specifies that the State Treasurer must transmit to the Board all such money held in the State Treasury. The Board must place this money in a special fund to be spent as authorized by the superintendent of the School for the Blind. A report of all funds received and spent under the Act must be submitted to the Senate and House Committees on Appropriations.

Under the bill, the State Treasurer would have to transmit the money to the Superintendent of Public Instruction. The Superintendent would have to place the money into a special fund to be spent as he or she authorized. The Superintendent also would have to submit to the Senate and House Committees on Appropriations a report of the receipt and expenditure of the money.

MCL 380.626 et al. (S.B. 754)
388.1613 et al. (S.B. 755)
388.1651a & 388.1658 (S.B. 763)
380.684 (S.B. 765)
388.1008b (S.B. 766)

Legislative Analyst: Jeff Mann

FISCAL IMPACT

Senate Bill 754

The bill would result in administrative savings to the Department of Education, the Center for Education Performance and Information, and Local Education Authorities (LEAs). State and local savings would be realized from the change that would require annual, rather than quarterly, reports. There also would be a reduction in administrative costs to locals that would no longer be required to report on information that is already available in financial reports.

Senate Bill 755

The bill would result in administrative savings to the Department of Education, CEPI, and LEAs. The bill could reduce State and local administrative costs by requiring information to be obtained between the Department and CEPI as well as between CEPI and the Office of Retirement Services instead of between the State and individual LEAs. The bill could result in minor administrative costs to the Department by allowing appeals to the State graduation and dropout rate and requiring the Department to act upon them within 30 days.

Senate Bill 763

The bill would result in administrative savings to the Department of Education, CEPI, and LEAs. The bill could reduce State and local administrative costs by requiring information to be obtained between the Department and CEPI.

Senate Bill 765

The bill would result in administrative savings to CEPI and LEAs. The bill could reduce State and local administrative costs by requiring information to be requested from LEAs only in the event that the information was not currently available in the financial information database.

Senate Bill 766

The bill would have no impact on State or local government, because the School for the Blind has already been transferred to the authority of the Superintendent of Public Instruction.

Fiscal Analyst: Cory Savino

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.