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House Bill 4009 (as enrolled)

Sponsor: Representative James E. O'Neill, Jr.

First House Committee: Education

Second House Committee: Appropriations

Senate Committee: Education and Mental Health

Date Completed: 3-6-90

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 with which it must compete 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. Recent studies on the status of education indicate that the knowledge and skills students receive in the course of elementary and secondary schooling often are inadequate to meet the demands that today's high school graduates face in the workplace. Some people contend that Michigan has fallen from its position as a national education leader, and that the quality of education in this State needs to be re-examined and revitalized.

CONTENT

The bill would amend the School Code to:

- Permit an intermediate school district (ISD), upon request of a constituent school district, to provide comprehensive school improvement support services, as specified in the bill.

- Provide that a school board that did not want to forfeit State school aid or that wanted and was eligible to receive additional school aid would have to: meet the Code's provisions on an annual educational report, adopt and implement a school improvement plan and continuing school improvement process, make available a core curriculum, and be accredited.
- Permit a local or intermediate school board to engage a full- or part-time noncertificated, nonendorsed teacher to teach certain courses in grades 9 through 12, and establish requirements that a noncertificated, nonendorsed teacher would have to meet.
- Require the State Board of Education to develop a recommended model core curriculum and distribute it to each school district in the State.
- Require a local school board to establish a core curriculum for the elementary, middle, and secondary school levels, and determine the instructional program for delivery of the core curriculum.
- Require the State Board to make available to all nonpublic schools in the State the model core curriculum, and require that any course considered a "nonessential

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elective course' continue to be offered to pupils of nonpublic schools on a shared-time basis.

- Require the Department of Education (DOE) to develop proposed accreditation standards and distribute them to all public schools after public hearings had been held and upon approval by Senate and House education committees.
- Establish measures, including closure of a school, that could be taken when a school had not met accreditation standards for three consecutive years.

ISD School Improvement Support Services

Upon request of the board of a constituent school district, an intermediate school board could provide to the district, either solely or as part of a consortium of ISDs, comprehensive school improvement support services. These services could include, but would not be limited to, all of the following: the development and evaluation of a core curriculum; the preparation of one or more school improvement plans; the dissemination of information concerning one or more school improvement plans; the preparation of an annual educational report; professional development; educational research; the compilation of instructional objectives, or instructional resources, pupil demographics, and pupil academic achievement; assistance in obtaining school accreditation; and, general technical assistance.

Annual Educational Report

Under the bill, if a school board 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 (MCL 388.1619), or that wanted to receive and was eligible for additional State school aid for quality programs, as provided in the Act's provisions on amounts allocated to districts per membership pupil and additional amounts for satisfying certain graduation requirements (MCL 388.1621), the school 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 a district distributed 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. (For more information about the State School Aid Act, see BACKGROUND.)

The Code provides that if a school district has a core curriculum, a copy of that curriculum 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. The bill would delete provisions concerning the reporting of pupil suspensions, expulsions, and dropouts. The bill also would revise provisions on reporting enrollments and participation in parent-teacher conferences, and would require that the report also include information contained in the district membership retention report, as defined in the State School Aid Act, as well as a comparison with the immediately preceding school year of information covered in the annual report.

The bill also would repeal provisions in the Code that require a school board, if the board prepared an annual educational report, to provide that each school in the district distribute an annual report for that school (MCL 380.1204b).

(Under provisions of the School Code currently in effect, a school board must make available an annual report to the State Board at the time and in the form prescribed by the Board. Public Act 159 of 1989 was enacted to amend the Code to require a school board to prepare, publicly announce, and make available to the public and the State Board of Education an annual educational report, which must include information specified in the Act, for each public school in the district. If a district prepared an annual educational report, each school in that district is required to distribute an annual educational report for that particular school. Within 90 days after the Act takes effect, the State Board must prepare and make available to school districts suggestions for accumulating the required information, a model educational report for school districts to consider in implementing the Act, and a form for reporting

pupil suspensions and expulsions that assures an accurate account of the total number of suspensions and expulsions in a school district. Because Public Act 159 is tie-barred to House Bill 4009, however, it has not yet taken effect.)

Noncertificated, Nonendorsed Teachers

The board of a local or intermediate school district could engage a full- or part-time noncertificated, 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 noncertificated, nonendorsed teacher would be qualified to teach if he or she met all of the following minimum requirements:

- 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 teacher desired 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 in the case of persons engaged 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-time or part-time noncertificated, nonendorsed teacher to teach a course identified in the bill, if the district were able to engage a certificated, endorsed teacher. If the local or intermediate school board were able to engage a certificated, endorsed teacher to teach a course identified in the bill, the board could continue to employ a noncertificated, nonendorsed teacher to teach the course if both of the following conditions

were met:

- The noncertificated, nonendorsed teacher was annually and continually enrolled and completing credit in an approved teacher preparation program leading to a provisional teaching certificate.
- The noncertificated, nonendorsed teacher 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 engage a certificated, endorsed teacher to teach a course identified in the bill, the Department and a teacher preparation institution would be required to utilize the teaching experience of a noncertificated, nonendorsed teacher in order to waive student teaching as a condition for receiving a continued employment authorization in the school district and a provisional teaching certificate.

School Improvement Plan and Process

Considering criteria established by the State Board, the board of a school district that wanted to receive and was eligible for additional State school aid for quality programs, as provided in the State School Aid Act (MCL 388.1621 and 388.1621a), would be required to adopt and implement a three- to five-year school improvement plan and continuing school improvement process for each school within the school district. The plan would have to include, but would not be limited to, a mission statement, goals based on student outcomes for all students, curriculum alignment corresponding with those goals, evaluation processes, staff development, and building-level decision-making. School board members, school building administrators, teachers and other school employees, pupils, parents of pupils attending that school, and other residents of the school district would be required to participate in the planning, development, and implementation of the district's school improvement plan.

Upon request of a school board, the Department would be required to assist the

school district in the development and implementation of a school improvement plan. Intermediate school districts and educational organizations also could provide assistance. A school improvement plan would have to be updated annually by the school board and maintained on file with the ISD to which the school district was constituent.

The State Board would be required to review annually a random sampling of school improvement plans and submit a report on school improvement activities planned and accomplished by each of the school districts that was part of the sampling to the Senate and House committees having responsibility for education legislation.

Core Curriculum

The board of each school district that wanted to receive and was eligible for additional State school aid for quality programs, as provided in the State School Aid Act, would be required to make available to all pupils attending public school in the district a core curriculum in compliance with the bill's provisions.

The State Board would be required to develop a recommended model core curriculum and distribute it to each school district in the State. The recommended core curriculum would have to define the outcomes to be achieved by all pupils and be based on the standards set forth in "Michigan K-12 Program Standards of Quality" published by the State Board. A school board, considering the recommended and defined curricular outcomes, would have to do both of the following:

- 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 curriculum could vary from the core curriculum recommended by the State Board.
- Determine the instructional program for delivering the core curriculum and identify the courses and programs in which the core 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 by a school district, a consortium of school districts, or a consortium of one or more school districts and one or more intermediate school districts.

The State Board would have to make available to all nonpublic schools in the State, as a resource for their consideration, the model core curriculum developed for public schools pursuant to the bill in order to assist a nonpublic school in developing its own core curriculum. The bill specifies that any course that would have been considered a nonessential elective course under Snyder v Charlotte Schools (421 Mich 517 (1984)) on the effective date of the bill would have to continue to be offered to resident pupils of nonpublic schools on a shared-time basis.

School Accreditation

The board of a school district that wanted to receive and was eligible for additional State school aid for quality programs, as provided in the State School Aid Act, and that did not want to be subject to certain measures, as described in the bill, would have to ensure that each public school within the school district was "accredited". ("Accredited" would mean 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, but would not be limited to, school data collection, self-study, visitation and validation, determination of outcomes data to be used, and the development of a school improvement plan.)

The Department would be required to develop and distribute to all public schools proposed accreditation standards. Upon distribution of the proposed standards, the Department would

be required to hold statewide public hearings in order to receive testimony concerning the standards. After a review of the testimony, the Department would be required to revise and submit the proposed standards to the State Board. After a review and revision, if appropriate, of the proposed standards, the State Board would be required to submit them to the Senate and House committees that have the responsibility for education legislation. Upon approval by these committees, the Department would be required to distribute to all public schools the standards to be applied to each school for accreditation. The Department would be required annually to review and evaluate for accreditation the performance of a portion of the public schools in the State, including, but not limited to, each school that did not meet accreditation standards the immediately preceding school year.

The Department would be required, and the intermediate school district to which a school district was constituent, a consortium of ISDs, or any combination could provide technical assistance, as appropriate, to a school that was not accredited upon request of the board of the unaccredited school.

A school that had not met 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 be required 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 that are 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 public schools in the State.

MCL 380.627 et al.

SENATE COMMITTEE ACTION

The Senate Committee on Education and Mental Health adopted a substitute (S-6) to House Bill 4009, which would provide that a school district that wanted to receive additional school aid would have to comply with certain provisions on an annual educational report, school improvement plans, core curriculum, and accreditation. In addition, the substitute bill would permit a local school board to employ noncertificated, nonendorsed teachers in certain courses; require the State Board of Education to develop a recommended model core curriculum; require a local school board to establish a core curriculum; require the Department of Education to develop accreditation standards; and, establish measures that would be taken when a school had not met accreditation standards.

BACKGROUND

The State School Aid Act, as amended by Public Act 197 of 1989, requires a district to do the following in order to receive the full amount of its school aid:

1. Beginning in fiscal year (FY) 1990-91, administer a State Board of Education-approved employability skills assessment and provide an annual educational report. Noncompliance is to result in the forfeiture of 3% of FY 1990-91 State aid.
2. Beginning in FY 1990-91, make available to all pupils a core curriculum based upon the "Michigan K-12 Program Standards of Quality" published by the State Board. Noncompliance is to result in the forfeiture of 5% of State funds due in FY 1990-91.
3. Beginning in FY 1990-91, adopt and implement a three- to five-year school improvement plan or plans and a continuing school improvement process for each school within the district. The plan, based upon criteria established by the State Board, must include methods

for effective classroom management, methods of improving pupil academic and personal achievement, dropout prevention, parental and community involvement, staff development, and building-level decision-making. A district failing to adopt and file a school improvement plan before July 1, 1991, is to forfeit 5% of its FY 1990-91 State aid.

In addition, by October 1, 1991, the Department of Education is required to develop and make available to all K-12 public schools, standards to be applied for accreditation purposes. Beginning in FY 1992-93, the Department will evaluate one-sixth of the public schools in the State for accreditation purposes. The Department will annually review one-sixth of the public schools in the State thereafter, plus each school that did not meet accreditation standards the immediately preceding school year.

Senate Bill 830 (Substitute S-1) would amend the State School Aid Act to provide funding for the 1990-91 fiscal year. The bill, which was reported to the Senate Appropriations Committee by the K-12 subcommittee, would provide for an additional \$30 per-pupil formula allocation for preparation of annual educational reports, development of three- to five-year school improvement plans, making available a core curriculum beginning in FY 1991-92, preparation for formal accreditation beginning in FY 1992-93, and administration of an employability skills assessment test beginning in FY 1991-92. Certain out-of-formula districts, which qualified for low income categorical grants, also would qualify for \$30 per-pupil quality incentives. In addition, the bill provides that a school district that did not meet the requirements for issuing an annual educational report in FY 1990-91 would forfeit 5% of its State aid funds. (Note: House Bill 4009 is not tie-barred to Senate Bill 830 or to any other bills, however.)

FISCAL IMPACT

State: The bill would result in the following costs to the State:

1. For the Department of Education to assist in developing and implementing school improvement plans, \$124,100 is

appropriated for FY 1989-90 in Public Act 171 of 1989. This is for 3.0 FTEs and contractual services, supplies and materials.

2. For the State Board of Education annually to review a random sampling of school improvement plans, the costs would be minimal.
3. For the Department of Education to develop accreditation standards pursuant to Sec. 1280. There is \$413,600 and 3.0 FTEs appropriated for FY 1989-90. The Governor's recommendation for FY 1990-91 is \$929,100 and 15.0 FTEs.

Local:

There would be indeterminate costs to intermediate school districts to provide optional assistance to local school districts (LSDs) for various services. The cost would be indeterminate as it is not known what services an LSD would provide or to what extent a service would be implemented beyond its current level of services. Also, ISDs may charge LSDs for services.

There would be indeterminate costs to LSDs to prepare and provide annual reports and a core curriculum and to assure accreditation. Further, clarification is needed to prohibit an LSD or an ISD from receiving the full amount of its State aid due to nondelivery of services, reports or plans. (The State School Aid Act currently requires school 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 is to result in the forfeiture of 3%-5% of a district's State aid. Proposals to amend the Act, such as Senate Bill 830 (S-1), provide instead for incentive payments to schools that satisfy similar requirements. House Bill 4009 is not tie-barred to any other bills, however.)

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--appointed by the State Board of Education in February 1987 to review school finance and equal educational opportunities--noted in its September 1987 report that schools, provided with 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. House Bill 4009 would provide just that. The bill would establish certain activities that school districts could perform in order to bring about a quality educational system, and would provide for assistance and support services at the State and local levels. Furthermore, the bill would encourage school districts to participate in these school improvement measures by tying compliance to the receipt of State school aid funds.

Supporting Argument

Under the bill, the State Board would be required to develop a recommended core curriculum and distribute it to each school district in the State. The recommended core curriculum would have to define outcomes to be achieved by all pupils. A local school board, considering the recommended and defined curricular outcomes, could establish a core curriculum for pupils at the elementary, middle, and secondary school levels. These provisions of the bill would ensure that schools provided students with an opportunity for receiving an equitable quality school program, regardless of the district in which the students reside.

Response: While the bill would provide for a school district to establish a core curriculum that considered the model curriculum developed by the State Board, a local school district could develop a core curriculum that varied from the model. Since it is not certain what courses would be included in the curriculum developed by the State Board and, of those recommended courses, what courses a local district actually would include in its own core curriculum, there is no guarantee that the 560-plus school districts in the State would develop core curricula that provided a consistent educational program throughout the State.

Supporting Argument

The bill would include intermediate school districts within the school improvement process, and, thereby, recognize the important role that

ISDs could have in school improvement. Intermediate school districts could combine their available resources with their constituent local school districts and with other ISDs to aid local districts in following the bill's provisions.

Supporting Argument

Under the compulsory school attendance provisions of the School Code (MCL 380.1561), a child is not required to attend a public school if that child is regularly attending and is being taught in a State-approved nonpublic school that teaches "subjects comparable to those taught in public schools" to children of corresponding age and grade as determined by the course of study for public schools in the district where the nonpublic school is located. The Michigan Supreme Court, in December 1984, cited this provision in Snyder v Charlotte Public School District, and noted: "This implies that the nonpublic school must provide a 'core curriculum' for its students, such as basic reading, mathematics, English, etc." (421 Mich 517). House Bill 4009 would require the State Board of make available to all nonpublic schools, as a resource for their consideration, the model core curriculum developed for the public schools in order to assist the governing body of a nonpublic school in developing its own core curriculum. Many nonpublic schools do provide in their basic curricula courses similar to those offered in public schools. The bill would aid nonpublic schools in determining their core curricula, and thus meeting the requirements of the School Code. Furthermore, the bill specifies that courses designated as "nonessential electives" under the Snyder ruling would have to continue to be offered to resident nonpublic school pupils on a shared-time basis. Thus, a course that was considered as a nonessential elective, such as an art class, and that was incorporated into the core curriculum of a particular public school district, still would have to be offered to the nonpublic school students.

Response: School districts that currently offer nonessential electives to nonpublic school students could find themselves in a quandary with the passage of the bill, unsure of whether to comply with the bill or with the Michigan Supreme Court's dictates in Snyder v Charlotte Public School District. At first glance, the bill would appear to be consistent with the Snyder decision, in which the Supreme Court held that, if a school district offers nonessential elective

courses to public school students, the courses also must be offered to resident nonpublic school students on a shared-time basis. Requiring a school to continue to offer an elective class that subsequently was included in the school's core curriculum, however, would violate the other precept of Snyder, under which public schools specifically are not required to offer basic courses to nonpublic school students. As the Court stated, "If shared-time instruction were required for all courses, it would be possible for a nonpublic school to offer a full curriculum to its students while conducting only a small percentage of the classes at the nonpublic school. This would thwart the Legislature's requirement that nonpublic and public schools offer comparable basic education to their respective students. More importantly, if public schools can be required to satisfy in any way a parochial school's statutory responsibility to provide a core curriculum to its students, this might constitute impermissible direct aid to the students which incidentally benefits the parochial school", in violation of the Establishment Clause of the First Amendment.

Supporting Argument

In an emerging era of high technology when developments are occurring rapidly, it would be advantageous to employ in high technology curricula, technicians from outside the education field who have been able, through their actual work experience and training, to keep abreast of innovation and developments in a way that classroom teachers frequently cannot.

Response: Under the bill, a person would be able to teach without being certificated or endorsed by the State if he or she met certain minimum requirements, including possession of a bachelor's degree from an accredited postsecondary institution, having a major or graduate degree in the field of specialization in which he or she was to teach, and having at least two years of occupational experience in the field of specialization. Thus, a person who possessed only a bachelor's degree and worked for two years in his or her field would be eligible to teach in Michigan's high schools without having to meet any other requirements. It is not clear how these persons would be considered as qualified to teach certain subjects as professional educators who have to meet State certification requirements. In order to be

certificated, a prospective high school teacher, for example, currently must hold a bachelor's degree from a State-approved program, which includes at least: 30 semester hours in a major field of study, 20 semester hours in a minor, six semester hours of supervised teacher training, and 40 semester hours in a liberal arts education (which may include major and minor credit hours), as well as completion of a professional education sequence of at least 20 semester hours. Furthermore, many of today's teachers possess advanced degrees and have participated in professional development opportunities in order to enrich their professional backgrounds.

Supporting Argument

One research study has pointed out that only 5% of the American public is literate in science. America's high school youth doesn't fare much better. In fact, today's high school students learn far less science than do their counterparts in Japan and the Soviet Union. Reportedly, for example, only about one-sixth of the high school students in this country take physics, while Soviet students must take a compulsory five-year sequence. This lack of an understanding of science and mathematics in today's society and in the near future has been characterized as a national tragedy that could diminish this country's overall position in global affairs. House Bill 4009 would help by attracting persons with solid backgrounds in mathematics and science into the classrooms.

Supporting Argument

Under a State accreditation system, every community across Michigan would be assured that its schools were meeting explicit criteria that were determined to be conducive to educational excellence. Furthermore, schools that could not meet accreditation standards would receive assistance and have an opportunity to improve. As a result, there would be a greater sense of equity in educational opportunity because students attending an accredited school and their parents would have the benefit of knowing that the school met standards that addressed certain areas of school operation, including curricula, staff, school improvement plans, and student outcomes.

Supporting Argument

Undergoing an accreditation process, in and of

itself, is valuable for a school. Participation in the accreditation process provides opportunities for a school staff to identify the school's strengths and weaknesses, establish educational goals for that school, and document progress toward reaching those goals. Earning accreditation provides credibility for a school's program and demonstrates the high quality of the school's staff. Finally, a school's participation in the accreditation process and designation as an accredited school provide assurance to a community that the school meets the standards for education quality.

Opposing Argument

While the bill would establish a process for change whereby schools would establish a core curriculum, adopt and implement a school improvement plan, compile and issue an annual educational report, and meet accreditation requirements, school districts could choose not to participate in the school improvement process. While 98% of school districts reportedly meet current incentive funding requirements in the State School Aid Act pertaining to courses taught (MCL 388.1621), it is not certain how many school districts would seek to meet the requirements of Senate Bill 830 (S-1) or similar measures that actually propose the incentive funding for school quality programs. Some people also believe that the \$30 per-pupil incentive funding would cover only the cost of engaging in an improvement process but would not result in enough money to fund activities--such as purchasing educational materials or hiring staff--that could bring about real improvement in schools. Moreover, the bill speaks to a school's intent, rather than its actions, by referring to a district "that does not want to forfeit" State school aid, or a district "that wants to receive" additional State aid (emphasis added). Thus, some could question whether a school's receipt of State aid would be conditioned upon its desires or upon its actions. Furthermore, existing law does not provide for incentive grants to schools that conformed to House Bill 4009, and the bill is not tie-barred to any other proposals. Finally, spending for schools varies widely across the State because of differences in the value of property and the number of mills that taxpayers are willing to authorize in support of schools. Unfortunately, the quality of a child's education in Michigan is dependent on where that child lives. Until the disparity of school

funding is addressed, providing an equitable quality educational program in school districts throughout the State cannot be ensured.

Opposing Argument

The need for this bill is not clear. Many school districts already are following the bill's provisions. For example, many local school districts in their graduation requirements include some level of course work in subject areas that commonly are contained in a core curriculum. Furthermore, a majority of school districts reportedly have established a committee to develop a long-range school improvement plan and almost one-half of them already have developed 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 educational system and what is proposed is that, under the bill, at the State level expectations would be set and standards would be established for education across the State. This is true particularly in the area of curricula: under the bill, a local district in establishing a core curriculum would have to take into consideration the State Board's recommended core curriculum, which would have to define student outcomes. In addition, the State Board's curriculum would have to be based on the standards set forth in the "Michigan K-12 Program Standards for Quality". According to that document, it is designed to be used by local districts as a resource for self-assessment of programs to estimate a level of quality and identify areas for improvement. Currently, there is great discrepancy among districts as to what constitutes a core 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. The bill 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 bill would encourage local districts to do a better job in strategically planning educational achievement.

Opposing Argument

Public Act 159 of 1989 amended the School Code to require a school board to prepare, publicly announce, and make available to the public and State Board an annual educational report, which has to include certain information including, student suspensions and expulsions, as well as school dropouts. House Bill 4009 would delete these provisions. This information is needed for tracking students, especially minority students, and for monitoring the effect of school policies and practices on student retention.

Opposing Argument

The bill's provisions concerning noncertificated teachers are not necessary since administrative rules already allow school districts to employ persons without teaching certificates to provide instruction in the schools when a regularly certificated teacher is not available. According to Department of Education officials, there are three types of permits available to a person who is not certificated: full-year, substitute, and "emergency". To obtain a full-year teacher permit, a person must possess a bachelor's degree that includes having earned at least 120 semester hours of credit in an approved teacher education program of which at least 15 semester hours were in teacher preparation courses. The rules also permit school districts to obtain substitute permits for person who do not have a teaching certificate but who have completed 120 semester credit hours in an approved teacher education program and earned six semester hours in a teacher preparation program. Finally, a person who has no professional education background but has earned less than 120 semester hours may be eligible for a substitute permit on an emergency basis. Thus, if a school district wished to employ a person with training in any of the curriculum areas specified in the bill but the person did not actually have a teaching certificate, the district could do so under the School Code, provided a teacher who had a certificate and was trained in that subject area was not available. Furthermore, teachers are not restricted from bringing into the classroom persons, who have expertise in certain areas, as "visiting teachers" as long as the class remains under the supervision of a certificated teacher.

Opposing Argument

In order to give a haircut, manicure nails, or landscape a lawn in Michigan, the person

purporting to provide that service must be licensed or board-certified by the State. Teaching is just as important--if not more so--as being a barber, cosmetologist, or landscape architect. Anyone with direct responsibility for the education of students must meet initial certification requirements, including a demonstrated ability to meet established standards for pedagogical skills, mastery of subject area, and knowledge of developmental learning stages of children and youth. A teaching certificate does guarantee that the teacher has a certain amount of knowledge about the subject or subjects being taught, while also guaranteeing that the teacher has been exposed to the science of teaching and can recognize that all children do not learn the same way. It is not enough to argue that because a person can read a person can teach reading. Teaching is a profession and like other professions, such as medicine, law, and accounting, must require that its practitioners meet certain minimum standards.

Opposing Argument

Public Act 267 of 1986 requires that, beginning in 1991, prospective teachers pass both a basic skills examination and appropriate subject area examinations prior to certification. House Bill 4009 would require certain noncertificated, nonendorsed teachers to take and pass tests, but only if they wanted to teach for more than one year. Thus, noncertificated teachers could teach for one year without passing any basic skills or subject area examinations, while their certificated, endorsed counterparts will have to pass such exams before they can step into the classroom for the first time. Thus, when the testing provisions of Public Act 267 take effect in 1991, the dichotomy in requirements for professionally trained teachers versus requirements for persons who could enter teaching because of House Bill 4009 would be even greater.

Opposing Argument

Some school districts reportedly have had difficulty in recruiting "knowledgeable" persons to teach certain high school courses. The inability of school districts to find a highly qualified teaching staff raises the serious question about the adequacy of teacher training programs. As a result of calls for education reform, teacher education programs have come under scrutiny and criticism. Proposals to

improve teacher quality include strengthening teacher training, education, and continuing education. Some studies have proposed abolishing the four-year education major and requiring teachers to obtain an undergraduate major in an academic subject and a fifth-year graduate degree in teaching, while other proposals have called for retaining the four-year program but requiring more rigorous courses and content. Some states reportedly have reviewed their teacher preparation programs, created new centers for teacher preparation, raised their test scores for admission to teacher colleges, increased the amount of practice teaching under the supervision of experienced teachers, raised requirements in major and minor areas of concentration, and switched from education to academic majors for teacher preparation. Rather than sidestep the issue of effectiveness of teacher preparation programs offered in Michigan, which would be the effect of House Bill 4009, the State should be investigating ways to improve and strengthen the training, recruitment, and retention of highly qualified teachers.

Opposing Argument

Some people in the educational community are troubled by the sanctions, particularly the closing of a school, that could be taken against a school that did not meet accreditation standards. School administrators generally are willing to improve their programs and undoubtedly are willing to undertake reforms voluntarily without being threatened with sanctions that only would undermine any positive spirit behind an accreditation process.

Response: Some people believe that sanctions add "teeth" to the educational reform proposals and would ensure that schools understood that the State is serious about educational reform. Past efforts to maintain a positive spirit within the educational community, it has been noted, only have resulted in an mediocre educational system in Michigan. Furthermore, the bill would require the Department of Education to provide technical assistance to a school district that did not meet accreditation standards.

Opposing Argument

An accreditation system that was required by the State could undermine Michigan's tradition of local control. Schools have demonstrated a willingness to be evaluated, as illustrated by the

fact that schools have sought accreditation by the University of Michigan or the North Central Association of Colleges and Schools and approximately 450 schools volunteered to participated in the Department of Education's Michigan Accreditation Program pilot study. Accreditation should not be mandated, but should be used as a tool for schools to conduct self-studies and reviews of their programs.

Response: While nearly all public high schools in the State are accredited, there still are problems in Michigan's high schools that have contributed to the erosion of Michigan's long tradition of providing a quality education. Is it any wonder that some people question the effectiveness of the voluntary accreditation program currently undertaken by high schools in the State? Furthermore, relatively few of the approximately 2,600 elementary and middle schools in the State are accredited.

Opposing Argument

If the bill were enacted, schools would face the problem of students' entering or leaving a school due to the accreditation status of the building. The independent decision by a child's parent or guardian to send the child to any accredited school with an appropriate grade level in the district would make it difficult to plan for and manage a building or school district under these circumstances. In addition, it is not certain what effect this provision could have on school desegregation plans in a school district. Furthermore, the bill is not clear on whether the school district or parent would be responsible for transporting a child to a school other than the school the child previously attended.

Opposing Argument

The bill would diminish local control of schools and increase costs to local districts and the State. While the bill would not mandate that school districts implement the quality proposals, the receipt of additional State funds by a district would be contingent on the implementation of the bill's provisions. Thus, many school districts that are in need of additional revenue would comply with the bill, whether or not a district agreed with the bill, just to receive additional State aid. Furthermore, the bill would require local districts and the Department of Education to issue various plans and reports. This could necessitate the employment of additional staff

by local districts and the Department in order to meet the reporting requirements.

Response: The reports required in the bill would be needed to review local districts' activities in order to ensure that the districts, indeed, were meeting the standards set by the State.

Opposing Argument

The bill would not guarantee that any school improvement would take place. Local districts could choose whether to comply with the bill's provisions. Only if a district did not issue an annual educational report would it be in jeopardy of forfeiting a percentage of its State aid. In addition, some people are concerned that standards established in the bill, such as accreditation, would be written broadly in order to include most of the school districts in the State. Thus, the status quo in education would prevail and there would be little improvement of the schools.

Opposing Argument

Enactment of House Bill 4009 would send contradictory messages as to the importance of strict certification standards for teachers. Public Act 302 of 1921 provides for the supervision of private, denominational, and parochial schools, including provisions for the certification of teachers in these schools. Recently, however, certain nonpublic schools have argued that the State has no authority over their schools and have refused to supply to the Department of Education information on enrollment, courses of study, and teacher qualifications. Throughout the debate over regulation, the State has argued that it has a legitimate interest in ensuring that students receive a quality education, and that to accomplish this the State requires public and private school teachers to meet certain certification standards. If House Bill 4009 were enacted, public and nonpublic schools, which already comply with State teacher certification standards, would be able to employ noncertificated and nonendorsed teachers for certain high school courses. In effect, the State would be taking the first step toward relaxation of its certification standards under House Bill 4009--a step that the State has been reluctant to take in dealing with certain private schools.

Opposing Argument

As society becomes more global, the ability to

speak only English is becoming a handicap. The bill would acknowledge this new reality by permitting a school district to employ a person who majored in a foreign language in college to teach that language without being a certificated teacher. Yet, is this the most effective means of promoting foreign language education? Two states--Minnesota and Virginia--are experimenting with innovative foreign language programs that will help students not only learn a foreign language, but gain an understanding of other cultures. Minnesota's foreign exchange program, "Minnesota in the World and the World in Minnesota", involves the exchange of Minnesota students and faculty with faculty and students from other countries, such as the Soviet Union, Australia, Japan, and China. Since 1986, more than 200 Minnesota public school teachers have spent two to three weeks abroad learning about foreign languages and cultures. Upon their return, these teachers develop instructional materials for statewide distribution. These exchanges reportedly have improved international education in that state, and it is projected that by the year 2000 each Minnesota high school graduate will have received an education on foreign cultures through social studies, music, the arts, and languages. In Virginia, high school students are offered intensive foreign language study through its Foreign Language Academies. Students, teachers, and administrators immerse themselves in a foreign language during the month-long academy, with formal classes in the morning and recreational activities in the afternoon. Many of the students who have completed the academy reportedly have returned to their high schools to become teachers' aides or language tutors. In both programs, the states have provided financial as well as administrative support. While the acknowledgement by the bill's proponents of the importance of foreign language education is laudable, merely providing the opportunity for persons who majored in foreign language to teach in the State's high schools may not be the most effective means of promoting and enhancing foreign language and international education programs in the State.

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