

Legislative Analysis



REMOVAL OR SUSPENSION OF SCHOOL BOARD MEMBERS

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

House Bill 5665 as introduced
Sponsor: Rep. Jeff Yaroch
Committee: Elections and Ethics
Complete to 9-14-20

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

SUMMARY:

House Bill 5665 would amend the Revised School Code to allow the governor to suspend a school board member or intermediate school board member for certain reasons (in addition to the already allowed removal) and to require the governor to take certain steps before suspension or removal.

Now and under the bill, the governor may act if he or she is satisfied from submitted evidence that the member is guilty of gross neglect of duty, corrupt conduct in office, or any other misfeasance or malfeasance in office. Before removal (or, under the bill, suspension), charges must be submitted to the governor along with any evidence and an affidavit from the person making the charges, a copy must also be served on the member, and the member must be given an opportunity to respond to the charges.

Under the bill, the governor would have to do both of the following within 60 days of receiving the charges:

- Review the charges to determine whether the evidence supports a finding of gross neglect of duty, corrupt conduct in office, or any other misfeasance or malfeasance in office by the member.
- Notify the person making the charges of the determination as to the charges.

The governor could consider the determination as to gross neglect or other specified misconduct in exercising his or her powers and duties under any Michigan law relating to the removal of a school board member.

MCL 380.619 and 380.1107

FISCAL IMPACT:

The bill could create costs for the state and would have no fiscal impact on local school districts, ISDs, or public school academies (PSAs).

The bill could create administrative costs for the state, specifically the executive office, from dedicating time and resources necessary to review any charges and evidence submitted to the governor. Costs would likely be minimal and absorbed using existing staff time.

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