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Senate Bill 547 (Substitute S-1 as passed by the Senate)

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Sponsor: Senator Dan L. DeGrow (Senate Bill 547)

Senator John J. H. Schwarz, M.D. (Senate Bills 548 & 549)

Committee: Education and Mental Health

Date Completed: 11-15-88

RATIONALE

Many of today's high school graduates reportedly do not know when the Civil War was fought, never read Shakespeare, are ignorant of basic scientific principles, are deficient in understanding geography, and have difficulty with mathematic computations. Cries are echoing across the nation that America has become a land of illiterates, and that this country does not measure up to other nations that it must compete with in the global market. Michigan has had a long tradition of providing quality education to all citizens. This tradition of educational excellence, some people believe, is in jeopardy. While disparity between the resources available to different school districts within the State is growing, it is argued, there is greater demand to prepare students for a changing economic and technological society. Some contend that Michigan has fallen from its position as a national education leader, and that both the quality and financing of education in this State need to be re-examined and revitalized.

CONTENT

The bills would amend the School Code to require local school boards, by dates specified in the bills, to establish a core curriculum, develop school improvements plans, and prepare and make available annual education reports.

The bills would take effect 30 days after the date of their enactment. The bills would not take effect, however, unless Senate Joint Resolution K became a part of the State Constitution (Senate Joint Resolution K proposes an amendment to the State Constitution to restructure the State's public education financing system by reducing the percentage of true cash value at which property is assessed, raising the sales tax, and dedicating a percentage of State revenues to the State School Aid Fund. If approved by the Legislature, the resolution would have to be submitted to the electors.)

Senate Bill 547 (S-1)

The bill would amend the School Code to require the board of a school district, by the start of the 1989-90 school year, to make available a core curriculum to all pupils attending public school in the district. The school board would be required to determine, considering State Board of Education criteria, the courses required by the bill and the sequence, by grade cluster, in which those courses would

be taught. A subject required by the bill could be made available to pupils in a school district by that school district, a consortium of school districts, or a consortium of one or more school districts and one or more intermediate school districts. The bill would not apply to nonpublic schools.

The core curriculum would have to consist of required and elective courses in all of the following areas: career education, English grammar, composition, oral skills, literature, reading, computer science, foreign language, health and physical education, mathematics, science, social studies, visual and performing arts, and vocational education.

(Currently, the School Code requires that schools offer a course in civics, and provides that a high school diploma cannot be issued to a pupil who has not completed this course (MCL 380.1166).)

MCL 380.1282 et al.

Senate Bill 548 (S-1)

The bill would amend the School Code to provide that no later than the start of the 1989-90 school year, the board of a school district, considering criteria established by the State Board of Education, would be required to develop and implement a three- to five-year school improvement plan for each school within the district, which the school board would have to review annually and, if necessary, revise. The school improvement plan would have to include proposed methods of maintaining classroom management.

Upon request, the Department of Education or the intermediate school district to which a school district was constituent would be required to assist a school district in the development and implementation of a school improvement plan. Each intermediate school district would be required to maintain on file the school improvement plans of a constituent school district. The State Board would be required to review annually a random sampling of school improvement plans and biennially submit a report to the Senate and House Committees that had responsibility for education legislation on school improvement activities planned and accomplished by each of the school districts that were part of the sampling.

Proposed MCL 380.1278

Senate Bill 549 (S-1)

The bill would amend the School Code to provide that no

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S.B. 547, et al (11-15-88)

later than July 1, 1990, the board of a school district would have to prepare and make available to the public an annual educational report. The State Board of Education would be required to prepare and make available to school districts by July 1, 1989, suggestions for accumulating the required information and a model educational report that would have to be considered by school districts.

The annual educational report would have to include, but not be limited to, all of the following information:

- The accreditation status of each school within the school district.
- An explanation of the implementation of the core curriculum required in Senate Bill 547 (S-1).
- A report of aggregate student achievement based on the results of any locally-administered student competency tests, statewide subject matter assessment tests, or nationally normed achievement tests that were given to pupils attending school in the district.
- For the current and previous school year, the number and percentage of "school dropouts" in the district, identified by grade level. "School dropouts" would mean pupils who were enrolled in a school in a school district but left school before graduation for any reason other than death and did not enroll in another educational program leading to a high school diploma or the equivalent of a high school diploma.
- The number of pupils, identified at the elementary, middle, and secondary school levels, who were enrolled in school in the district for the current and previous school year.

MCL 380.1204

FISCAL IMPACT

3Senate Bill 547 (S-1)

The bill would have an indeterminate fiscal impact on State government and local school districts.

- The costs to school districts of making available to students a core curriculum consisting of courses in the subject areas specified in the bill would depend on the degree to which the specified courses are not currently being offered by school districts.
- Although data are incomplete on statewide course offerings in the areas specified in S.B. 547 (S-1), between 78% and 95% of the State's school districts include some level of coursework in five of the broad subject areas specified in the bill (communication skills, health and physical education, mathematics, science, and social studies).
- It should be noted that the School Aid Act for FY 1988-89, Public Act 318 of 1988, includes a \$30-per-pupil incentive for in-formula school districts that establish course requirements including various combinations of nine of the 10 subject areas specified in this bill.

Article IX, Section 29 of the Michigan Constitution states the following:

A new activity or service or an increase in the level of any activity or service beyond that required by existing law shall not be required by the legislature or any state agency or units of local government, unless a state appropriation is made and disbursed to pay the unit of local government for any necessary increased costs.

It is not clear whether the proposed core curriculum would be considered a new requirement as defined by this Section and interpreted by judicial decisions pertaining to it.

Senate Bill 548 (S-1)

The bill would have an indeterminate fiscal impact on State government and local and intermediate school districts.

- The costs to school districts of developing and implementing school improvement plans would depend on both: 1) the plan criteria that the State Board of Education would be authorized to adopt under this bill, and 2) the degree to which activities specified in those criteria are already being performed by school districts.
- According to 1986-87 data released by the Department of Education in its April 1987 report, "Blueprint for Action" and High School Incentive Program", approximately 75% (or 329) of the 437 school districts reporting (out of a total of 525 K-12 districts in Michigan) established a committee to develop a long-range school improvement plan, and 47% (or 199) of reporting school districts adopted a long-range school improvement plan.
- Extrapolating from these data, the estimated effect of this bill would be to require the development of school improvement plans by the 25% of (or 131) school districts that have not already done so, and the implementation of school improvement plans by the 53% of (or 278) school districts that have not adopted such plans.
- The costs to the Department of Education would depend on: 1) the number of school districts requesting technical assistance of the Department in the development and implementation of school improvement plans, and 2) the sample size and methodology used by the Department in its annual review of school improvement plans.

It is not clear whether the proposed school improvement plan provisions would be considered a new requirement as defined by Article IX Section 29 of the State Constitution and interpreted by judicial decisions pertaining to it.

Senate Bill 549 (S-1)

The bill would have an indeterminate fiscal impact on State government and local and intermediate school districts.

- School districts currently have in place various systems to report data on student achievement and attendance and dropout statistics, as well as school accreditation status, which would be required by this bill. However, changes in reporting practices could result from the "model educational report" recommended by the State Board of Education.
- Department of Education costs under this bill would depend on the degree to which the collection of information mandated by this bill and by the State Board of Education could not be absorbed by current departmental staff and information systems.

It is not clear whether the proposed annual education report would be considered a new requirement as defined by Article IX, Section 29 of the State Constitution and interpreted by judicial decisions pertaining to it.

ARGUMENTS

Supporting Argument

The State's future depends on the development of an educational system that is excellent in quality and effective in outcome. The Michigan School Finance Commission noted in its report that schools, provided with appropriate guidance and resources, would be able and willing to improve the quality of educational opportunity and results.

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To accomplish this, however, schools need assistance, resources, and educational standards. Senate Bills 547 (S-1), 548 (S-1), and 549 (S-1) would provide just that. By requiring school districts to make available a core curriculum, Senate Bill 547 (S-1) would be consistent with the Commission's recommendation to establish State curriculum standards while not authorizing a greater role for the State Board of Education in defining the scope and sequence of the courses but leaving that to the discretion of the local school board. Senate Bill 548 (S-1) would require a local school board to develop and implement a three- to five-year school improvement plan for each school in the district, considering criteria established by the State Board. While school improvement is a complex process that involves collaboration by all members of the education community, it is a way for a school to improve its instructional program, educational climate, and educational opportunity for all students. Senate Bill 549 (S-1) would require a local school board to prepare and make available to the public an educational report. This requirement would ensure that school districts were accountable to the people they serve.

Opposing Argument

The impact these bills would have on the education system in the State is not certain. Many of the requirements, to various degrees, already are being implemented by school districts across the State. For example, at least 95% of the local school districts in their graduation requirements include some level of course work in four of the subject areas specified in Senate Bill 547 (S-1): health and physical education, mathematics, science, and social studies, as well as in communication skills. Furthermore, a majority of school districts in the State reportedly have established a committee to develop a long-range school improvement plan and almost one-half of the school districts already have adopted such a plan. In addition, school boards are required under the School Code to publish a financial report (MCL 380.1203) and annually report to the State Board of Education (MCL 380.1204).

Response: The major difference between what currently exists in the education system and what is proposed in the bills is that at the State level expectations would be set and parameters would be established for education across the State. This is primarily true in the area of curriculum. Currently, there is a great discrepancy among local school districts as to what constitutes a curriculum and student performance. This is especially evident when a student graduates from high school and must compete with graduates from other districts in the State for higher education or jobs. Thirty-two states across the country have set guidelines as to curriculum. The bills also would motivate local districts to develop long-term plans on their expectations for students. Many school districts now design plans for future staffing and building needs, but few plan to bring about positive changes for student achievement. This package of education bills would encourage local districts to do a better job in strategically planning educational achievement.

Opposing Argument

Proponents of Senate Bill 547 (S-1) contend that the bill would require local districts to offer a core curriculum to all pupils attending public schools in those districts. The bill then outlines areas that would have to be covered through either required or elective courses, without specifying which course would be required and which would be elective. This list is too all-encompassing. Some

educational scholars contend that part of the problem with today's educational system is that the curriculum has become too diffuse and undemanding so that there no longer is a core of information possessed by most Americans. While it may be that the bill is supposed to establish a core curriculum for the State's schools, the bill includes subject areas that should be specified as elective courses.

Opposing Argument

While the bills could strengthen the momentum to improve public education in the State, they pose a threat to the autonomy of local districts. Senate Bill 547 (S-1) would require that overall curricula direction take into consideration the criteria of the State Board of Education. By requiring school improvement planning, Senate Bill 548 (S-1) would make the process of change a mandate rather than a willfully chosen course of action that arose from within a particular school district. The annual education report, required in Senate Bill 549 (S-1), also would be another requirement made by the State, rather than an option that allowed local boards of education to select the best method of reporting to their constituents.

Response: While school boards would be expected to establish a core curriculum, develop school improvement plans, and prepare an annual education report, the local boards would not be required to follow an approach dictated by the State Board of Education. Instead, local boards only would have to take into consideration State Board criteria. Furthermore, Michigan's long tradition of local control is not established by statute. These bills would not undermine that tradition. Rather, local school districts would have to provide more accountability to the State and their constituents.

Opposing Argument

The bills are deficient in two areas: there are no proposed penalties for noncompliance by local school boards, and the role of the State Board of Education has been weakened from that initially proposed. Local school boards only would have to consider, but not base, their core curricula, school improvement plans, and education reports on State Board criteria.

Response: Local school boards that did not comply with requirements of these bills would be subject to the existing penalty provision in the School Code. Under the Code, a school official or member of a school board or intermediate school board or other person who neglects or refuses to perform an act required in the Code, or who violates or knowingly permits or consents to a violation, is guilty of a misdemeanor punishable by a fine of up to \$500, or imprisonment for up to three months, or both (MCL 380.1804). While the State Board's role arguably would be diminished, the responsibility of local boards to meet the bills' requirements would remain and local boards would have more discretion on how to fulfill these requirements.

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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.