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# Preamble

As a general guide, MASA will promote and support legislation which:

* Contributes to the quality of curriculum and the instruction/learning process for all students.
* Equalizes the collection and distribution of revenues.
* Provides for equitable access and maintenance of public education and employment without regard for religion, race, color, national origin, age, gender, sexual orientation, gender identity or expression, height, weight, familial status, or marital status.
* Fully supports financially the educational and other services required by the Legislature while respecting the constitutional prohibition on unfunded mandates.
* Complements or is consistent with federal actions and does not add a layer of bureaucracy.
* Fully supports general powers and local control.

# PUBLIC FINANCE AND TAXATION

## Funding

MASA supports a school funding system based on a fair and equitable distribution of state and local resources designed to provide a foundation guarantee that, at a minimum, keeps pace with inflation and the growth of fixed costs.

MASA supportsannual catch-up provisions for the foundation allowance as needed toadequately meet the educational needs of every child and guarantee the funds necessary to meet the demands of new quality initiatives and/or state mandates. The state should dedicate sufficient state revenues to adequately fund the foundation grant**,** over and above increases to the MPSERS rate charged to districts.

## AT-RISK FUNDING

MASA supports federal, state and local funding policies aimed at providing equitable access to a quality education for all children.

MASA supports sufficient annual allocations of school aid revenue and locally developed programs to fund the specific needs of the district’s “at-risk” students. This equity adjustment to the basic per pupil foundation grant serves as a means of recognizing the level of resources necessary to educate at-risk economically disadvantaged students. These allocations must be based on research and data. MASA further supports holding schools accountable for the use of those funds.

## Declining Enrollment

MASA urges the Legislature to look carefully at school districts with declining enrollment and supports a legislative remedy to further assist those school districts.

## Blended Pupil Count

MASA urges a return to the 20/80 count formula for calculating blended head-count and avoidance of all future manipulations of the blended count formula for the purpose of offsetting revenue shortfalls.

## PUPIL ACCOUNTING

MASA supports pupil accounting policy that aligns with responsible and cost-effective local planning and programming (i.e., count dates, count weighting, count processes, drastic enrollment fluctuations, etc.). MASA proposes additional count dates and/or proration based on completion for alternative and virtual programs

Pupil accounting rules and procedures must be understandable, manageable, and ensure adequate funding for local schools’ enrollment counts. Changes in policy, rules and procedures should only occur with appropriate input from local districts and ISDs.

The Michigan Student Data System (MSDS), an electronic student database maintained by the Center for Educational Performance and Information (CEPI), must be accessible to all school districts and public school academies. Since the Supreme Court’s ruling that the reports mandated by CEPI are a violation of the State Constitution’s prohibition against unfunded mandates, MASA expects the state to remedy this situation by either funding the CEPI mandates or eliminating them. MASA further expects that, if the mandates are funded, that the reporting requirements will include only those items absolutely necessary to maintaining an accurate pupil accounting system and not include extraneous or redundant items.

## PRESERVATION OF DEDICATED SCHOOL AID REVENUES

MASA opposes the diversion of School Aid Fund revenue to non-prek-12 programs including universities and community colleges. MASA supports efforts such as a Constitutional amendment to protect School Aid Fund revenue for schools.

Further, MASA opposes any and all tax reductions and/or cuts that impact dedicated school aid revenue without dedicated replacement revenue from the General Fund including the 18 mills on commercial and industrial personal property.

## PRESERVATION OF LOCAL SCHOOL REVENUE

MASA believes that debt-service, special education, vocational education and intermediate district operating millages and enhancement millages approved after the increment finance plan was adopted should be specifically excluded from the revenue captured by any tax exemption authority.

MASA also supports a percent limit to the portion of local taxable value subject to capture by DDAs, TIFAs and other tax incentive programs against school operating millages. MASA believes the 18 mills should not be subject to Headlee Rollbacks. MASA further supports efforts such as a constitutional amendment to eliminate Headlee Rollbacks altogether or to have them waived to the extent of previous temporary declines in taxable value.

## STABILITY AND PREDICTABILITY IN THE STATE AID ACT

MASA supports the stability provided by a multi-year budget and urges the Legislature and Governor to reinstatethis practice provided the following criteria are met:

* There is language in the School Aid Act requiring the Legislature to re-open the K-12 budget when school aid revenues are greater than originally projected.
* The Legislature is prohibited from making mid-year reductions in school funding.
* The School Aid Act has a sound structure for providing stable revenue & predictable resources for school funding.
* There is a commitment to fully appropriate school aid fund revenue to districts for operating purposes.
* There is a guarantee that the general fund contribution to schools will not be reduced.
* There are provisions to offset inflationary pressures derived from increases to fixed costs; e.g. MPSERS rate.
* The transfer of General Fund non-education programs to the School Aid Fund without the associated funding, or School Aid Fund dedicated revenue to fund General Fund programs outside of the School Aid Fund is prohibited.
* MASA is opposed to the diversion of School Aid Fund revenue to community colleges, higher education or any other general fund program.

MASA recognizes that the criteria necessary to support a multi-year budget are also solid general budgeting principals which we urge the Legislature to adopt without regard to a multiyear budget.

Finally, the enactment of any School Aid budget should occur only after providing local and intermediate school districts a full opportunity to submit recommendations and to react to the legislative proposals prior to committee action and final passage.

## INTERMEDIATE SCHOOL DISTRICT FUNDING

MASA supports funding which would provide an adequate amount of annual state aid improvement for each intermediate school district to satisfactorily offset the annual increased cost of operation and serving the needs of local districts. Funding ISD general operations, special education and vocational education should be approved to provide equitable funding, enabling all ISDs to offer and provide equal educational opportunities for essential services per the ISD Essential Services document and the ISD School Improvement Plan required under PAs 335 and 339 of 1993. MASA will support such proposals as developed by MAISA.

MASA also supports full restoration of all disproportionate reductions to ISD funding.

The funding of general operations, vocational education and special education should be increased annually equal to the growth of the state education fund and equal to the percentage increase of the Section 20 foundation grant.

Authorization should be established to enable ISDs to fulfill their central role in creating and funding infrastructure for statewide networking programs which include state government, local government, state and local agencies, ISD and local school districts to bring essential services and equity to all ISD regions and within the ISD region, both as to process and finance.

ISD state aid incentive funding should be provided for the purposes of:

* Implementation of PAs 335 and 339 of 1993 and ESEA;
* The full cost of implementing state mandates with additional appropriations tied to any additional mandates included in the budget;
* Voluntary collaboration and consolidation within ISDs;
* Voluntary collaboration and consolidation among ISDs;
* Start-up of exemplary model educational programs having statewide replication potential to improve teaching and learning or improved operational efficiency.

## STATE AID PAYMENTS/CASH FLOW

MASA supports a reduction in school borrowing costs by aligning the state aid payment schedule with the school fiscal year in order to devote maximum revenues to instruction. MASA also opposes the transfer of borrowing costs Michigan must take on to meet the school aid payment schedule from the General Fund/General Program expenditure to the School Aid Fund expenditure.

## INFRASTRUCTURE

MASA is committed to working vigorously in support of legislation or another approach that will require the state to meet its responsibility to guarantee quality school facilities for all school children through an infrastructure funding system that assists districts in building new school buildings and renovating existing buildings using such mechanisms as:

* Low-cost or interest-free loans for construction and repair.
* An expanded loan pool for low tax base districts.
* Assistance in technology planning and acquisition, including support for interactive communication systems and related upgrading.

However, this legislation must, to the greatest extent possible:

* Maintain decision-making at the local level.
* Be adequately funded.
* Use general fund revenue, rather than the school aid fund.
* Not place inequitable restrictions on districts that participate in the program, compared to those districts that can bond and build on their own.

MASA supports the establishment of a state database on the condition of buildings that house children and youth.

## Sinking Funds

MASA supports modification of the “sinking fund” law to allow revenue approved by voters under this law to be used in the same manner as revenue for bonds, as defined by the School Code.

Additionally, MASA supports the modification of the sinking fund law to allow revenue approved by the voters under this law to be used for the purpose of employing trained, certified law enforcement personnel.

## COST CONTAINMENT

MASA supports administrative initiatives and legislation that helps Michigan’s public schools exercise local control in containing the increasing cost of public education.

MASA also supports legislation that adequately funds legacy costs, while maintaining quality benefits for our employees.

## UNFUNDED MANDATES

MASA supports the adoption of the recommendations made by the Legislative Commission on Statutory Mandates and the subsequent legislation introduced to implement those recommendations.

## Federal Funding

MASA supports appropriate involvement in the funding of public education on the part of the Federal government, especially as it relates to full funding of federal mandates. Increased federal funds should be made available to allow local school districts to develop educational priorities at the local level with a minimum of mandated paper work and regulations.

MASA particularly supports federal legislation that makes special education funding an entitlement with funding at the 40% level.

## MEDICAID REIMBURSEMENTS

MASA strongly supports the federal reimbursement to schools for all health-related services provided to eligible students.

## RETIREMENT SYSTEM

As a result of school districts’ increased responsibility for funding the Michigan Public School Employees Retirement System, MASA and other educational organizations with implementation responsibilities should have a majority representation on the MPSERS Board of Directors, including the appointment of an MASA member to the board and the appointment of a representative of the school business managers/officials to the Health Insurance Subcommittee. This representation would promote a system that would be more user-friendly (e.g., early publication of projected retirement rate).

The Association supports changes that would limit districts’ future financial obligation for MPSERS’ operation and benefits.

## SYSTEMIC POLICY MAKING AND COLLABORATION

MASA encourages lawmakers to consider the effects and implications of their decisions to ensure coherent policy components that reinforce one another system-wide.

MASA believes all state departments and agencies should follow the guidelines set forth in the Administrative Procedures Act in developing changes to rules, guidelines, procedures, instruction manuals and other items which have the effect of shaping and/or implementing state policy.

## TUITION TAX CREDITS AND VOUCHERS

MASA strongly opposes any “voucher” or tuition tax credit system or public funding for nonpublic schools.

# EDUCATIONAL PROGRAMMING

## Balanced Calendar

MASA supports efforts to encourage flexibility in the calendar to accommodate a wide range of learning needs and arrangements.

## length of School Year

MASA supports a uniform school calendar of at least 180 days; provided that it is supported by an appropriate increase in funding levels.

## ADULT EDUCATION

MASA supports reestablishing the state’s commitment to the unique needs of non-traditional adult learners with appropriate funding levels to meet those needs without compromising the K-12 foundation allowance. In addition, opportunities for job training, employability skill development and personal management skills should be available for eligible adults through local K-12 districts.

## ALTERNATIVE EDUCATION

MASA supports new initiatives or programs specifically designed to prevent and reclaim drop-outs and alternative education options for students who are unable to function in or are expelled from the regular classroom or school setting. The state must financially support the provision of appropriate educational alternatives for these students recognizing the additional cost pressures faced by the service providers, at the same time refining pupil accounting rules to ensure appropriate accounting principles

## EDUCATIONAL OPTIONS

MASA supports a full-range of programming options such as gifted and talented programs, dual enrollment, career preparation, career technical education, alternative education, etc. Wherever available and already funded or budgeted through state and federal revenues, these programs should continue to be a state priority with funding distributed to the LEAs in such a way as to maximize local funding sources. Additions to existing programs or new programs should be accompanied by new sources of revenue and should, in no way, cause an erosion of revenues dedicated to the basic foundation grant through the school aid fund.

## Shared Time

MASA supports funding for shared time students in accordance with the state constitution (Article 8, Section 2), related case law (including Traverse City vs. Attorney General, Snyder vs. Charlotte Public Schools and Bond vs. Ann Arbor School District decisions) and statute (MCL 388.1766b) to the extent not contrary to the state constitution or case law. This includes limiting any non-essential course or number of courses offered to those same courses that are actually provided to the traditional full time student. To the extent these classes are provided by someone other than the resident district, all associated costs should be the responsibility of the new provider (i.e. transportation, auxiliary services).

## Virtual Education

MASA recognizes the importance of flexible learning delivery methods. However, the proliferation of virtual schools must not be unfettered. To that end, MASA supports more accountability in virtual education to ensure that every student participating in cyber programming is receiving a quality education and services are not duplicative.

Additionally, MASA supports efforts that align funding methods for virtual schools with the actual cost of educating students virtually.

## PUBLIC SCHOOL ACADEMIES

MASA supports innovation and creativity in the delivery of public education services to the children of Michigan. To the extent constitutionally acceptable, latitudes are provided and mandates are eliminated for certain schools, MASA supports legislation that would reduce funding proportionately for those schools or provide those same options to all Michigan’s schools. Latitudes and mandates must be applied to public schools and public school academies in a consistent manner. To ascertain that latitudes are properly utilized and mandates are adhered to appropriately, sufficient oversight and financial disclosure must occur.

## SCHOOLS OF CHOICE

School districts should be able to provide choice in conjunction with other districts based on local needs within the confines of consistent information and enforcement from the Michigan Department of Education.

## HOME SCHOOLING

MASA believes that the absence of accountability measures for child welfare, academic performance and instructor qualifications render the current system of Home Schooling ineffective while putting children at risk.

MASA supports following the same rules set forth under Section 3.06- Shared Time to ensure consistent treatment for every home school student.

MASA supports, at a minimum, that all private education programs (including home schools) be required to register their school/student with either ISDs or the Michigan Department of Education and provide some means of enforcement relative to education programs, teacher qualifications and whether or not the students take the state required assessments. Such a registration system is important for two reasons: a) there is assurance that all students in Michigan, in accordance with the Compulsory Attendance Act and the Constitution, have access to an elementary and secondary education program that meets certain standards, and b) that the transfer between traditional public schools, public school academies, private and home schools is appropriately recorded and graduation and dropout rates are calculated with more accurate data of such transfers.

## SCHOOL READINESS AND EARLY CHILDHOOD EDUCATION AND CARE

Similar to Section 3.08 MASA supports legislation that would reduce funding proportionately for the community based partners to the extent of any latitude given or mandates eliminated for those entities.

MASA supports a system of universal access to early childhood education including a full-range of early prevention, intervention and school readiness, four-year old program, birth-to-five family and child intervention programs, home visiting, etc. Further MASA supports revisions to the school code to acknowledge the State’s responsibility for universal access to school readiness education (birth to age five) in conjunction with the K-12 Public Education System.

Additions to existing programs or new programs should be accompanied by new sources of revenue and should, in no way, cause an erosion of revenues dedicated to the basic foundation grant through the school aid fund.

MASA supports expanded funding for the Great Start readiness program preschool part- and full-day programs with a goal of universal availability.

## SPECIAL EDUCATION

The Legislature should fully fund special education mandates, as well as revise those mandates in a way that meets student needs, yet provides increased flexibility and cost efficiency in the delivery of special education services to Michigan students. These changes should include the following:

* The creation of a full continuum of services, for special needs persons, which use all state agencies. This is now necessary because of the mandatory nature of both state and federal special education legislation and the fact that many tasks not ordinarily considered educational in nature have become the responsibility of public education.
* The development of special education identification and program rules that eliminate stereotypes, prejudices and barriers to effective programming, such as restricting caseloads and class sizes that are not based in research.
* The removal of restrictions in the area of staff qualifications that serve to limit the provision of more flexible and integrated services.
* Academic performance standards and assessments that are appropriate for the unique learning needs of students with disabilities.

To ensure a safe and effective learning environment for all students, including students with disabilities, we believe that all students, in accordance with local and state laws, policies, and procedures, should be treated equitably in matters of discipline. MASA supports amending IDEA and Section 504 to ensure equitable disciplinary treatment of all students.

To ensure all special education students are served in their choice of public education delivery, *all* public school academies should be required to demonstrate their ability to provide a full range of special education services to their students.

MASA supports the use of a portion of IDEA funds for special education prevention, with a focus on early intervention.

## VOCATIONAL EDUCATION AND CAREER PREPARATION

MASA supports full funding of comprehensive programs that provide career planning and development, vocational training, work force development, and work related basic skills.

MASA supports:

* Continued support for categorical use of the Perkins funds
* Maintaining categorical funds dedicated to Career and Technical Education
* Further enhancing creative and dynamic Career and Technical Education and MME programs vital to Michigan’s economic development
* Further alignment of Career and Technical Education programs with the Michigan Merit Curriculum
* The development of a single statewide system for maintaining and reporting student data

# EDUCATIONAL EXCELLENCE

## CONTINUOUS IMPROVEMENT AND QUALITY

Research shows that continuous improvement and quality are the products of systemic planning, implementation and monitoring of change at the local district level, within the context of clearly established policies and standards. The role of the Legislature in the educational process includes the establishment of broad policies and standards for achievement and accountability that facilitate continuous progress at the local district level.

## ASSESSMENT AND STUDENT LEARNING

MASA continues to support world-class standards for student achievement in Michigan and a state assessment program that is aligned with the Michigan Standards including the MMC and the National Common Core standards curriculum and aligns with any national assessment programs. LEAs need to be free to exercise local curriculum control by elaborating and expanding upon the model core curriculum.

MASA supports a state-of-the art formative assessment system that is carefully aligned to state performance standards, and reflects current technology as a means of assessing students. This includes web-based assessment and assessment with immediate feedback.

MASA believes that the Legislature should assure assessment systems such as ESEA and accreditation place a balanced emphasis on the development of citizenship in alignment with our State Constitution.

The state assessment program should continue to be only one of many measures local schools utilize to track student achievement and teacher performance and provide accountability to their communities for student learning. Future revisions to state assessments should be done with the full involvement of local schools and in a manner that is educationally and psychometrically sound. Further, LEAs must retain autonomy over local assessment practices and reporting procedures.

## Truancy

MASA supports establishing guidelines similar to those in place for the traditional full time students, to apply to virtual and Homeschool students.

## ACCREDITATION and Accountability

MASA supports the repeal of Sec. 1280c, the so-called “Failing Schools Legislation”. In its place, MASA supports an accountability system that supports schools in their effort to ensure that every student succeeds. That system should be fair, transparent, consistent, should avoid data duplication and overburdensome regulations, and should explore multiple options to ensure that Michigan is on track to be a top ten state.

## INSTRUCTIONAL STAFF

Because the quality of teaching is so directly related to the quality of student learning, MASA believes that local and intermediate school districts must make a significant commitment to develop, and the state and federal government to fund, systematic, ongoing professional development focused on ensuring success for all students and required by the “Elementary and Secondary Education Act”.

MASA promotes efforts that would allow flexibility and also direct resources to enable Michigan to develop, recruit, and retain a high quality teaching force. In order to truly maintain a high quality teaching force, a modification to the tenure law is needed. Efforts to reduce qualifications and standards for teaching certification cannot be supported.

## COMPETENCY-BASED GRADUATION

Given the enactment of one of the more rigorous curriculums in the country, MASA supports legislation and policy that recognizes that mastery is the constant for all children.  However, to provide equitable opportunity for the mastery of this curriculum, MASA supports state policy or legislation that recognizes time is the variable; some students must be provided expanded opportunities for the mastery of this curriculum.  MASA supports a five- or even six-year cohort graduation methodology for students at risk, students with disabilities or for students in alternative education programs.

# STUDENT SERVICES, SAFETY AND WELFARE

## TRANSPORTATION

Until authoritative research data supports the need, MASA opposes any legislation that would make the installation of passenger seat belts in school buses mandatory given the potential fire safety exiting danger and the financial demand such requirements would create.

MASA also opposes requirements to utilize any equipment or technology that has not been tested over time and under conditions similar to those experienced during actual transportation and found to accomplish the purpose for which it was designed.

Finally, school districts should have the utmost flexibility in creating cost-effective communication systems between local school buses and their home transportation base (or designated location) for safety and security purposes.

## SCHOOL SAFETY

MASA supports the implementation of school building or school district policies that mandate consistently applied processes and consequences for various student offenses (e.g., violence, tobacco, alcohol, drugs, and weapons and bullying). These policies should be developed by the

local districts in collaboration with the community, not by the Legislature, and be supported through full allocation of federal school safety flow-through funding to local districts.

MASA also supports the implementation of school district policies and procedures to protect our students and staff from outside forces.

MASA supports state funding for school safety measures including grants for building improvement and school safety and student mental health professionals.

## JUVENILE CODE REVISION

MASA urges schools, law enforcement agencies and the courts to work cooperatively in developing and implementing policies, programs and services to prevent delinquency, conduct an effective juvenile justice system and provide successful rehabilitation programs for youth and youth adjudicated as adults. Judges, law enforcement personnel, school officials and others must work in unison to establish a workable, rational framework dealing with the problems of delinquent, abused, neglected, truant and missing children.

## KINDERGARTEN ENROLLMENT AGE

MASA opposes legislation to increase the minimum age requirement for entry into kindergarten. While there may be some children who are not ready for kindergarten at the age of five, there are also many who are ready earlier. Arbitrarily moving the cut-off date will not guarantee school readiness. With the coupling of quality universal early education and care services, MASA believes parents can make the best individual choice for their child.

MASA supports the option of local districts to maintain developmental or readiness kindergarten programs with full state funding.

## STUDENT LABOR PROTECTION

MASA supports standards and rules that protect the interests of students and place those interests first in any legislative and policy consideration.

# EmploYee Relations

## PUBLIC EMPLOYEE LABOR NEGOTIATIONS

MASA promotes legislation which supports exercising local control over wages, hours and working conditions.

MASA supports legislation to strengthen teacher strike laws in an effort to increase legal and bureaucratic penalties while decreasing legal fees for the school district.

## School Calendar

MASA Supports efforts to designate the school calendar as a prohibited subject of bargaining *(MCL 423.215 §11 (a))*

## WORKERS’ COMPENSATION

MASA supports legislation which combats workers’ compensation fraud by establishing criminal and/or civil penalties for committing such fraud, as well as creates truth in advertising that prohibits misleading tactics and solicitations. MASA strongly urges the adoption of a clear

definition for compensable mental disability that replaces the current subjective standard established through judicial decision with an objective standard that requires clear and convincing evidence that employment is the predominant cause of mental disability claims.

## UNEMPLOYMENT COMPENSATION

MASA supports the legitimate payment of unemployment compensation to those who are eligible and supports revision of the rules of eligibility in regards to reasonable assurance of return for seasonal employees. MASA also supports strong penalties for those who file fraudulent claims.

# Governance

## LOCAL CONTROL

MASA continues to urge the state to recognize the fact that each independent school district has a duly elected board of education that is responsible to its electorate. As such, we urge the Legislature and the executive branch to continue to recognize the need to support legislation that provides local control as it relates to the operation of school systems.

## GENERAL POWERS

MASA urges lawmakers to give school districts time to support the general powers given to them through the school code and to resist limiting those general powers. Also, MASA encourages the Legislature to reduce the amount of specificity in laws so that general powers can be exercised more fully.

## COOPERATIVE and Interagency Programs

MASA believes Laws regarding the election of ISD Board members should remain as currently enacted, with the decision made locally as to which of the two types of board elections should be used.

MASA supports legislation which provides incentives and allows LEAs and ISDs (at the request of LEAs) that wish to consort or share programs to do so without negative financial consequences.

MASA supports state policies that call for school districts and their cities and counties to operate through inter-agency collaboration that maximizes education and other children’s services dollars to improve the overall responsiveness and effectiveness of services to the whole child.

## SCHOOL DISTRICT REORGANIZATION

To help defray the additional costs of merging, MASA supports legislation that would provide additional funds for a limited period of time to school districts and intermediate school districts that voluntarily annex or consolidate.

MASA supports amending PA 339 of 1993 in order to implement the ISD school improvement plan recommendations regarding cooperative programs, consolidation or enhanced inter-district cooperation on a phase-in basis accompanied by incentive funding.

MASA is opposed to any efforts to mandate the annexation or consolidation of school districts and intermediate school districts. Consolidation of school districts and intermediate school districts must be on a voluntary basis and be approved by all districts involved.

## POST-LABOR DAY SCHOOL START

MASA opposes a uniform post-Labor Day starting date for all public schools. The school calendar historically is a negotiable issue whereby local economy, culture and history influence such decisions. MASA continues to support local governance and the need to be flexible in developing a school year calendar.

## OPEN MEETINGS ACT

MASA supports the concept of the Open Meetings Act; however, it has placed restrictions on public bodies in the appointment process for their chief executive officers. The present requirement for public interviews restricts complete candor in the interview process and serves as a deterrent in selecting the most qualified individual. In addition, the public interview process serves to limit the number of qualified candidates. In the interest of greater selectivity for local units of government, MASA supports amendments to the Open Meetings Act to allow for private interviews and private handling of candidate credentials when considering candidates for appointive positions.

MASA supports an amendment to the Open Meetings Act to permit school boards to meet in closed session at the request of a parent to discuss problems other than disciplinary matters about their child.

## FREEDOM OF INFORMATION ACT

MASA supports legislation and policies that strengthen and preserve the original intent of the freedom of information act (FOIA). FOIA was instituted, in part, to assist the public in helping to oversee public bodies and how public funds are expended. Recent use of FOIA has extended to requesting the names of *all* applicants for administrative positions and “working files” of school employees. MASA opposes this expansion of FOIA.

Additionally, MASA believes uniform and equitable application of FOIA should occur in *all* schools receiving public funds. This would include Public School Academies under the auspices of management companies that believe they are exempt from releasing information currently required to be released by other public schools. However, FOIA laws should also protect student privacy and confidentiality.

Finally, FOIA should be amended to specifically address recent court decisions that have subjected school districts to challenge and lawsuits and have opened the personnel files of employees without apparent limit to any individual seeking access. Without reasonable limits on select documents such as employee evaluations and health records, the value of such personnel practices will be irreparably damaged.

## PROPERTY TRANSFER PROCESS

In an attempt to reduce the confusion that currently exists regarding the property transfer process, MASA supports legislation that would allow ISD Boards to submit property transfer requests directly to the State Board Of Education without conducting a local hearing.

The State Board of Education should develop property transfer guidelines that could be used by the state board and intermediate school districts in reaching a decision on property transfers.

## CONFLICT OF INTEREST DISCLOSURE REQUIREMENTS

MASA is strongly opposed to legislation that would require an administrator or board member to disclose all their sources (or their family member’s sources) of personal income and debt as a requirement for holding public office.

## CONSOLIDATED ELECTIONS

MASA strongly supports maintaining as much local prerogative as possible within the consolidated election framework so as to preserve general powers for local boards and retain the exercise of local control.

MASA strongly opposes November only elections.

## ISD BOARD ELECTIONS

MASA opposes any attempt to force ISD boards to be elected. Laws regarding the election of ISD Board members should remain as currently enacted, with the decision made locally as to which of the two types of board elections should be used.

## RECALL ELECTIONS

Recall election laws and procedures should be modified to make the recall process fairer to public officials without infringing upon the basic right of recall guaranteed under the State Constitution. Specific areas of concern that must be addressed by means of amendatory legislation include:

* The need to furnish specific reasons, supported by facts, on recall petitions. Reasons stated on recall petitions should be sufficiently specific to give the public official and the electorate adequate notice of the conduct that is the basis of the recall.
* Deficiencies in the recall law applicable to time lines. A public official should not be eligible for recall until nine months after taking office or nine months before leaving office. The time frame for challenging petition signatures should be extended to 15 days following validation by the city or township clerk. A public official should have seven days to submit his or her justification of conduct in office.

## MAIL BALLOTING

MASA opposes elections by mail for ballot proposals. Potential problems include assuring each voter casts only one ballot, verifying signatures of voters and assuring safe delivery of all completed ballots to election officials. It makes it more difficult to assure that voting procedures have been followed and security maintained in the election process.

# STATE BOARD AND DEPARTMENT OF EDUCATION

## CONTINUITY

MASA believes that all education programs of the state should be administered under the Department of Education (MDE) in accordance with policies established by the Michigan State Board of Education. MASA believes that having all education programs and services under the Department of Education would bring a continuity of vision, focus and direction necessary to serve Michigan’s children.

MASA believes that when educational programs and services are administered under a variety of agencies, the result is a fractured state government bureaucracy without direction and without cohesiveness. Therefore, MASA supports the placement of *all* educational programs under the Department of Education with its policy authority established by the State Board of Education.

MASA believes that Michigan’s constitution specifically gives education policy-making authority to the State Board of Education and that the Department of Education works as the board’s operational and administrative agency.

## REGULATION

MASA supports the elimination of any education data protocol that is not annually reviewed with input from the field as to the purpose and value of the data protocol, whether it is mandated or voluntary.

In addition, the Legislature should continue to closely monitor the waiver process for administrative rules as provided by Section 1281 of the Revised School Code to insure that it functions efficiently and does not become cumbersome and difficult to utilize by school districts.

Finally, MASA supports and encourages further streamlining of all State reporting and monitoring processes, protocols, and procedures.

## APPEALS PROCESS

MASA supports the development of expedient appeals processes for local and intermediate school districts when areas of disagreement and interpretation develop with the Department of Education or other departments charged with K-12 oversight and/or regulation.