

ACLU of Michigan Legislative Docket: Education

The ACLU maintains a presence in Lansing that enables us to pass policies that expand civil liberties or prevent the passage of policies that are hostile to civil liberties. Through traditional lobbying techniques lobbying, advocacy, and advocacy the legislative program seeks to advance and protect our civil liberties.

The ACLU of Michigan's legislative program works on a breadth of issues. To give you an idea of what we've been up to, we have provided a brief summary, our position on the issue and where the bill is currently situation in the legislative process. We have stated our position on each bill using brief descriptors:

- **Actively Support/ Oppose:** *The ACLU considers this bill high priority and has taken direct action to support or opposing the bill. The bill has, more likely than not, seen movement in the Legislature during the current session.*
- **Support/Oppose:** *Based on its own policies, the ACLU supports or opposes the bill but has not taken an affirmative action OR the legislation has not moved through the legislature and therefore the ACLU has not needed to take direct action at this point.*
- **Remain Neutral:** *As written, the bill does include some civil liberties issues but the ACLU has taken no direct action to support or oppose the legislation.*

3rd Grade Retention – [House Bill 5111](#) and [House Bill 5114](#)

Sponsor: Rep. Amanda Price (R-Grand Haven) and Rep. Thomas Stallworth III (D-Detroit)

ACLU Position: **Opposed**

Status: Referred to House Education Committee

HB 5111 would amend the Revised School Code to require that all third grade students achieve proficiency on the state standardized assessment in order to be promoted to fourth grade, or be retained until that grade level proficiency is attained.

HB 5114 is tie-barred to 5111 and would amend the code to require the Michigan Department of Education to submit a report to the House and Senate Education Committees identifying model literacy intervention programs that demonstrated success in improving grade-level proficiency in low-performing elementary students. The bill also requires MDE to:

- Develop one or more reading programs that would allow students to achieve reading proficiency on the grade 3 state reading assessment. The programs would be required to focus on diagnostic evaluation, early intervention, tutoring, and mentoring.
- Require MDE to implement a pilot program for the 2014-2015 school year serving up to 400 K-3 students in up to four school districts or charter schools, at least one of which must be located in an urban area

- Require MDE to develop a process for allowing students to retake the third grade assessment if necessary.
- Requires that all school boards, by 2014-15, begin using early literacy screening tools to identify struggling K-3 students, notify parents of those students, using intervention programs, and submitting data on early literacy to the MDE.

We have offered recommendations for amendments developed by our literacy experts

More information: <http://aclumich.org/blog/2014-01-29/illiterate-michigan>

Patriot Education – Senate Bills 120, 121 and 423

Sponsor: Sen. Patrick Colbeck (R-Canton)

ACLU Position: **Neutral**

Status: All three bills passed in the Senate on 12/11/2013 (see vote count). They have had a hearing before the House Education Committee.

SB 120 would amend the Revised School Code to require a board of local, intermediate or charter school district to allow the study America's founding documents that contributed to the Bill of Rights, patriotism, free-market economics. The bill prevents any censorship of instruction in this history based on religious references in the original source documents, writings, speeches, proclamations or records.

SB 121 would amend the code to encourage all public schools to observe one week each school year as "Patriot Week." During Patriot Week, all K-12 students would receive age-appropriate instruction in:

- The sacrifices made by millions of military personnel in battles ranging from the Revolutionary War to present day conflicts
- Instruction in first principles that support the rule of law, social compact, equality, unalienable rights, and limited government
- Instruction in documents that explore how the Declaration of Independence, the Constitution, etc. "embody America's first principles and have advanced liberty."

SB 423 would amend the code to encourage the board of local or charter school district to provide instruction on the core principles of the Declaration of Independence, U.S. Constitution and Michigan Constitution.

We support the proposed promotion of constitutional principles included in the package, but do have concerns about the potential the bills create for bringing religious education into the classroom as well

Zero Tolerance School Discipline – Proposed legislation

Sponsor: TBD

ACLU Position: **Actively Support**

Status: Pursuing Sponsorship

This legislation would amend the Revised School Code to narrow the scope of offenses requiring a mandatory expulsion to weapons, providing local districts greater discretion in incidents where 180 days out of the classroom may not be the most appropriate discipline for a student.

More information: <http://aclumich.org/blog/2014-01-17/stpp>

Education Vote Counts

Patriot Education Senate Bill 120 – Neutral

Senate Vote

Yeas – 27

Booher	Hansen	Kowall	Proos
Brandenburg	Hildenbrand	Marleau	Richardville
Casperson	Hune	Meekhof	Robertson
Caswell	Hunter	Moolenaar	Rocca
Colbeck	Jansen	Nofs	Schuitmaker
Emmons	Jones	Pappageorge	Walker
Green	Kahn	Pavlov	

Nays – 9

Ananich	Hood	Smith	Whitmer
Anderson	Hopgood	Warren	Young
Bieda			

Excused – 2

Gregory	Johnson		
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Patriot Education Senate Bill 121 – Neutral

Senate Vote

Yeas – 27

Booher	Hansen	Kowall	Proos
Brandenburg	Hildenbrand	Marleau	Richardville
Casperson	Hune	Meekhof	Robertson
Caswell	Hunter	Moolenaar	Rocca
Colbeck	Jansen	Nofs	Schuitmaker
Emmons	Jones	Pappageorge	Walker

Green

Kahn

Pavlov

Nays – 10

Ananich

Hood

Smith

Whitmer

Anderson

Hopgood

Warren

Young

Bieda

Johnson

Excused – 1

Gregory

Patriot Education Senate Bill 423 – Neutral**Senate Vote****Yeas – 27**

Booher

Hansen

Kowall

Proos

Brandenburg

Hildenbrand

Marleau

Richardville

Casperson

Hune

Meekhof

Robertson

Caswell

Hunter

Moolenaar

Rocca

Colbeck

Jansen

Nofs

Schuitmaker

Emmons

Jones

Pappageorge

Walker

Green

Kahn

Pavlov

Nays – 10

Ananich

Hood

Smith

Whitmer

Anderson

Hopgood

Warren

Young

Bieda

Johnson

Excused – 1

Gregory