

Michigan Association of School Administrators

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## LEGISLATIVE PROGRAM FOR 2007-2008

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### 94th Legislative Session

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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 equal access and maintenance of public education and employment without regard for race, color, sex or national origin.
- Fully supports financially the educational and other services required by the Legislature.
- Complements or is consistent with federal actions and does not add a layer of bureaucracy.
- Fully supports general powers and local control.

## **ADEQUACY AND EQUITY**

### **1.1 FINANCE**

MASA supports a school funding program based on a fair and equitable distribution of state and local resources designed to provide a foundation guarantee that, at minimum, keeps pace with inflation and the growth of fixed costs. MASA also supports annual catch-up provisions within the foundation allowance calculations as needed to adequately 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 program, over and above increases to the MPERS rate charge to districts.

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.

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

Finally, MASA opposes any action for the purpose of meeting the State’s Foundation Allowance obligation which adversely affects or penalizes districts and/or programs.

### **1.2 PRESERVATION OF DEDICATED SCHOOL AID REVENUES**

MASA’s priority is to make sure that the school aid fund revenue sources are stable and able to fully fund the post-Proposal “A” educational structure over the long term. To this end, the state’s general fund/general purpose commitment must be restored, maintained, and improved. Any and all tax reductions and/or cuts that impact dedicated school aid revenue must be offset by dedicated replacement revenue.

### **1.3 PRESERVATION OF LOCAL SCHOOL REVENUE**

Of equal concern is the preservation of local school revenue and tax base. MASA believes that debt-service, special education, vocational education and intermediate district operating millages 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.

### **1.4 STATE AID ACT**

MASA supports the stability provided by a multi-year budget and urges the Legislature and Governor to reinstate this 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.
- There is a commitment to fully appropriate school aid fund revenue to districts exclusively 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. MPERS rate.
- The transfer of General Fund non-education programs to the School Aid Fund without the associated funding is prohibited.

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

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 legisl ative proposals prior to committee action and final passage.

### **1.5 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 of fset the annual increased cost of operation. 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 se rvices per the ISD Essential Services document and the ISD School Impr ovement 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 IS D 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 increase of the foundation grant . Categorical formulas should be improve d to provide incentive funding for equal educational opportunities for essential services and implementation of PAs 335 and 339 of 1993. In addition, categorical funding should be increased annually equal to the growth rate of the state education fund. All ISD millages (special education, vocational education and en hancement) should be equalized by the state at the 90th percentile of statewide ISD state equalized valuation. The increase should be automatic based on the percentage increase in the foundation.

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 NCLB;
- 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 eff iciency.

### **1.6 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.

### **1.7 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.

### **1.8 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 opposes additional count dates unless a comprehensive cost benefit analysis shows clearly that the additional count would improve local districts' ability to provide students with a quality educational program.

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

The Center for Education Performance and Information (CEPI) single record student database must be accessible to all school districts and public school academies and accurate data must be validated prior to relying on this reporting method for official enrollment counts. Until such time, Michigan must provide a dual submission option for accurate state aid distribution.

### **1.9 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 controls legacy costs, while still providing quality benefits for our employees.

### **1.10 UNFUNDED MANDATES: STATE AND FEDERAL**

All state mandated education programs should be fully funded by the state and find their basis in solid education research that documents the program's worth in the educational process or the mandates should be repealed. MASA strongly opposes any future state mandating of education programs /SERVICES that do not meet this criteria.

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.

### **1.11 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 an appointment of an MASA member to the board. 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. These changes could include the graded health premium for new employees and a long-term goal of pre-funded health, funded by the state of Michigan.

MASA continues its support of earlier eligibility for retirement benefits but only to the extent that the awarding of the benefits is actuarially sound, does not increase the financial obligation of districts, and does not contribute to a critical shortage in the workforce. We further urge the easing of retirement earnings limits.

### **1.12 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 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 youth services.

MASA also supports the development of a statewide youth policy, developed collaboratively by education and human service policymakers.

### **1.13 TOXINS AND CONTAMINANTS**

Environmental protection concerns have forced school districts to ensure that buildings meet established safety requirements. The costs, however, should not be solely the responsibility of school districts. MASA urges the Federal and the State government to continue their efforts to appropriate funds for grants and loans to help school districts pay for the inspection and removal of proven toxins and contaminants from school buildings. The Federal and State governments should also carefully align requirements with current research findings.

### **1.14 UNIFORM SCHOOL CALENDAR**

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

## **EDUCATIONAL PROGRAMMING**

### **2.1 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.

### **2.2 ALTERNATIVE EDUCATION**

MASA also supports new initiatives or programs specifically designed to prevent and reclaim drop-outs and alternative education options for students who are unable to function 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.

### **2.3 AT-RISK FUNDING**

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

MASA supports sufficient annual allocations of school aid revenue to fund the "at-risk" equity adjustment to the basic per pupil foundation grant as a means of recognizing the level of resources necessary to educate students from impoverished backgrounds, as well as those eligible under Section 32 of the state school aid act. These allocations must keep pace with COLA and increases to eligible students and their needs. MASA further supports holding schools accountable for the use of those funds.

### **2.4 EDUCATIONAL OPTIONS**

MASA supports a full-range of programming options such as gifted and talented programs, dual enrollment, career preparation, vocational 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.

### **2.5 SCHOOL READINESS AND EARLY CHILDHOOD EDUCATION AND CARE**

MASA supports a system of universal access to early childhood education including 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 Michigan school readiness program preschool part - and full-day programs with a goal of universal availability.

### **2.6 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.

## **2.7 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 programs vital to Michigan's economic development
- Further alignment of Career and Technical Education programs with academic rigor to prepare students for post secondary success
- The development of a single statewide system for maintaining and reporting student data

## **STATE BOARD AND DEPARTMENT OF EDUCATION**

### **3.1 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.

### **3.2 REGULATION**

MASA supports the elimination of any MDE 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.

### **3.3 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.

### **3.4 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.

## **EDUCATIONAL EXCELLENCE**

### **4.1 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.

### **4.2 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 state model core 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 NCLB/EducationYES! requirements 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 NCLB and Education Yes! 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 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 sound. Further, LEAs must retain autonomy over local assessment practices and reporting procedures.

### **4.3 ACCREDITATION AND EDUCATION YES!**

MASA supports an accreditation process that is fair, equitable, non-punitive, and supportive of authentic systemic improvement. The process should also maintain the intent and integrity of Public Act 25 of 1990 and reciprocity with North Central Accreditation. MASA urges state policy makers to acknowledge the wide diversity in demographics and resources among Michigan school districts in developing accreditation standards by focusing on improvement in a wide array of research-based authenticated strategies, measures and indicators that are psychometrically defensible and curricularly appropriate. In addition, MASA urges an assessment and accreditation process that is sensitive to individualized student needs/learning plans as well as high student mobility patterns in some districts through a statewide tracking system.

MASA supports the collection of data that leads to informed decision-making at the local level. MASA recognizes, however, that generalizations about student achievement, or school labeling (including letter grades) and sanctions, are not appropriate uses of limited student performance data that does not consider a variety of other factors and measures that affect student achievement.

MASA believes the state accreditation system must align with “No Child Left Behind.”

#### **4.4 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 “No Child Left Behind.”

MASA promotes efforts that would allow flexibility and also direct resources to enable Michigan to develop, recruit, and retain a high quality teaching force. Efforts to reduce qualifications and standards for teaching certification cannot be supported.

### **PARENTAL CHOICE**

#### **5.1 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 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.

#### **5.2 SCHOOLS OF CHOICE**

MASA continues to support schools of choice as a local option. 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 .

#### **5.3 HOME SCHOOLING**

MASA believes that procedures and guidelines implementing Michigan’s home schooling law need to be developed by MDE and MAISA to assure a sound educational program for every home-schooled student.

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

MASA supports, at a minimum, that all private education programs (including home schools) be required to register their school 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.

#### **5.4 TUITION TAX CREDITS AND VOUCHERS**

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

### **COOPERATIVE PROGRAMMING AND REORGANIZATION**

#### **6.1 COOPERATIVE PROGRAMS**

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.

#### **6.2 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.

### **STUDENT SERVICES, SAFETY AND WELFARE**

#### **7.1 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.

#### **7.2 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.

### **7.3 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.

### **7.4 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.

### **7.5 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.

## **STAFFING CONCERNS**

### **8.1 PUBLIC EMPLOYEE LABOR NEGOTIATIONS**

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

### **8.2 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.

### **8.3 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 and seasonal employees. MASA also supports strong penalties for those who file fraudulent claims.

## **LOCAL DECISIONS, PROCEDURES AND ELECTIONS**

### **9.1 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.

## **9.2 GENERAL POWERS**

MASA urges lawmakers to give school districts time to develop 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.

## **9.3 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.

MASA supports reviewing the data regarding the economic effects of the Post -Labor Day Start.

## **9.4 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.

## **9.5 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 charter schools 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.

## **9.6 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.

## **9.7 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.

## **9.8 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 .

## **9.9 ISD BOARD ELECTIONS**

Current 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.

## **9.10 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.

## **9.11 CITIZEN-INITIATED BALLOT PROPOSALS**

MASA proposes that the various sections of the School Code pertaining to citizen -initiated ballot proposals be strengthened and made uniform for all classes of school districts.

## **9.12 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.

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