

EXECUTIVE REORGANIZATION ORDER

E.R.O. No. 2011-7

388.1281 Creation of Michigan office of great start within Michigan department of education; transfer of powers and duties of office of child development and care within department of human services, head start collaboration office within department of human services, and office of early childhood education and family services within department of education to Michigan office of great start.

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration; and

WHEREAS, there is a continued need to reorganize functions among state departments to ensure efficient administration; and

WHEREAS, Section 3 of Article VIII of the Michigan Constitution of 1963, section 14 of Act No. 287 of the Public Acts of 1964, as amended, being section 388.1014 of the Michigan Compiled Laws, and section 305 of Act No. 380 of the Public Acts of 1965, as amended, being section 16.405 of the Michigan Compiled Laws, provide that the Superintendent of Public Instruction is the principal executive and administrative officer of the Department of Education; and

WHEREAS, there is a need to create a coherent system of health and early learning that aligns, integrates and coordinates Michigan's investments from prenatal to third grade; and

WHEREAS, Michigan's early childhood development programs and funding are fragmented across state government; and

WHEREAS, Michigan's approach to investing in school readiness and early elementary success should be values-based and founded on sound scientific and economic evidence; and

WHEREAS, we must refocus the state's early childhood investment, policy, and administrative structures by adopting a single set of early childhood outcomes and measuring performance against those outcomes; and

WHEREAS, Michigan children should be developmentally ready to succeed at the time of school entry;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. MICHIGAN OFFICE OF GREAT START

A. The Michigan Office of Great Start is created within the Michigan Department of Education.

B. The Superintendent of Public Instruction shall exercise all administrative powers, duties, functions, and responsibilities of the Michigan Office of Great Start.

C. All authority, powers, duties, functions, and responsibilities of the Office of Child Development and Care within the Department of Human Services, including the functions of budgeting, procurement, and management-related functions, are transferred to the Michigan Office of Great Start.

D. All authority, powers, duties, functions, and responsibilities of the Head Start Collaboration Office within the Department of Human Services, including the functions of budgeting, procurement, and management-related functions, are transferred to the Michigan Office of Great Start.

E. All authority, powers, duties, functions, and responsibilities of the Office of Early Childhood Education and Family Services within the Michigan Department of Education, including the functions of budgeting, procurement, and management-related functions, are transferred to the Michigan Office of Great Start.

II. MISCELLANEOUS

A. All rules, orders, opinions, contracts, and agreements relating to the functions of the Office of Child Development and Care, the Head Start Collaboration Office, and the Office of Early Childhood Education and Family Services, transferred to the Michigan Office of Great Start under this Order, and lawfully adopted prior to the issuance of this Order, shall continue to be effective until revised, amended, or rescinded.

B. All records, property, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to the Department of Human Services and the Department of Education for the activities, powers, duties, functions, and responsibilities transferred under this Order, are transferred to the Michigan Office of Great Start.

C. The Superintendent of Public Instruction shall provide executive direction and supervision for the implementation of the transfers. The Superintendent of Public Instruction shall administer the assigned functions in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

D. The State Budget Director shall determine the most efficient manner possible for handling financial transactions and records in the state's financial management system necessary for the implementation of this Order.

E. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order, shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

F. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

G. The Superintendent of Public Instruction and the Director of the Department of Human Services shall immediately initiate coordination to facilitate the transfers set forth in this Order and shall develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the Departments of Human Services and Education.

H. The Director of the Department of Community Health ("Department") shall coordinate with the Superintendent of Public Instruction concerning administration of the programs and services the Department provides that affect early childhood development. The programs and services the Department provides shall to the extent practicable complement and support the efforts of the Office of Great Start, and the Department and the Superintendent shall utilize their early childhood resources in a coordinated fashion.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order shall be effective 60 days after the filing of this Order.

History: 2011, E.R.O. No. 2011-7, Eff. Aug. 29, 2011

Compiler's Notes: Executive Reorganization Order No. 2011-7 was promulgated June 29, 2011 as Executive Order No. 2011-8, Eff. August 29, 2011. For type III transfer of Michigan Office of Great Start from department of education to MiLEAP, see E.R.O. No. 2023-2, compiled at MCL 388.1283.