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SFA**BILL ANALYSIS**

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Senate Bill 898 (Substitute S-3 as passed by the Senate)
Sponsor: Senator Joanne G. Emmons
Committee: Education

Date Completed: 3-17-98

RATIONALE

Some educators, parents, and others across the State are concerned that efforts to improve student learning are being thwarted by a practice known as social promotion, in which students are automatically passed to the next grade level even though they have not achieved the necessary academic skills. In an effort to end social promotion, some people believe that students who have not mastered the academic skills needed to advance to the next grade level should not be promoted, and that school districts should be required to set local standards for grade advancement.

CONTENT

The bill would amend the Revised School Code to require the board of a school district, local act district, or public school academy to develop and adopt standards for promotion of pupils to the next grade level. A board also would have to adopt and implement a pupil promotion policy under which a pupil could not be promoted to the next grade level at the end of a school year if he or she had not met the locally adopted standards for pupil promotion.

Not later than the 2002-2003 school year, a board would have to implement the pupil promotion policy at least for pupils in grades K-3. A board would have to implement the policy for pupils in at least one additional grade level each subsequent school year until the policy had been implemented for pupils in every grade level. A pupil promotion policy would have to include at least all of the following: a process through which a pupil's parents or legal guardian would be notified if the child were not performing at grade level, as assessed in accordance with the standards; and, a process for developing an education plan to assist a pupil who was at risk of not being promoted, as determined by assessment in accordance with the

standards under the bill to achieve the necessary grade level skills and competencies.

The standards would have to include at least the following: exit skills expected for each grade level; attendance requirements; other specific, demonstrated, and identified competencies for each grade level; and, how and when a pupil's performance would be assessed. A board would have to ensure that the standards and the policy were distributed to the parents of pupils enrolled in the district or academy and were made available to members of the community. The bill specifies that this provision would not limit any rights a pupil had under State or Federal special education law.

Proposed MCL 380.1282a

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The bill would require the board of a school district, local act school district, or public school academy to develop and adopt standards for promoting pupils to the next grade level, and would prohibit a pupil from being promoted at the end of a school year if he or she had not met the locally adopted standards. Thus, the bill would help put an end to the practice of social promotion. People have raised concerns that some teachers are promoting students who have not demonstrated academic competency because retaining these students could be more damaging to their self-esteem than promoting them despite their lack of academic achievement, or simply because the students have reached a certain age. The bill would reverse a practice that has been cited as contributing to the poor performance of the educational system and

would support the ongoing movement in this State and across the country for tougher academic standards for students.

Supporting Argument

Many school districts across the State apparently have policies that address the promotion of students. For example, the Detroit Public Schools has implemented a program to define standard-based exit skills that are essential for a student to advance from one grade to the next. The bill would require that *all* school districts and academies in the State develop and adopt standards on pupil promotion. These standards would have to include certain information, such as expected exit skills and attendance requirements, but would let school districts determine the other specific, demonstrated, and identified competencies for each grade level as well as how and when a pupil's performance would be assessed. Thus, many of the details would be determined by the local school boards. In addition, the bill would require a board to establish a process for notifying a student's parent or legal guardian that the student was not performing at grade level, and would require that the standards and promotion policy be distributed to students' parents and be made available to the community. Thus, parents would have to be informed and could become involved in working with the school to ensure that the student achieved the necessary skills to advance to the next grade.

Response: The bill would infringe on the ability of school districts and academies to establish their own student promotion policies. Furthermore, some policies that are being implemented in school districts across the State apparently allow parents to make the final decision concerning the retention or promotion of their children. It is not clear whether a pupil promotion policy adopted under the bill would permit parents to make this determination. Although the bill would require that a parent be notified of the policy and of that fact that his or her child was not performing at grade level, it is not certain whether the student would be automatically prevented from moving to the next grade level, regardless of the parent's concerns or objections.

Supporting Argument

Governor John Engler in the 1998 State of the State address called for an end to social promotion, particularly when elementary students lack reading skills. Specifically, Governor Engler proposed that if a student is not reading by the end of the third grade, he or she must attend a summer school program designed to ensure that the

student has the ability to read at grade level. Governor Engler also proposed the "Reading Plan for Michigan" strategy to help children develop reading skills before they enter school, and directed the Early Childhood Office in the Department of Education to develop reading readiness kits to be made available to parents. In addition, the 1998-99 fiscal year budget proposed for the Department of Education would require the Department to do the following: develop a model summer reading program for students attending grades one through four in the following school year who have demonstrated need for reading skills training, develop diagnostic tools and student assessments to determine reading readiness, develop and distribute reading readiness kits, and develop and make available a Statewide resource guide of public and private service providers to assist parents in improving their children's reading skills. Further, a district would have to offer a summer reading program based on the Department's model beginning after the close of the 1998-99 school year. The appropriation bill (Senate Bill 910) also would prohibit, beginning in the 2001-2002 school year, a student from advancing from the third grade to the fourth grade without having achieved a score on a Department-approved standardized test indicating that the student was reading at the third grade level, unless otherwise indicated by a student individualized education plan. The requirements of Senate Bill 898 (S-3) would complement these efforts.

Response: The Governor's proposal would address only reading preparedness and would apply to students in the third grade. Senate Bill 898 (S-3), however, would apply to student academic skill levels in all subjects being taught at all grade levels, starting with students in kindergarten through third grade. In addition, a pupil promotion policy would not have to be implemented until the 2002-2003 school year, while the Department of Education appropriation bill would prohibit a student who did not read at grade level from advancing from third to fourth grade beginning with the 2001-2002 school year. The reading preparedness initiative clearly recognizes that extra resources and attention are needed to address a student's academic deficiencies. Programs and funds should be made available to school districts and academies to address student skill deficits in all subject areas, and not just reading. In addition, school districts that retained students once or twice during their academic careers, as a result of Senate Bill 898 (S-3), could end up bearing the total cost of their education in the later years. The State School Aid Act currently provides for membership funding for pupils who are less than

20 years of age on September 1 of a school year (MCL 388.1606).

Supporting Argument

During the early 1990s, moves were under way to overhaul student-retention rules in several big-city schools across the country. Educators and policy makers across the country are reconsidering grade retention policies. In the 1997 State of the Union address, President Bill Clinton encouraged the nonpromotion of students who earned low scores on standardized tests and he called for an end to social promotion. Under the 1996 Colorado Literacy Act, school districts cannot pass a child from third to fourth grade for reading classes unless certain tests, including the state's reading assessment, show the child is ready. In 1995, the Chicago School District ended social promotion of students with failing grades and mandated summer school for students who failed to meet specified achievement levels at the end of the school year. Recently in Texas, Governor George W. Bush proposed requiring by 2003 that third-, fifth-, and eighth-graders pass the Texas Assessment of Academic Skills tests to be promoted. Thus, Senate Bill 898 (S-3) would be similar to efforts currently under way or being proposed to end social promotion of students across the country.

Response: According to the Education Commission of the States, Florida has enacted legislation that encourages districts to abolish grade retention in the early grades and the Massachusetts Department of Education has advised districts to eliminate grade retention and pursue policies that will improve success rates for all students. In addition, some people claim that Chicago's mandatory summer school program for unprepared students has produced mixed results, with many students still failing to make the grade by the end of the program.

Opposing Argument

A get-tough approach of retaining students who have not demonstrated the academic skills needed to advance to the next grade level is part of an ongoing movement for stricter academic standards for students. Many people believe, however, that grade retention is rarely the answer. Grade retention is considered an ineffectual policy because of the following: The decision to retain, even after academic performance is considered, still can be made for nonacademic reasons and reportedly is applied more often to males, low-income children, minorities, and students who rate low in social adjustment; retained children do not do better academically after they repeated a grade, but instead fall farther and farther behind; and,

grade retention inadvertently contributes to the school dropout problem. In fact, researchers at the University of Colorado at Boulder determined that retention can actually harm academic achievement. The research noted that, controlling for background characteristics associated with dropping out such as race, ethnicity and gender, poor academic achievers who repeated a year were 20% to 30% more likely to drop out of school. Furthermore, research conducted by the University of Rochester reportedly found that students who repeated a year were more likely than their younger classmates to manifest behavioral problems, such as crying excessively, cheating, lying, and losing their tempers. As the Michigan Association of School Psychologists pointed out, retention actually may deter a school system from implementing more effective interventions; if the standardized method of instruction did not meet a student's needs the first time, there is little reason to believe it will do so the second time following a retention. Consequently, some people contend that neither retention nor promotion is the answer, but better approaches to student achievement problems would include high-quality preschool and kindergarten programs for young children; rigorous standards at each grade level; tutoring by adults and/or peers; increased parental involvement; enhanced teaching strategies; as well as early identification and intervention for pupils with academic problems.

Response: Senate Bill 898 (S-3) would be implemented first at the kindergarten to third grade levels in the hope of reaching children with achievement problems early in their academic careers so that they would be less likely to experience problems in school in later years and possibly drop out of school as a result.

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. Provisions of the bill may contain a mandated cost on local units of government pursuant to Section 29, Article IX of the State Constitution of 1963.

Local school districts and public school academies would experience increased costs in preparing, adopting, and distributing to parents the standards for promotion of pupils to the next grade level that would be required by the bill. Assessment of students annually against the standards, notification of parents, development of an education plan for a student who was at risk of not

being promoted, and mandatory retention of some pupils in their current grade level also would tend to increase costs. If the requirements were determined to be a new State-mandated program, the State would be required to pay the necessary costs.

Fiscal Analyst: E. Pratt

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.