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**Michigan Education Association**

**Legislative Priorities**

**2018-2020**

**As recommended by the 2017 Legislation Commission  
As adopted by the MEA Board of Directors  
January 26, 2018**

## **Legislative Priorities 2018-2020**

### **Preamble**

MEA's legislative program supports fully funded programs and initiatives to advance the following goals: safety, civility and order in every school, every student ready to learn, every school building in good condition, every classroom connected to current technologies, quality state-certified educator(s) in every classroom/program, and adequate numbers of qualified and non-instructional education support professionals and supervisory/administrative staff.

MEA supports a quality educational program in every higher education institution, delivered by qualified full-time faculty and staff.

MEA supports legislation that preserves and protects our members' right to bargain the health care plan and carrier of their choice without restriction.

MEA supports legislation that guarantees our members bargaining the highest quality benefits (e.g., including but not limited to medical, long term disability, hearing, dental, vision, life and retirement).

MEA supports legislation that ensures that every public school student in Michigan is held to and given the opportunity to meet the highest possible standards of achievement.

### **Introduction**

The Michigan Education Association Legislative Program is presented in the form of three core initiatives for Michigan public education students and MEA members: Quality Education Agenda, Funding, and Professional Conditions. These initiatives are followed by the clear delineation of the legislative and political objectives of the organization as stated in "MEA's Legislative Issues" and "MEA's Continuing Legislative Concerns." Even though realization of these goals may take more than one legislative session, MEA engages in a readiness campaign, assuring that the groundwork is laid for the eventual advent of the political climate that can bring these items to fruition.

### **MEA Core Legislative Initiatives**

#### **I. Quality Education Agenda**

MEA supports a Quality Public Schools Agenda to help strengthen public schools and the relationship between schools and their communities.

## **II. Funding**

MEA supports legislation to provide increased state funding for quality and equitable programs in Michigan's public K-12 schools, intermediate school districts and higher education institutions that addresses the total social, economic and educational needs of all students. Mandated programs shall be fully funded by local, state and federal governments.

## **III. Professional Conditions**

MEA supports legislation that provides our members with the highest quality working conditions. Such conditions shall provide a safe and secure professional work environment that includes: the right to bargain collectively over wages, benefits, hours, terms and conditions of employment; just cause and due process; participation in educational decision-making; evaluation; professional development; access to modern technologies and appropriate training; and securely-funded retirement pensions and benefits for all who have served our students.

### **MEA Legislative Issues**

MEA's Legislative Issues require MEA, singly or through coalitions, to advance MEA's objectives. They comprise issues currently before the Legislature, or likely to be so in the future. MEA serves as a prime mover to initiate and advance its legislative agenda and to oppose those items detrimental to its members, public education and students.

#### **I. Quality Education Agenda**

##### **MEA supports legislation:**

- A. That addresses the total social, economic and educational needs of all public early childhood and K-12 through higher education students in the State of Michigan.
- B. That provides for all schools receiving state funds to be staffed by certified professional personnel who are accessible to all students; participate in state mandated testing; comply fully with state accounting regulations; and adhere to all Freedom of Information Act requirements.
- C. To enhance student success at two- and four-year higher education institutions by significantly reversing the trend toward the use of adjunct and/or part-time faculty, and increase the employment of full-time tenured/continuing contract faculty.
- D. That clearly establishes the purpose of all state mandated testing programs be used for student assessment and growth rather than teacher or school evaluation. Without priority or limitation, these tests will be:
  - a. Age and developmentally appropriate

- b. Culturally unbiased
  - c. Linguistically appropriate
  - d. Used only for student assessment and/or student evaluation
  - e. Relevant, equitable and data-based
  - f. Given in optimal and consistent testing conditions including dates and times
  - g. Reflective of the current school year
  - h. Designed to provide immediate feedback
  - i. Used non-punitively
  - j. Provide for socio-economic equitable conditions (i.e. calculators, headphones, air conditioning, etc.)
  - k. Designed to allow for accommodations
  - l. Designed to remove inappropriate data (i.e. students with chronic absences, test anxiety, parental opt-outs, exclusion of randomly selected test items or the obvious inadequate test taking time such as returning a test within 15 minutes, etc.)
  - m. Provide incentives for performance on state mandated tests to motivate students to encourage maximum effort and accurate results.
- E. That ensures safe and secure schools.
- F. To support schools as weapon-free zones, except for required curriculum or police officers and school security personnel.
- G. That requires school districts to adopt appropriate anti-bullying policies that include enumerated categories (i.e. age, gender, national origin, race, ethnic background, religious beliefs and sexual orientation/identity).
- H. To create an enforceable process for eliminating school truancy.
- I. To amend state legislation to establish a student to teacher class size ratio that shall not exceed 24 to 1 for all secondary general education and 21 to 1 for all primary levels and a proportionately lower number in programs for students with special needs. *[New Business Item #2, 2013]*
- J. To assure that handicapped and medically fragile students receive safe and proper care to meet their special needs. In addition, health care services for all students shall be provided by certified/professional school nurses.
- K. To increase funding for public early childhood education (preschool) programs staffed by fully certified teachers.
- L. To require public schools to support a program of educational excellence with adequate numbers of curriculum specialists, instructional education support professionals, non-instructional education support professionals and supervisory/administrative staff.

- M. To require all public early childhood and K-12 through higher education institutions to support MEA programs of excellence with adequate numbers of instructional and non-instructional education support professionals.
- N. To secure the popular election of intermediate school board members.
- O. To support the statewide election of university boards/trustees and the State Board of Education.
- P. That ensures the start and end dates of the school year are a matter of local control and subject to collective bargaining.
- Q. Respecting the integrity of local control for local school districts.
- R. Promoting cooperation between 2-year and 4-year higher ed schools in relation to the Michigan Transfer Agreement (MTA) legislation.
- S. Return the right and responsibility of local districts to inform their constituents regarding millage, bonding and ballot issues that affect school children.

## **II. Funding**

### **MEA supports legislation:**

- A. That would hold harmless ISDs and community colleges from Downtown Development Authorities, TIFAs (Tax Increment Financing Authorities) and other tax abatement, credits or tax eliminations that contribute to the structural deficit for funding public schools. Hold harmless payments will be paid for out of general fund money.
- B. That would require sunset dates for all tax abatements, credits and waivers.
- C. That would restore the funding lost from the school aid fund by the transfer of general fund programs.
- D. That would adequately and equitably fund school districts and ISDs where students are enrolled on a continuous basis throughout the school year taking into account factors including but not limited to student migration between Michigan school districts.
- E. That addresses: declining enrollment offsets; equity increases to close the gap between the highest and lowest foundation allowances; capping school employees' responsibility for retirement contributions at 2009 levels; and providing at least an increase in funding equal to the rate of inflation for early childhood, K-12 and higher education.

- F. To increase state funding for quality and equitable programs in each of Michigan's early childhood, K-12 and intermediate school districts. Such funding shall include, without priority, and not limited to:
- a. Adult Education
  - b. Alternative Education
  - c. At-risk
  - d. Career and Tech Education
  - e. Fine and Performing Arts
  - f. Fitness
  - g. Gifted and Talented
  - h. ISD Operations
  - i. Nutrition
  - j. Physical Education
  - k. Preschool
  - l. Reading Initiative
  - m. Safe and Secure Schools
  - n. School Modernization and Infrastructure
  - o. Small Class Size Initiative
  - p. Special Education
  - q. Technology
  - r. Transportation (criteria should include geographic factors)
- G. To provide increased state funding for professional development of public school employees for all certifications/licensure.
- H. To increase state funding for equity payments to address funding differentials among public K-12 and intermediate school districts, while enhancing funding levels for all.
- I. To provide additional resources for students "at-risk."
- J. To provide additional resources for English language learners (ELL), whether mainstreamed or in self-contained classrooms or programs.
- K. To assure the state meets its full and true obligation for the funding of all special education programs.
- L. That provides the necessary state financial support to fund at least 50 percent of each of the Michigan public community college systems' operating costs.
- M. That provides the state funding increases needed to assure quality academic, vocational and technical offerings at each of Michigan's public colleges and universities.
- N. That prohibits the appropriation of public funds directly or indirectly to nonpublic or religious early childhood and K-12 through higher education schools.

### **III. Professional Conditions**

#### **MEA supports legislation:**

- A. To repeal or oppose any constitutional amendment that limits the rights of members on the basis of sexual orientation/gender identification and their ability to secure benefits including, but not limited to, health insurance and retirement.
- B. To prohibit discrimination on the basis of sexual orientation/gender identification in employment practices.
- C. That would require the State of Michigan to provide low interest loans, and/or flexible repayment plans to probationary teachers for completing the required credits for a professional certificate.
- D. That allows income tax credits for payment of student loans and establish a fund to provide partial or full payment of the balance of student loans for educators to commit to the profession.
- E. To restore and strengthen the collective bargaining rights of MEA members, including, but not limited to:
  - a. The right to negotiate over the potential of job loss or change in employer.
  - b. Elimination of unilateral “declarations of impasse.”
  - c. Compulsory binding arbitration (like PA 312 of 1969) as a contract dispute resolution procedure (interest arbitration).
  - d. Teacher discipline.
  - e. Just cause standard.
  - f. Layoff and recall.
  - g. The placement and evaluation process.
  - h. Who is or will be the policyholder of an employee group insurance benefit.
  - i. Establishment of the starting day for the school year and of the amount of pupil contact time required to receive full state school aid.
  - j. The composition of school improvement committees.
  - k. The decision of whether or not to provide or allow interdistrict or intradistrict open enrollment opportunity in a school district or the selection of grade levels or schools in which to allow an open enrollment opportunity.
  - l. The decision of whether or not to act as an authorizing body to grant a contract to organize and operate one or more public schools.
  - m. The decision of whether or not to contract with a third party for one or more noninstructional support services; or the procedures for obtaining the contract for noninstructional support services other than bidding described in this subdivision; or the identity of the third party; or the impact of the contract for noninstructional support services on individual employees or the bargaining unit.
  - n. The use of volunteers in providing services at its schools.

- o. Decisions concerning use and staffing of experimental or pilot programs and decisions concerning use of technology to deliver educational programs and services and staffing to provide that technology, or the impact of those decisions on individual employees or the bargaining unit.
  - p. Any compensation of additional work assignment intended to reimburse an employee for or allow an employee to recover any monetary.
  - q. Decisions about the development, content, standards, procedures, adoption and implementation of the method of compensation decisions about how an employee performance evaluation is used to determine performance-based compensation, decisions concerning the performance-based compensation of an individual.
  - r. The right to bargain subcontracting, privatization, consolidation of programs and/or districts.
- F. Pass legislation to restore agency shop and payroll deduction.
- G. Preserve contractual right to bargain release time for union work.
- H. To preserve and strengthen state actuarial funding levels for the Michigan Public School Employees Retirement System as well as legislation to cap the amount that a public school retiree contributes toward his or her health, dental, vision and hearing insurance premium.
- I. To increase employer contributions in community college and higher education retirement programs for members not covered by MPSERS. Increase employer contribution in community colleges and higher education retirement programs equal to the MPSERS contributions.
- J. To restore, maintain and/or improve the quality of the current retirement program by the following and other improvements:
- a. To restore the right of all current and future members employed by Michigan community colleges and higher education institutions to have the Michigan Public School Employees Retirement System as their primary retirement plan.
  - b. To increase the annual pension provided for public school retirees, including but not limited to, compounding the annual increase for MIP participants.
  - c. To set minimum pension for retirees who have retired prior to 1987 that reflects the impact of inflation.
  - d. To eliminate the intervening employment disqualification for maternity/child rearing retirement service credit.
  - e. To adjust the MPSERS hybrid pension plan (Pension Plus 2) in the following ways:
    - 1. To set a clear and unambiguous retirement eligibility age that is not tied to a funding formula or member life expectancy.
    - 2. To provide a static employee contribution rate percentage rather than one that is tied to future unfunded accrued actuarial liabilities that may or may not occur in the future.

3. To allow members who have already chosen between the DC and Pension Plus 2 to alter their choice retroactively with any change to either plan.
  - f. To do away with all MPSERS defined contribution and hybrid plan structures in favor of a defined benefit plan similar to the Member Investment Plan (MIP).
  - g. To require all newly-hired public school employees (including charter school employees) to participate in the MPSERS.
- K. Continuing to work with teacher-training institutions, the Michigan Department of Education, and State Board of Education to develop high standards for new teachers.
- L. To implement and expand staff peer assistance/mentoring programs for all educators, including education support professionals.
- M. To provide pay equity for all full- and part-time MEA members early childhood and K-12 through higher education.
- N. That provides just cause, and includes a final and binding decision by a neutral party for all public school employees, in all areas of due process including teacher tenure.
- O. That addresses the teacher evaluation process, including but not limited to:
- a. Ensuring that multiple measures and data sources are used in teacher evaluations.
  - b. Ensuring that a significant part of the teacher evaluation system be based on other sources besides data and student achievement.
  - c. Involving all stakeholder groups in the creation of teacher evaluation systems that ensure evaluations are related to their instructional area.
  - d. Providing high-quality and ongoing training for assessors in teacher evaluation systems.
  - e. Creating a requirement for administrators to receive yearly instruction on student data, teacher evaluations and best practice teaching.
  - f. That focuses on high-quality research to inform and evaluate existing evaluation systems.
  - g. Committing sufficient resources to create and monitor high-quality, productive assessment.
  - h. Committing sufficient resources for schools to train, educate and assist teachers in developing locally established evaluation systems.
  - i. Protecting teacher privacy in the release of student data to the media.
  - j. Restricting the use of value-added testing and evaluation systems.
  - k. Ensuring that locally bargained contracts determine the shape and scope of teacher evaluation systems.
- P. That will guarantee education personnel previously employed in a district that has been annexed, consolidated or merged into another district shall be entitled to all the rights and benefits to which they would otherwise be entitled had they been continuously employed in the district that was annexed, consolidated or merged.

- Q. That prohibits the privatization/outsourcing of public school services and responsibilities. MEA will continue to pursue legislative activities that discourage all attempts to privatize/outsourcing all district employees and programs.
- R. That would remove the prohibition against bargaining over privatization/outsourcing (or the impact of privatization/outsourcing) that is currently contained in the P.E.R.A. [P.A. 112 1994]. This legislation must include, but not be limited to, requiring a cost benefit study prior to any decision by a school board to privatize/outsourcing support services in any school building.

Any and all studies/ requests for proposals (RFP) conducted by the administration of a school district regarding privatization/outsourcing of any bargaining unit/employee group shall be distributed 180 days prior to any decision by the board to all bargaining units within the school district.

- S. That would protect individual rights when consolidation occurs in any K-12 ISD and ensures that consolidations are done using the concepts of current Michigan and federal labor laws and that employees who are part of a consolidation are treated as original employees of the receiving district.
- T. That prohibits school district and ISD consolidation plans that include contractual protections from privatization/outsourcing and that do not result from the collective bargaining process with all ESP and EA stakeholders.
- U. Insisting that any pre-K-12 online/distance/virtual and other learning experiences must be staffed by a certified and qualified teacher and subject to the collective bargaining process.

## **MEA Continuing Legislative Concerns**

MEA's Continuing Legislative Concerns are issues constantly monitored by MEA that require appropriate MEA activity when matters arise in the Legislature. These issues represent ideas to which MEA is committed but which may not currently be the subject of legislative activity/action. When an MEA Continuing Legislative Concern becomes the object of legislative consideration, it is automatically treated as an MEA Current Legislative Issue: MEA pursues it accordingly.

### **I. Quality Education Agenda**

#### **MEA supports legislation:**

- A. That will enhance the nutritional value of the school breakfast and lunch program for all students in public school education.
- B. That assures access to higher education for all students.
- C. That supports the preservation and strengthening of current civil and human rights laws.
- D. That provides Equal Opportunity (Title IX) for the State of Michigan.
- E. To provide affirmative action legislation to improve racial and gender balance in educational institutions.
- F. That provides every public school student a multicultural, gender-fair program curriculum consisting of a high quality core curriculum including elective programs such as:
  - a. Career/Vocational/Agriculture/Technical Education
  - b. Citizenship/Community Service
  - c. Co-Curricular Educational Opportunities
  - d. Computer Literacy/Technology
  - e. Environmental Education
  - f. Foreign Languages
  - g. Health Education
  - h. Library Media Skills
  - i. Music Education
  - j. Physical Education
  - k. Visual/Performing Arts
- G. That establishes and preserves Ethnic/Minority Education, Global/Multicultural Education and Diversity Education.

- H. For the increase and/or the preservation of bilingual education, limited English proficiency programs, migrant education, gifted and talented education, special education and “at-risk” programs.
- I. Designed to increase parental involvement in the daily education of their children.
- J. To preserve the requirement to report subgroup data (female/male, majority/minority, advantaged/disadvantaged) by the 1996 Revised School Code so that areas of needed improvement can be identified.
- K. Requiring each Michigan public school board to: 1) implement PA 185 (1987) regarding AIDS education; 2) adopt a policy on the teaching of reproductive health; and 3) support a collaborative effort with the community to establish and maintain program(s) that foster informed and responsible sexual decisions by students.
- L. To provide a federal equal rights amendment to the United States Constitution.
- M. That preserves and strengthens academic freedom in curricula and instruction.
- N. To prohibit discrimination on the basis of race, religion, sex, gender and/or sexual orientation/gender identification/gender expression, color, weight, height, national origin, age, marital status, disability, veteran status, or any protected status as provided for and to the extent required by state and federal statute in public educational institutions or those institutions providing supplemental services.

## **II. Funding**

### **MEA supports legislation:**

- A. That provides funding programs in higher education based on student need and enrollment.
- B. To help defray the costs of post-secondary education through funding innovations to students.
- C. To provide funding for scholarships, grants and enrichment programs for all students, especially for ethnic and racial minorities, women, and senior adults in higher education.
- D. To provide state funding, including differential tuition, to allow community college out-of-district students to enroll in programs not offered in their college home districts.
- E. To restore funding to the Michigan Department of Education for the purpose of oversight and implementation of Title IX.

### III. Professional Conditions

#### MEA supports legislation:

- A. That preserves current opportunities and enhances future participation by all public school employees in educational decision-making.
- B. That will advance equal opportunity rights for women and minority employees in higher education.
- C. That preserves and strengthens the licensure/certification rights of all public education employees.
- D. To enable public education support employees to collect unemployment benefits during periods of traditional idleness (e.g., summer break, spring break, winter breaks, etc.) for which they are not compensated.
- E. To overturn the impact of *Smith v. MESC*, thereby enabling employees to collect unemployment benefits where such employment is due to a labor dispute to which the employees' bargaining unit is not a party.
- F. That supports tenure as a means of guaranteeing due process and just cause in the dismissal of public school employees until such time as statewide legislation mandates school employee dismissal be subject to binding, impartial third-party arbitration.
- G. That supports due process and just cause rights for probationary teachers, education support professionals and other professional staff not eligible for tenure.
- H. That supports initiatives designed to reduce the length of the probationary period and make probationary evaluations meaningful in obtaining tenure.
- I. To preserve and protect the employment rights of substitute teachers.
- J. To secure the election of community college boards on a one-person/one-vote basis for sub-units within public community college districts.

The initiatives, goals and objectives presented in this document are not presented so as to indicate a priority level or designation.