



**House
Legislative
Analysis
Section**

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**SCHOOL IMPROVEMENT
RECEIVED**

House Bill 4009 as enrolled
Fourth Analysis (8-7-90)

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Sponsor: Rep. James E. O'Neill, Jr. Mich. State Law Library
First House Committee: Education
Second House Committee: Appropriations
Senate Committee: Education & Mental Health

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 of its 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 bill would amend the School Code (MCL 380.6 et al.) to provide that school districts, in order to avoid forfeiting state school aid, or to obtain additional school aid, would have to meet the act's requirements for providing an annual educational report, adopt and implement a school improvement plan and continuing school improvement process, make available a core curriculum, and be accredited. The bill would also require the state board to develop a model core curriculum, permit a local or intermediate school board to hire full- or part-time noncertified, nonendorsed teachers, and allow intermediate school districts to provide to school districts, if requested, comprehensive school improvement support services.

ISD School Improvement Support Services. An intermediate school district, or a consortium of one or more of these, if requested by the board of a constituent district, could 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 would have to adopt and implement a three- to five-year school improvement plan or plans 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, a mission statement, goals based on student outcomes for all students, curriculum alignment corresponding with these goals, evaluation processes, 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.

The department would be required to provide assistance to school districts in developing and implementing plans. (Intermediate school districts could also provide assistance.) A school improvement plan would have to be updated annually and 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. In order to obtain additional state aid for "quality programs," as provided in the School Aid Act, a district would have to make available a core curriculum in compliance with the bill's provisions.

The state board would have to develop a model core curriculum to define achievement outcomes for pupils, based on the state board-approved "Michigan K-12 program standards of quality." A school board, considering the recommended and defined curricular outcomes, would have to:

- establish a core curriculum for its pupils at the elementary, middle, and secondary school levels. The core curriculum would have to define outcomes to be achieved by all pupils and be based on the school district's educational mission, long-range student goals, and student performance objectives. The core

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curriculum, however, could vary from that recommended by the state board; and

- determine the instructional program for delivering the core curriculum and identify the courses and programs in which the curriculum would be taught, after consulting with teachers and school building administrators.

The board could supplement the core curriculum by providing instruction through additional classes and programs. A subject or course required by the core curriculum would have to be made available to all pupils in the school district, a consortium of school districts, or a consortium of one or more school districts and one or more intermediate school 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).

School Accreditation. In order to obtain additional state school aid for "quality programs," as provided in the State School Aid Act, and to avoid certain measures (as described in the bill), a district would have to ensure that each school within the district was "accredited." ("Accredited" would mean being certified by the state board as having met or exceeded state board-approved standards established for six areas of school operation: administration and school organization, curricula, staff, school plant and facilities, school and community relations, and school improvement plans and student outcomes. The building-level evaluation used in the accreditation process would have to include, at least, school data collection, self-study, visitation and validation, determination of outcomes data to be used, and development of a school improvement plan.)

The department would have to develop and distribute to all public schools proposed accreditation standards. Upon distribution of the proposed standards, the department would have to hold statewide public hearings in order to receive testimony concerning the standards. After reviewing the testimony, the department would have to revise and submit proposed standards to the state board; upon reviewing and revising these (if appropriate), the state board would have to submit them to the Senate and House committees responsible for education legislation. If approved by these committees, the department would have to distribute to all public schools the standards to be applied to each school for accreditation; also, it would have to annually review and evaluate for accreditation the performance of a portion of the state's public schools — including each school that did not meet accreditation standards the immediately preceding school year. The department would have to provide technical assistance, as appropriate, to a school that was not accredited at the request of the unaccredited school's board. (An ISD or consortium could also provide assistance.)

A school that failed to meet accreditation standards for three consecutive years would be subject to one or more of the following measures, as determined by the state board:

- The superintendent of public instruction, or his or her designee, would appoint at the expense of the affected

school district an administrator of the school until the school met accreditation standards.

- A parent, legal guardian, or person in loco parentis of a child who attended the school would have the right to send his or her child to any accredited public school with an appropriate grade level within the school district.
- The school would be closed.

The department would have to evaluate the school accreditation program and status of schools accredited and submit an annual report based on the evaluation to the Senate and House committees responsible for education legislation. The report would have to address the reasons each unaccredited school was not accredited and recommend legislative action that would result in the accreditation of all state public schools.

Annual Educational Report. Under the bill, if a school board 1) did not want to forfeit a percentage of the school district's school aid, under a provision in the State School Aid Act that requires a board to administer a state board-approved eligibility skills test beginning in fiscal year 1990-91 in order to receive funds, or 2) wanted to receive and was eligible for additional state school aid for quality programs, where the act provides for funds to be allocated to districts per membership pupil and for additional funds to be disbursed if certain graduation requirements are met, the board would have to prepare and make available to the state board and the public an annual educational report, and provide that each school in its district provided a report to the public at an open meeting. The bill would delete the requirement that a school board publicly announce the availability of an annual educational report.

The act provides that if a school district has a core curriculum, a copy of this and a description of its implementation must be included in the educational report. The bill would add that variances from the model core curriculum subjects also would have to be reported. Provisions concerning the reporting of pupil suspensions, expulsions, and dropouts would be deleted from the act, while those which call for reporting enrollments and participation in parent-teacher conferences would be revised. Also, information contained in the district membership retention report, as defined in the State School Aid Act, and statistics showing how these retention figures compared to those of the immediately preceding school year would have to be included in the report. The bill would repeal provisions in the act which require a school board, if it prepares an annual educational report, to provide that each school in the district distribute an annual report for that school.

Noncertified, Nonendorsed Teachers. The board of a local or intermediate school district could engage a full- or part-time noncertified, nonendorsed teacher to teach a course in computer science, a foreign language, mathematics, biology, chemistry, engineering, physics, robotics, or any combination of these subject areas in grades 9 through 12.

A noncertified, nonendorsed teacher would be qualified to teach if he or she:

- possessed an earned bachelor's degree from an accredited postsecondary institution;
- had a major or graduate degree in the field of specialization in which he or she would teach;
- had passed both a basic skills examination and a subject area examination, if a subject area examination existed, in the field of specialization in which he or she would

teach if the person wished to teach for more than one year;

- had at least two years of occupational experience in the field of specialization in which he or she would teach, except for persons hired to teach a foreign language.

These requirements would be in addition to any other requirements established by the board of a local or intermediate school district, as applicable.

The board of a local or intermediate school district could not engage a full- or part-time noncertified, nonendorsed teacher to teach a course identified in the bill if the district were able to engage a certified, endorsed teacher. If the local or intermediate school board were able to engage a certified, endorsed teacher to teach a course identified in the bill, the board could continue to employ a noncertified, nonendorsed teacher to teach the course only if the person 1) was annually and continually enrolled and completing credit in an approved teacher preparation program leading to a provisional teaching certificate, and 2) had a planned program leading to teacher certification on file with the employing school district or intermediate school district, his or her teacher preparation institution, and the Department of Education.

If a local or intermediate school board were not able to obtain a certified, endorsed teacher to teach a course identified in the bill, the department and a teacher preparation institution would have to accept the teaching experience of the noncertified, nonendorsed teacher in order to waive student teaching as a condition for receiving continued employment authorization in the school district and a provisional teaching certificate.

MCL 380.627 et al.

FISCAL IMPLICATIONS:

According to a Senate Fiscal Agency analysis (3-6-90), the bill would result in the following costs to the state and to local and intermediate school districts:

State:

- For the Department of Education to assist in developing and implementing school improvement plans, \$124,100 has been appropriated for 1989-90 under Public Act 171 of 1989. This is for 3.0 FTEs and contractual services, supplies, and materials.
- For the State Board of Education to annually review a random sampling of school improvement plans, the costs would be minimal.
- For the Department of Education to develop accreditation standards pursuant to the bill, \$413,600 (for 3.0 FTEs) has been appropriated for 1989-90. For 1990-91, \$816,600 has been appropriated for the department's accreditation standards program by Public Act 204 of 1990; \$666,600 of this (which includes 6 FTEs) will be used for accreditation standards development, while \$150,000 will be used for a grants program.

Local:

- Intermediate school districts would have indeterminate costs in providing assistance to local school districts for various services, but it is not known exactly which services would be needed or to what extent services might be implemented beyond current levels. ISDs currently may charge local districts for services rendered.
- Local districts would have indeterminate costs in preparing and providing annual reports and a core curriculum, and to assure accreditation. Further, the bill

specifies that both local districts and ISDs could be subject to forfeiture of a partial amount of their state school aid due to nondelivery of services, reports, or plans. (The State School Aid Act requires districts, beginning in 1990-91, to provide an annual educational report, make a core curriculum available to all pupils, and adopt a three- to five-year school improvement plan. Noncompliance with any of these requirements means a district will forfeit three to five percent of its state aid.)

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. The bill would establish standards for schools to follow in order to improve themselves and would ensure that assistance was provided from an array of different sources at the state and local level. Furthermore, the bill would follow through on requirements implemented under Public Act 197 of 1989, and strongly encourages school districts to comply with these school improvement measures, by tying compliance with the bill's provisions (which, basically, parrot provisions in Public Act 197) to the receipt of state school aid funds.

For:

By allowing schools the option to hire noncertified, nonendorsed part- or full-time teachers, the bill would enable schools to utilize the knowledge and expertise of individuals who work in applied technology fields in private industry within the classroom. Professionals who have worked in private industry who also have an interest in teaching can be very effective in relating to students the practical uses of mathematics and the sciences — two areas in which American pupils have displayed a woeful lack of interest or proficiency in recent years. This lack of interest in or understanding of science and mathematics has been implicated as one of the main causes for America's weakening economic position as compared to countries such as Japan or West Germany.

Response: The reason schools cannot compete with private industry for the type of qualified personnel that would be allowed to teach under the bill is primarily due to economics: higher salaries paid to beginning private sector professionals lures the most talented people away from teaching. If the state truly wishes to lure the best-qualified people into teaching, it should begin by making teaching a worthwhile profession. Besides, administrative rules by the Department of Education already permit schools to employ persons without teaching certificates in certain situations. And, teachers currently may utilize as "visiting teachers" persons with expertise in specific subjects, as long as the class remains under the supervision of the certified teacher.

For:

The bill includes intermediate school districts within the school improvement process and, thus, recognizes the important role they could play in improving school districts.

Intermediate districts could 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.

For:

The bill 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 of 1984.

Against:

The bill would diminish local control of schools and increase costs to local districts and the state. Though the quality programs proposed would not be mandated, the bill would make receipt of additional state funds contingent on compliance with the bill. Thus, many districts may comply with the bill's provisions, out of fear of forfeiting additional state aid, whether or not they agreed with or were committed to the bill's goals of improving educational quality.

Against:

While the general concept of the bill is good, it lacks 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 bill. For the state to hold out ideals for public schools without providing the financial means to accomplish them, as the bill 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 bill 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. The bill 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.