

**MEMORANDUM**

**TO:** The Arc Michigan  
**FROM:** Wiener Associates  
**DATE:** December 21, 2009  
**SUBJECT:** Governmental Affairs Update

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**LEGISLATURE COMPLETES “RACE TO THE TOP” CHANGES** After working through Saturday, 48 hours beyond its published session calendar for the year, the Legislature finalized work on “Race To The Top” legislation making Michigan eligible for up to \$400 million in additional federal education funding. The 5-bill package (Senate Bills 926 and 981, and House Bills 4787, 4788 and 5596) have been sent to the Governor, who is expected to sign them in the near future. Highlights of the legislation:

- HB 4787 – modifies existing personal curriculum provisions; allows for state intervention in poor-performing schools; and raises the drop-out age to 18
- HB 4788 – makes teacher employment negotiation provisions on issues including seniority and work rules consistent with other bills in the package
- HB 5596 – requires the State Superintendent of Public Instruction to establish alternative paths to teacher certification
- SB 926 – creates a student-to-teacher performance database and requires basic instructional supplies be made available to teachers
- SB 981 – provisions for “Schools of Excellence” similar to charter schools that can be run by chartering academies with high student achievement; allows for additional charter schools in districts with graduation rates below the state average; allow consideration of student progress in teacher evaluations

Earlier last week there was discussion of incorporating changes to the “Algebra 2” graduation requirement (as embodied in House Bill 4410, currently pending before the Senate Education Committee) into the final bills. That discussion was ultimately postponed until after the first of the year. Modification of the Algebra 2 requirement remains an important priority on The Arc Michigan legislative agenda.

Additional details of the package as they may affect The Arc and its members will be provided in the near future

[Note: At this writing, the bills as enrolled for transmittal to the Governor are not yet available online.]

**REPRESENTATIVE MIKE SIMPSON DIES** State Representative Mike Simpson (D-65<sup>th</sup> district) died unexpectedly on Friday, December 18. Rep. Simpson has been absent from session for several weeks due to illness but passed away suddenly from a heart attack. It is unclear at this time whether there will be a special election to fill the vacancy.

**LEGISLATURE PASSES INDOOR SMOKING BAN** After over a decade of debate, the Michigan Legislature has passed legislation prohibiting smoking in virtually all public workplaces, including bars and restaurants. House Bill 4377 bans smoking in public places except for the Detroit casino floors (casino bars and restaurants, however, are included in the ban; Indian casinos are completely exempt from state law), specialty tobacco shops, cigar bars, and office space located in a private residence. HB 4377 was signed into law as Public Act 188 of 2009 and will take effect on May 1, 2010.

The Legislature will adjourn for the year on December 30; no business will be conducted on that date. The House and Senate will reconvene on Wednesday, January 13, 2010.

All bills are available online at [www.michiganlegislature.org](http://www.michiganlegislature.org)