

SENATE BILL NO. 1037

July 23, 2020, Introduced by Senators MCCANN, CHANG, BULLOCK, BRINKS, BAYER, ALEXANDER, GEISS, POLEHANKI and MCMORROW and referred to the Committee on Education and Career Readiness.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1578a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1578a. (1) The governor shall appoint 11 members to an
2 advisory committee within the department that shall aid in
3 determining certain criteria, as described in section 1561, related
4 to excused absences. The advisory committee must consist of the

1 following 11 members:

2 (a) The superintendent of public instruction.

3 (b) One member of a law enforcement agency or the designee of
4 an individual serving in a law enforcement agency.

5 (c) One member from a list of 3 individuals submitted by the
6 senate majority leader. The member selected under this subdivision
7 must be licensed or authorized to practice law in this state and
8 must have background experience in the field of education.

9 (d) One member from a list of 3 individuals submitted by the
10 speaker of the house of representatives. The member selected under
11 this subdivision must be a certificated teacher or otherwise
12 authorized to teach under this act and must have experience working
13 with pupils from diverse backgrounds, including, but not limited
14 to, pupils from trauma-impacted communities, pupils of various
15 social-economic backgrounds, and pupils of different racial and
16 ethnic identities.

17 (e) One member who has experience and expertise in the field
18 of education and education policy, including, but not limited to,
19 experience in education policy research and analysis, teaching, and
20 advocacy work surrounding the education system.

21 (f) Two members who represent organizations that specialize in
22 racial equity and advocacy work, including, but not limited to, an
23 organization that provides community education regarding racial
24 equity, implicit bias, and cultural competency.

25 (g) Three members who are community members that represent
26 pupils within the public school system, including, but not limited
27 to, the parents or legal guardians of pupils and attorneys who
28 represent the interests of pupils within the public school system.

29 (h) One member who is certificated, endorsed, licensed, or

1 otherwise authorized under law to serve as a school counselor or
2 social worker and who has experience working with pupils from
3 diverse backgrounds, including, but not limited to, pupils from
4 trauma-impacted communities, pupils of various social-economic
5 backgrounds, and pupils of different racial and ethnic identities.

6 (2) The governor shall initially appoint the members of the
7 advisory committee under subsection (1) within 90 days after the
8 effective date of the amendatory act that added this section.

9 (3) Each member appointed to the advisory committee described
10 in subsection (1) serves for a term of 3 years.

11 (4) A member of the advisory committee described in subsection
12 (1) who attends less than 50% of the scheduled meetings of the
13 advisory committee in a calendar year is considered to have vacated
14 his or her position. The governor may remove a member of the
15 advisory committee for incompetence, dereliction of duty,
16 malfeasance, misfeasance, nonfeasance in office, or any other good
17 cause, as determined by the governor. Upon notification of any
18 vacancy of a position of a member of the advisory committee
19 described in subsection (1) or upon removal under this subsection,
20 the governor shall fill the vacancy within 90 days of the vacancy
21 or removal in the same manner as the original appointment.

22 (5) The first meeting of the advisory committee described in
23 subsection (1) must be called not later than 180 days after the
24 effective date of the amendatory act that added this section.
25 Before the first meeting of the advisory committee, the governor
26 shall appoint the chairperson of the advisory committee from among
27 the members of the advisory committee. The chairperson may not be a
28 member who is the head of any state department. At the first
29 meeting of the advisory committee, the committee shall elect from

1 among its members a vice-chairperson and other officers as it
2 considers necessary or appropriate. Following the first meeting of
3 the advisory committee, the committee shall meet at least quarterly
4 at the call of the chairperson or, if requested, by a majority of
5 the members serving.

6 (6) A majority of the members of the advisory committee
7 described in subsection (1) constitute a quorum for the transaction
8 of business at a meeting of the committee. A majority of the
9 members present and serving are required for the official action of
10 the committee.

11 (7) The business that the advisory committee described in
12 subsection (1) may perform must be conducted at a public meeting of
13 the committee held in compliance with the open meetings act, 1976
14 PA 267, MCL 15.261 to 15.275.

15 (8) A writing prepared, owned, used, in the possession of, or
16 retained by the advisory committee described in subsection (1) in
17 the performance of an official function of the advisory committee
18 is subject to the freedom of information act, 1976 PA 442, MCL
19 15.231 to 15.246.

20 (9) Members of the advisory committee described in subsection
21 (1) serve without compensation. However, members of the committee
22 may be reimbursed for their actual and necessary expenses incurred
23 in the performance of their official duties as members of the
24 committee.

25 Enacting section 1. This amendatory act does not take effect
26 unless Senate Bill No. 1028 of the 100th Legislature is enacted
27 into law.