

**SENATE FISCAL AGENCY
 MEMORANDUM**

DATE: April 26, 2018
TO: Members of the Michigan Senate
FROM: Bruce R. Baker, Fiscal Analyst
RE: Executive Order 2018-5

Executive Order 2018-5

On April 16, 2018, Governor Snyder issued Executive Order (E.O.) 2018-5, which created a temporary School Safety Task Force within the Department of State Police (MSP). Article V, Section 8 of the Michigan Constitution gives the Governor power, in general, to supervise the executive branch. Since E.O. 2018-5 is not construed to change the organization of the executive branch or assignment of functions among its units to require the force of law, there is no provision for the Legislature to disapprove it, thus it simply became effective upon its filing on April 16, 2018.

Rationale for Executive Order

The Executive Order lists several rationale for the creation of the School Safety Task Force, including the importance of a safe school environment; expectations of residents for increased safety; the need for crisis training and collaborative support and timely response in schools; the impact of outdated infrastructure on safety; the search for solutions to the problem of violence; the need for comprehensive, coordinated safety recommendations; the need for collaboration between the local and state level; the need for ongoing and full assessment of infrastructure and policies; and the need for input from experts, leaders, students, parents, teachers, administrators, school safety personnel, law enforcement, mental health professionals, security specialists and other related stakeholders.

Creation of the School Safety Task Force

Under E.O. 2018-5, the School Safety Task Force is created as an advisory body within the MSP, consisting of 13 members, as follows:

Ten members, appointed by the Governor:

- One member representing law enforcement;
- One member representing behavioral and mental health;
- One member representing teachers;
- One member representing school administrators;
- One member who is a parent;
- One member who is a high school student or recent high school graduate;
- One member submitted by the Speaker if the House of Representatives;
- One member submitted by the Minority Leader of the House of Representatives;
- One member submitted by the Senate Majority Leader; and
- One member submitted by the Senate Minority Leader.

In addition, the following three department heads or their designees would also be members:

- The Director of the MSP, who would serve as chairperson of the Task Force;
- The Superintendent of Public Instruction; and
- The Director of the Department of Health and Human Services.

A vacancy on the Task Force would be filled in the same manner as the original appointment and membership is to include individuals with a particular interest or expertise in education, public health, law enforcement, or emergency response.

Task Force Operation

The Task Force is to be chaired by the MSP Director or designee and is to meet at a minimum of twice a month and as may be provided in procedures adopted by the Task Force. The Task Force is to be staffed by personnel and assisted by state departments as directed by the Governor. It is to comply with the Freedom of Information Act and the Open Meetings Act, but members of the Task Force may attend and participate in a meeting by use of telecommunication or other electronic equipment if authorized by the procedures of the Task Force. The Task Force may: establish work groups or committees that may invite public participation; make inquiries, studies, hold hearings, and consult with outside experts; make and enter into contracts including the hiring of contractors and consultants as the Chairperson deems advisable; and accept donations of labor, services or other things of value from any public or private source.

Members are to serve without compensation but may receive reimbursement for necessary travel and expenses according to relevant statutes and rules and procedures.

Task Force Responsibilities

The School Safety Task Force is to assess, research, and advise in matters relating to the assessment and development of recommendations to keep schools safe, and will be responsible for providing recommendations no later than November 30, 2018, to the Governor and Legislature.

In an advising capacity, the Task Force and the MSP are to do the following:

- Analyze top performing states to determine how they create safe and secure learning environments for schools;
- Based upon the analysis of other states, identify structural and policy recommendations for collaboration, planning and assessment of school infrastructure safety policies;
- Review and update Michigan's All-Hazards Emergency Operations Planning Guidance for Schools to account for recent violent incidents and best practices to create a comprehensive plan to include behavioral health components;
- Identify components for the creation of a positive recognition program for best practices in school safety to include assessment and auditing functions for school buildings;
- Provide recommendations for comprehensive school safety policies, identification of a behavioral health assessment person or team, an anonymous reporting system, other policy components such as an emergency response and prevention, recommendations for basic physical safety structures in buildings (taking into account local funding mechanisms), and a structure for regular assessment of school buildings, plans, policies, and procedures for recognition;

- Advise on the role of behavioral and mental health assessments in school safety plans and procedures, on the implementation of the Pathways to Potential program and other such programs and on recommended methods and alternatives to current disciplinary actions such as school expulsion or judicial intervention;
- Develop a tiered school safety curriculum standard for those acting in a School Resource Officer or other similar role at any Michigan school to address those serving in a part-time or full-time capacity or those that carry weapons, and identify potential sources of training and mechanisms for ongoing training;
- Develop methods to incentivize and encourage joint evaluation and planning of school safety needs between law enforcement, school administrators, local public health and other impacted stakeholders. Also to identify mechanisms for state and local cooperation and collaborations to share best practices on planning, evaluation and improvements for longer term planning with higher education institutions and State departments; and
- Provide other information or advice as directed by the Governor.

The School Safety Task Force is required to complete its work no later than November 30, 2018, and issue a final report to the Governor and Legislature. Recommendations finalized prior to November 30, 2018, are encouraged to be issued as they are completed. Forty-five days after the issuance and submission of its final report, the task Force shall be deemed to have completed its charges and is abolished.

Fiscal Impact

The E.O. may require the MSP to spend funds over the course of FY 2017-18 and FY 2018-19 to support the basic functions of the Task Force. This would include staff to carry out the charge of the Task Force, as well as administrative costs related to its operations, such as meeting materials, room fees, travel reimbursements and the like. There may also be the need for sufficient funding for the hiring of contractors or consultants, should the Task Force choose to do so.

/lms

c: Ellen Jeffries, Director
Steve Angelotti, Associate Director