



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 77 (Substitute S-1 as enrolled)
Sponsor: Senator Gerald Van Woerkom
Committee: Education

Date Completed: 2-15-05

RATIONALE

In Michigan, 48 schools host a Junior Reserve Officers Training Corps (JROTC) program. High school students may enroll in the four-year program and receive one elective credit for each year completed. Retired armed forces personnel teach JROTC students leadership skills, physical education, and academic content relevant to the military branch sponsoring the program: the Army, Navy, Air Force, or Marine Corps. Since JROTC instructors are not certified teachers, concerns have been raised about potential conflicts with State law.

The Revised School Code (MCL 380.1233) prohibits a district from allowing a teacher who does not hold a valid teaching certificate to teach in a grade or department of the school, although certain exceptions are made for teachers in shortage areas (MCL 380.1233b). Under the State School Aid Act (MCL 388.1701(3)), a district's students must be enrolled for a minimum amount of pupil instruction time, or the district is to forfeit a percentage of its State aid. The Michigan Department of Education's Pupil Accounting Manual states that, in order for a local district to count time toward the minimum instructional hour requirement, pupils and certificated teachers must be present and engaged in instruction.

Recently, it came to light that, for the purposes of State funding, JROTC programs have been counted as instructional time, even though the instructors are not certified by the State to teach. It has been suggested that JROTC instructors be exempted from the State's teaching certification requirements, so the program may continue and districts will not be penalized.

CONTENT

The bill would amend the State School Aid Act to count as pupil instruction time Junior Reserve Officer Training Corps instruction in grades seven through 12, regardless of whether the instructor was a certified teacher, under certain conditions.

Under the Act, a school district is required to provide at least 1,098 hours of pupil instruction, or forfeit a portion of its State aid (subject to certain allowances).

Specifically, the bill provides that instructional time that was part of a JROTC program in grades seven to 12 would have to be considered pupil instruction time, regardless of whether the instructor was a certified teacher, if both of the following were met:

- The instructor had met all of the requirements established by the United States Department of Defense and the applicable branch of the armed services for serving as an instructor in the JROTC program.
- The board of the district or intermediate district employing or assigning the instructor complied with the requirements of Sections 1230 and 1230a of the Code, with respect to the instructor, to the same extent as if employing the instructor as a regular classroom teacher.

(Sections 1230 and 1230a require a district to conduct a criminal history check through both the State Police and the Federal Bureau of Investigation, before hiring a teacher or school administrator.)

MCL 388.1701

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The bill would allow schools to continue to contract with the military to provide JROTC programs, which are designed to develop self-discipline and leadership in youths. Students may take a JROTC course as an elective and receive credit for it. In addition to lessons in citizenship and physical fitness, the JROTC curriculum includes instruction in navigation, military history, mathematics, and social studies. The 180 annual hours of coursework are supplemented by training courses in the field, such as excursions aboard ships or aircraft, orienteering, rappelling, and obstacle courses.

According to program representatives, the purpose of JROTC is to build better citizens, not to recruit young people to the armed forces. Upon graduation, JROTC cadets may compete for scholarships to an ROTC program at a university, or they may enter the military with credit toward an advanced rank, but they are under no obligation to continue in the armed forces.

Junior ROTC instructors are screened carefully by the military before they become eligible to teach. For example, potential instructors must have retired from the armed forces with at least 20 years of service, have clean disciplinary records, and be as physically fit as if they were on active duty. Further, by the time they have retired, most JROTC instructors have gained extensive experience teaching and leading other, younger soldiers. Although not certified by the State to teach, JROTC instructors have life experiences that make them well-qualified to teach young people.

Legislative Analyst: Claire Layman

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.