



**House
Legislative
Analysis
Section**

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SCHOOL IMPROVEMENT

House Bill 4009 (Substitute H-3)
Sponsor: Rep. James E. O'Neill, Jr.

Senate Bill 40 (Substitute H-2)
Sponsor: Sen. John J. H. Schwarz, M.D.

Senate Committee: Education & Mental Health
First Analysis (3-21-89)
Committee: Education

THE APPARENT PROBLEM:

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: this country, many say, is failing to keep pace with competing nations in the world market. Michigan has had a long tradition of providing quality education to all citizens. However, recent studies on the status of education here and elsewhere indicate that the knowledge and skills students receive in the course of elementary and secondary schooling often are inadequate to meet the demands today's graduates face in the workplace. Some contend that graduating a high school student who is not prepared devalues the meaning of a high school education, provides students with, at best, a false sense of accomplishment, and feeds the perception that high school is little more than a place where students mark time until they can graduate or, worse, drop out prematurely. Many employers, in fact, while inclined to hire the state's high school graduates, cannot be assured that a job applicant who holds a high school diploma will even be able to read, much less able to perform basic skills required for a job. While disparity between the resources available to different school districts within the state is growing, some feel a greater demand exists to prepare students for a changing economic and technological society and that both quality and financing of the state's K-12 schools need to be examined and revitalized.

THE CONTENT OF THE BILLS:

The bills would amend the School Code (MCL 380.6 et al.) to provide that local school districts a) could adopt and implement a three-to-five year school improvement plan and a continuing school improvement process for each school building, b) could prepare and make available to the public and the State Board of Education an annual educational report, and c) would have to adopt a core curriculum available to all students.

House Bill 4009 (H-3) would require a local school board to adopt a core curriculum available to all students, and would allow a school board to adopt and implement a three-to-five year school improvement plan and continuing process for each school building. The bill would also require the state board to develop a model core curriculum. Intermediate District School Improvement Support. An intermediate school district, or a consortium of one or more of these, if requested by the board of a constituent district, would have to provide comprehensive school improvement support services to the district. The services would include the following:

- developing a core curriculum;
- evaluating a core curriculum;
- preparing one or more school improvement plans;
- disseminating information concerning one or more school improvement plans;
- preparing an annual educational report;
- professional development;
- educational research;
- compiling instructional objectives, instructional resources, pupil demographics, and pupil academic achievement;
- assisting in obtaining school accreditation; and
- providing general technical assistance.

School Improvement. The board of each local school district could adopt and implement a three- to five-year school improvement plan and school improvement process for each school within the district, considering criteria established by the state board. The plan would have to include, at a minimum, proposed methods for effective classroom management, methods of improving pupil academic and personal achievement, dropout prevention, parental and community involvement in the school improvement process, staff development, and building-level decision making. Among those that would have to be involved in the planning process are school board members, school building administrators, teachers, students, parents of students at the school, and other school district residents. At the request of a local school board, the state Department of Education, the intermediate district to which the school district was constituent, or a consortium of one or more intermediate districts would have to provide assistance. A school improvement plan would have to be updated annually. Each plan would have to be kept on file with the appropriate intermediate school district. Annually, the state board would have to review a random sampling of school improvement plans and submit a report to the Senate and House committees responsible for education legislation.

Core Curriculum. Local school districts would have to make available to all pupils a core curriculum. In doing so, a local board could use as a guide a model core curriculum that the state board would have to develop. The state board model would define achievement outcomes for pupils and would be based on the state board-approved "Michigan K-12 program standards of quality." A school board could develop, or require the principals and teachers of a school to develop, a core curriculum for each school. The core curriculum could be developed in conjunction with

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curriculum and subject matter specialists. If a locally-developed core curriculum varied from that developed by the state board, the variance would have to be explained in the core curriculum developed. A subject or course required by a core curriculum could be offered to all pupils in a district by the school district, a consortium of school districts, or a consortium of one or more local, and intermediate districts.

Nonpublic Schools. The state board would have to offer to all nonpublic schools in the state, for review, the core curriculum developed for public schools to assist the governing bodies of nonpublic schools in developing their own core curricula. Further, the bill would not alter the obligation of public school districts to offer to resident pupils of nonpublic schools elective courses that had traditionally been offered on a shared-time basis to these pupils (as recognized under Snyder v Charlotte schools of 1984).

Senate Bill 40 (H-2) would allow the board of a school district to prepare, publicly announce, and make available to the public and the state board an annual educational report, which would have to include information specified in the bill. Within 90 days of the bill's effective date, the state board would have to prepare and make available to school districts suggestions for accumulating the required information and a model educational report for school districts to consider in implementing the bill.

Annual Educational Report. The annual educational report would have to include, but would not be limited to, all of the following information for each public school in a school district:

- the accreditation status of each school within the district, the process by which students were assigned to specific schools, and a description of each specialized school;
- the status of the three- to five-year school improvement plan, as proposed in House Bill 4009, for each school within the district;
- a copy of the core curriculum, as proposed in House Bill 4009, and a description of its implementation;
- a report for each school that showed aggregate student achievement based on the results of any locally-administered student competency tests, statewide assessment tests, or nationally-normed achievement tests that were given to pupils attending school in the district;
- for the year the report was filed and the previous school year, the number and percentage of pupils, identified by age, grade level, ethnicity, gender, and whether they received special education services, who were suspended from any school in the district for an accumulated total of more than three days during the school year, the duration of, and reason for, each suspension made, and whether a student's academic standing was affected — due to loss of credit or lowered grades — from each suspension;
- for the year the report was filed and the previous school year, the number and percentage of pupils not more than 18 years old, identified by age, grade level, ethnicity, gender, and whether they received special education services, who were expelled from any school in the district, each expulsion's duration, whether an expulsion was permanent or not, and whether an expelled student was offered opportunity for alternative education;
- for the previous year, the number and percentage of school dropouts — as defined by the state board

- in the district, identified by age, grade level, ethnicity, and gender, and any process used to identify and serve "at risk" pupils and dropouts;

- for the year in which the report was filed and the previous school year, the number of pupils, identified at the elementary, middle, and secondary school levels, who were enrolled in the school in that district on the official membership count day and two other days (where no count could be made within six weeks of another);

- the percentage and number of elementary, middle, and high school households that participate in parent-teacher conferences; and

- the percentage and number of citizens, both parents and those without children, who served as volunteers in school classrooms, libraries, lunch rooms, and playgrounds, or in other ways.

Individual School Reports. If a local school board chose to adopt the annual report, the board would have to provide that each school in the district publicly distributed at an open meeting an annual education report for that school. Each individual report would have to include at least the following:

- the aggregate student achievement based on results of any locally administered student competency, statewide assessment, or nationally-normed achievement tests that were given to pupils attending the school;

- the number of pupils in each grade and the number of those working at, below, and above grade level in core curriculum subjects in each grade;

- a copy of the core curriculum adopted by the school district and the school and a description of its implementation, including the progress made in each grade covering core curriculum subjects;

- if applicable, for the previous year, the number and percentage of school dropouts in the district, identified by grade level; and

- a comparison with the previous school year of all reported categories specified in the bill.

The bill is tie-barred to House Bill 4009.

HOUSE COMMITTEE ACTION:

The House Committee on Education adopted a substitute version for Senate Bill 40 (Substitute H-2) which altered the Senate-passed version of the bill by providing that school districts would have the option (instead of being required) to make available an annual educational report. The House substitute also specifies that additional information would have to be included in the optional report (i.e. the process in which students were assigned to specialized schools, whether dropouts would receive special education services, and processes which could identify at-risk students or dropouts). The House substitute decreased the minimum number of suspension days accumulated by a student annually (for a school year), from 10 to 3, that would have to be reported. In addition, the House substitute specifies that if a school district opted to make the annual report available, it would have to ensure that each school in its district distributed at a public meeting an annual education report for that particular school, to include specific school totals for various categories and other pertinent information relative to school improvement. The House substitute also changed the effective date of the bill from

July 1, 1989 to "within 90 days" of the bill's enactment, and tie-barred the bill to House Bill 4009.

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, Senate Bill 40 would have minimal fiscal implications for the state; the impact on local school districts cannot be determined at this time. House Bill 4009 would very likely have cost implications for the state because the bill would mandate intermediate school district involvement in assisting local districts, thereby incurring Headlee amendment mandated costs, and also requires the Department of Education to provide assistance, incurring direct state costs. The fiscal agency estimates total costs ranging from \$100,000 to \$3.5 million per year, depending on the legal interpretation of the various mandates. (3-21-89)

ARGUMENTS:

For:

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, appointed by the State Board of Education in February 1987 to review school finance and equal educational opportunities, noted in a September 1987 report that schools, if provided appropriate guidance and resources, would be able and willing to improve the quality of educational opportunity and results. To accomplish this, however, schools need assistance, resources, and educational standards. These bills would establish standards for schools to follow in order to improve themselves and would ensure that assistance be provided from an array of different sources at the state and local level. For schools to improve, reforms should happen according to a process of change which arises from self-determined action taken at the local level. The process suggested in these bills — providing a core curriculum, establishing mid- to long-term goals for schools and their students, and recording statistics pertinent to the health of schools — would provide schools with a well-planned path to follow in their task of assuring a quality education for every public school student in the state.

Response: On the contrary, although the concept behind the bills is good, they lack a key ingredient in the process to implement school improvement: money. Many of the state's 560-plus public school districts, even if they wished to, do not have the funds needed to implement change. In fact, many districts currently are working toward school improvement in the ways suggested in the bills. For the state to hold out ideals for public schools without providing the financial means to accomplish these, as these bills would do, only discourages those groups of parents, teachers, administrators, and other interested parties who've already met to plan ways to improve schools. Proposals to improve quality in the state's public schools, simply stated, cannot work without a corresponding state commitment to finance them. If schools are to improve, the bills should ensure that all schools not only offered such things as generally-uniform core curricula, but also that there were enough quality teachers or textbooks, for example, to meet the demands established by minimum core requirements. (At least the Senate-passed versions of the bills would mandate the proposals, and thereby would imply the state would be involved in improvement from a fiscal standpoint.) The bills should either be tied to a specific appropriation or to a school finance proposal that

would increase the amount that schools could spend on quality.

For:

The bills would allow school boards the option to implement a process of school improvement, rather than mandating change as would be required under Senate-passed versions of the bills. Even though House Bill 4009 would require all schools to make available to students a core curriculum, it would allow the local school board, administrators, and teachers to have the final say on what to include in a school district's core curriculum. Many districts would probably be more than willing to adopt the state board's model for its core requirements, depending on their fiscal ability to meet the state board's model. A "top-down" mandate fails to recognize the fact that the best reforms begin at the grassroots level and work their way upward: people involved at the local level must want to improve schools for a change to occur. A mandate also could incur state liability to reimburse districts that implemented the provisions, as specified under Article IX, Section 29 of the State Constitution — the Headlee Amendment. (This law states: "A new activity or service beyond that required by existing law shall not be required by the legislature . . . , unless a state appropriation is made and disbursed to pay the unit of local government for any necessary increased costs.")

Against:

Without a mandate, the bills would have very little positive impact on improving the quality of the state's public schools. Although House Bill 4009 would require schools to provide students a core curriculum, the bill provides enough of a loophole for schools to decide to leave their current core curriculum offerings as is, if they so wish. While most schools do want to improve, and are working to find ways to improve, there exist a number of school districts which operate without regularly and effectively recording such statistics as those suggested in the bills (such as changes that occur in the number of school dropouts from one year to the next). It should be reasonable for the state to establish standards for schools to meet, and then be given time to see whether local districts truly desire to improve their schools with available resources.

For:

The bills include intermediate school districts within the school improvement process, and thereby recognize the important role these could have in improving school districts. Intermediate districts can combine their available resources with school districts and with other intermediate districts to develop a more organized way of recording and storing information pertinent to the present condition of constituent school districts.

Response: Because House Bill 4009 mandates intermediate district involvement in school improvement there would be state liability to reimburse them for the costs associated with those tasks, as required under the Headlee amendment. House Bill 4009 should be referred to the House Appropriations Committee for further consideration.

For:

House Bill 4009 would require the state board to make available its model core curriculum for consideration by nonpublic school administrative bodies. Thus, nonpublic

schools could pattern their core curricula after that specified in the state board model. Under the School Code's compulsory school attendance provisions, children can choose to regularly attend a nonpublic school as long as the school is state-approved and teaches "subjects comparable to those taught in public schools," at the appropriate age and grade levels. Further, the bill recognizes a public school's obligation to teach elective courses to nonpublic school students on a shared-time basis, as specified under the Snyder v Charlotte state supreme court decision from 1984.

POSITIONS:

The Department of Education supported the Senate-passed version of Senate Bill 40 and is reviewing changes made to the bill as reported from the House Education Committee. Also, the department took a "support if amended" position on House Bill 4009 as introduced and is reviewing changes made to that bill by the Education Committee. (3-20-89)

The Greater Detroit Chamber of Commerce supports the bills. (3-15-89)

The Michigan Association of Nonpublic Schools supports House Bill 4009. (3-15-89)

The Michigan Education Association supports the Senate-passed version of the bills (Senate Bills 39, 40, and 43) which call for a mandate for the proposals, and would like these tie-barred to HJR B — one of the school finance proposals. (3-15-89)

The following groups support the concept of school improvement, but would like the bills either to include a funding mechanism for implementation, or would like the package tie-barred to a school finance proposal that would raise additional funds for public schools:

Michigan Association of School Boards (3-17-89)

Michigan Association of School Administrators (3-17-89)