

RESOLUTION IN OPPOSITION TO SECTION 166 OF THE STATE SCHOOL AID ACT

WHEREAS, Section 166 of Michigan's State School Aid Act requires that school districts adopt a disciplinary policy for "referring" or "assisting" a pupil in obtaining an abortion; and

WHEREAS, "abortion" is not a medically defined term but can refer to different types of medically induced abortions or to a spontaneous abortion, also known as a miscarriage; and

WHEREAS, neither section 166 nor the Revised School Code Section 1507 define "refer" or "assist;" and

WHEREAS, Section 166 is vague, overbroad, and an overreach by the state; and

WHEREAS, Section 166 threatens a financial penalty for school districts for lack of adoption of said policy;

WHEREAS, Section 166 ties school appropriations to the speech around a legal medical procedure; and,

WHEREAS, Section 166 restricts the freedom of speech of school employees and board members; and

WHEREAS, Section 166 removes local control over school policy; and

WHEREAS, Section 166 holds school districts hostage by compelling the passage of a constitutionally suspect policy and tying such passage to school appropriations; THEREFORE BE IT

RESOLVED, that the Board of Education of the East Lansing Public Schools calls upon the Michigan Legislature and Governor Whitmer to repeal this law as part of the subsequent state budget negotiations; and

RESOLVED, that the Board of Education of the East Lansing Public Schools calls upon Attorney General Nessel to challenge the constitutionality of Section 166; and

RESOLVED, that a copy of this resolution be sent to all of the elected leaders in the state government who represent the East Lansing Public Schools, to Attorney General Nessel, and to the Michigan Association of School Boards.