

Legislative Analysis



EXCEPTION TO MINIMUM INSTRUCTION DAYS AND HOURS REQUIREMENT

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

House Bill 4206 (proposed substitute H-2)
Sponsor: Rep. Ben Frederick
Committee: Education
Complete to 3-11-19

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

SUMMARY:

House Bill 4206 would provide an exception to the minimum days of student instruction requirement in the State School Aid Act; that exception would apply when the governor had declared a state of emergency. Additionally, for days with low attendance because of poor conditions, the bill would lower the attendance requirement in order for the district to receive full funding for that day.

Generally under the Act, districts must provide at least 1,098 instructional hours and 180 days of instruction. The first six days of instruction that are not provided because of conditions beyond the control of school authorities (including severe storms, fires, epidemics, utility power unavailability, or other specified events) are “forgiven” and counted toward the 180-day/1,098-hour requirement. An additional three days may be forgiven with the approval of the superintendent of public instruction, typically referred to as a “snow day waiver.”

The bill would provide that, on days when instruction was not provided because the governor had declared a state of emergency, those hours or days would likewise be counted toward the requirement.

The bill would also adjust the amount of funding a district would receive on days when conditions beyond the control of school authorities triggered low attendance. Currently, if a district does not have at least 75% of its membership in attendance on days not specifically exempted from that requirement, the district’s state aid for that day is in the proportion of 1/180 that the actual percentage bears to 75%. Instead, under the bill, when less than 60% of the district’s membership is in attendance, the district’s state aid for the day is in the proportion of 1/180 that the actual percentage bears to the specified percentage. [Note: While the funding amount would be determined in part using the “specified percentage” in the bill, percentages of both 60% and 75% are referenced in the provision; it is not clear which is “specified.”]

MCL 388.1701

BACKGROUND:

The bill is understood to address the unusually high number of canceled school days in the 2018-19 school year, some of which occurred on days the governor had declared a state of emergency.¹ Reportedly, several districts in the Kent and Ottawa ISDs have already exceeded

¹ https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-486311--,00.html

nine canceled days, with some districts up to 14 or 15 days.² In lowering the attendance threshold, the substitute is understood to disincentivize a district from preemptively canceling school in anticipation of low attendance.

FISCAL IMPACT:

The bill would have no fiscal impact on the state and would likely have an indeterminate, but minimal, impact on districts. The bill could create some savings for districts by waiving days of instruction and the corresponding number of hours of instruction that would have to be added at the end of the school year, thus eliminating the additional utility, food service, and transportation costs.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

² <https://www.mlive.com/news/grand-rapids/2019/02/schools-racking-up-snow-days-getting-3-day-waivers-but-more-relief-possible.html>