

INCREASE SPECIAL EDUCATION ADVISORY COMMITTEE

**House Bill 4990 as introduced
First Analysis (12-4-01)**

**Sponsor: Rep. Wayne Kuipers
Committee: Education**

THE APPARENT PROBLEM:

Since 1993, a Special Education Advisory Committee of 27 members has advised the State Board of Education about special education policy, as matters arise in the field of practice. The members of the committee are appointed to three-year terms, and represent the many stakeholders who have expertise and interest in teaching and learning within classrooms where the students are disabled or impaired.

The Special Education Advisory Committee is required under federal law—the Individuals with Disabilities Education Act, sometimes called IDEA. When the U.S. Congress amended the federal law in 1997, it adopted new requirements that state-level special education advisory committees change their composition, in order to ensure that 51 percent of the members be people with disabilities, or the parents of people with disabilities. Further, the committees were required to add members to represent charter schools, and organizations that provide transition services.

As a result of changes in the federal law that superintends the Special Education Advisory Committee, changes must be made to the state-level statute in order to ensure compliance.

THE CONTENT OF THE BILL:

House Bill 4990 would amend Public Act 287 of 1964, which provides for the appointment and functions of the superintendent of public instruction, to increase the size of the Special Education Advisory Committee by five members, from 27 to 33 appointees. The bill also would delete outdated language that specifies the length of the committee members' original terms of office when they were first appointed in 1983.

Under the law, the committee acts as an advisor to the State Board of Education in the field of special education. Currently, 27 members constitute the

committee, and all are appointed by the state board for three-year terms. Further, the person within the Department of Education who is directly responsible for special education programs, as well as the other people appointed by the committee to represent other departments, agencies, and four-year colleges and universities, are ex-officio members of the committee. Each year the committee elects a chairperson and other officers as it considers necessary. Members of the committee can be reimbursed by the state board for expenses incurred in performing their functions.

MCL 388.1009a

FISCAL IMPLICATIONS:

The House Fiscal Agency notes that the bill has minimal fiscal impact. (11-28-01)

ARGUMENTS:

For:

Proponents of this legislation note that increasing the number of seats on the Special Education Advisory Council will allow a broader range of voices from the stakeholders who provide special education services to children. Overall the bill would expand the membership of the council by five people. Among those organizations that could then be represented at every meeting are the Michigan Association of Social Workers and the Michigan Association of School Psychologists, who currently share a membership on the council that transfers among them every three years. The same would be true for two other provider organizations who currently share one membership on an alternating basis: the teachers of emotionally impaired students, and the teachers of learning disabled students would each have a seat. In addition, a general education member would be added, as well as a representative from charter schools, and from an organization that provides transition services.

POSITIONS:

The Department of Education supports the bill. (11-29-01)

The State Board of Education has endorsed this change in the law. (6-24-99)

The Michigan Association of School Social Workers supports the bill. (11-24-01)

The Michigan Association of Learning Disabilities Educators supports the bill. (11-27-01)

The Michigan Association of Teachers of Emotionally Disturbed Children supports the bill. (11-29-01)

The Citizens Alliance to Uphold Special Education supports the bill. (11-29-01)

The Michigan Federation of Teachers and School-Related Personnel support the bill. (11-29-01)

Analyst: J. Hunault

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