

**SENATE BILL NO. 435**

March 11, 1999, Introduced by Senators BULLARD, YOUNG and STEIL  
and referred to the Committee on Appropriations.

A bill to amend 1979 PA 94, entitled  
"The state school aid act of 1979,"  
by amending section 104a (MCL 388.1704a), as amended by 1997 PA  
176.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 104a. (1) In order to receive state aid under this  
2 act, a district shall comply with this section and shall adminis-  
3 ter state assessments to high school pupils in the subject areas  
4 of communications skills, mathematics, science, and, beginning  
5 with pupils scheduled to graduate in 2000, social studies. ~~The~~  
6 SUBJECT TO SUBSECTION (15), THE district shall include on the  
7 pupil's high school transcript all of the following:  
8       (a) For each high school graduate who has completed a  
9 subject area assessment under this section, the pupil's scaled  
10 score on the assessment.

1 (b) If the pupil's scaled score on a subject area assessment  
2 falls within the range required under subsection (2) for a cate-  
3 gory established under subsection (2), an indication that the  
4 pupil has achieved state endorsement for that subject area.

5 (c) The number of school days the pupil was in attendance at  
6 school each school year during high school and the total number  
7 of school days in session for each of those school years.

8 (2) The department shall develop scaled scores for reporting  
9 subject area assessment results for each of the subject areas  
10 under this section. Subject to approval by the state board, the  
11 superintendent of public instruction shall establish 3 categories  
12 for each subject area indicating basic competency, above average,  
13 and outstanding, and shall establish the scaled score range  
14 required for each category. The department shall design and dis-  
15 tribute to districts, intermediate districts, and nonpublic  
16 schools a simple and concise document that describes these cate-  
17 gories in each subject area and indicates the scaled score ranges  
18 for each category in each subject area. A district may award a  
19 high school diploma to a pupil who successfully completes local  
20 district requirements established in accordance with state law  
21 for high school graduation, regardless of whether the pupil is  
22 eligible for any state endorsement.

23 (3) The assessments administered for the purposes of this  
24 section shall be administered to pupils during the last 30 school  
25 days of grade 11. The department shall ensure that the assess-  
26 ments are scored and the scores are returned to pupils, their  
27 parents or legal guardians, and districts not later than the

1 beginning of the pupil's first semester of grade 12. Not later  
2 than fall 1999, the department shall arrange for those portions  
3 of a pupil's assessment that cannot be scored mechanically to be  
4 scored in Michigan by persons who are Michigan teachers, retired  
5 Michigan teachers, or Michigan school administrators and who have  
6 been trained in scoring the assessments. The returned scores  
7 shall indicate the pupil's scaled score for each subject area  
8 assessment, the range of scaled scores for each subject area, and  
9 the range of scaled scores required for each category established  
10 under subsection (2). In reporting the scores to pupils, par-  
11 ents, and schools, the department shall provide specific, mean-  
12 ingful, and timely feedback on the pupil's performance on the  
13 assessment.

14       (4) For each pupil who does not achieve state endorsement in  
15 1 or more subject areas, the board of the district in which the  
16 pupil is enrolled shall provide that there be at least 1 meeting  
17 attended by at least the pupil and a member of the district's  
18 staff or a local or intermediate district consultant who is pro-  
19 ficient in the measurement and evaluation of pupils. The dis-  
20 trict may provide the meeting as a group meeting for pupils in  
21 similar circumstances. If the pupil is a minor, the district  
22 shall invite and encourage the pupil's parent, legal guardian, or  
23 person in loco parentis to attend the meeting and shall mail a  
24 notice of the meeting to the pupil's parent, legal guardian, or  
25 person in loco parentis. The purpose of this meeting and any  
26 subsequent meeting under this subsection shall be to determine an  
27 educational program for the pupil designed to have the pupil

1 achieve state endorsement in each subject area in which he or she  
2 did not achieve state endorsement. In addition, a district may  
3 provide for subsequent meetings with the pupil conducted by a  
4 high school counselor or teacher designated by the pupil's high  
5 school principal, and shall invite and encourage the pupil's  
6 parent, legal guardian, or person in loco parentis to attend the  
7 subsequent meetings. The district shall provide special programs  
8 for the pupil or develop a program using the educational programs  
9 regularly provided by the district unless the board of the dis-  
10 trict decides otherwise and publishes and explains its decision  
11 in a public justification report.

12 (5) A pupil who wants to repeat an assessment administered  
13 under this section may repeat the assessment, without charge to  
14 the pupil, in the next school year or after graduation. An indi-  
15 vidual may repeat an assessment at any time the district adminis-  
16 ters an applicable assessment instrument or during a retesting  
17 period under subsection (7).

18 (6) The department shall ensure that the length of the  
19 assessments used for the purposes of this section and the com-  
20 bined total time necessary to administer all of the assessments,  
21 including social studies, are the shortest possible that will  
22 still maintain the degree of reliability and validity of the  
23 assessment results determined necessary by the department. The  
24 department shall ensure that the maximum total combined length of  
25 time that schools are required to set aside for administration of  
26 all of the assessments used for the purposes of this section,  
27 including social studies, does not exceed 8 hours. However, this

1 subsection does not limit the amount of time that individuals may  
2 have to complete the assessments.

3       (7) The department shall establish, schedule, and arrange  
4 periodic retesting periods throughout the year for individuals  
5 who desire to repeat an assessment under this section. The  
6 department shall coordinate the arrangements for administering  
7 the repeat assessments and shall ensure that the retesting is  
8 made available at least within each intermediate district and, to  
9 the extent possible, within each district.

10       (8) A district shall provide accommodations to a pupil with  
11 disabilities for the assessments required under this section, as  
12 provided under section 504 of title V of the rehabilitation act  
13 of 1973, Public Law 93-112, 29 U.S.C. 794; subtitle A of title II  
14 of the Americans with disabilities act of 1990, Public Law  
15 101-336, 42 U.S.C. 12131 to 12134; and the implementing regula-  
16 tions for those statutes.

17       (9) For the purposes of this section, the state board shall  
18 develop or select and approve assessment instruments to measure  
19 pupil performance in communications skills, mathematics, social  
20 studies, and science. The assessment instruments shall be based  
21 on the state board model core academic content standards  
22 objectives.

23       (10) Upon written request by the pupil's parent or legal  
24 guardian stating that the request is being made for the purpose  
25 of providing the pupil with an opportunity to qualify to take 1  
26 or more postsecondary courses as an eligible student under the  
27 postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to

1 388.524, the board of a district shall allow a pupil who is in at  
2 least grade 10 to take an assessment administered under this sec-  
3 tion without charge at any time the district regularly adminis-  
4 ters the assessment or during a retesting period established  
5 under subsection (7). A district is not required to include in  
6 an annual education report, or in any other report submitted to  
7 the department for accreditation purposes, results of assessments  
8 taken under this subsection by a pupil in grade 11 or lower until  
9 the results of that pupil's graduating class are otherwise  
10 reported.

11 (11) All assessment instruments developed or selected and  
12 approved by the state under any statute or rule for a purpose  
13 related to K to 12 education shall be objective-oriented and con-  
14 sistent with the state board model core academic content stan-  
15 dards objectives.

16 (12) A person who has graduated from high school after 1996  
17 and who has not previously taken an assessment under this section  
18 may take an assessment used for the purposes of this section,  
19 without charge to the person, at the district from which he or  
20 she graduated from high school at any time that district adminis-  
21 ters the assessment or during a retesting period scheduled under  
22 subsection (7) and, UPON REQUEST, have his or her scaled score on  
23 the assessment included on his or her high school transcript. If  
24 the person's scaled score on a subject area assessment falls  
25 within the range required under subsection (2) for a category  
26 established under subsection (2), the district shall also

1 indicate on the person's high school transcript that the person  
2 has achieved state endorsement for that subject area.

3 (13) Not later than July 1 of each year until 2000, the  
4 department shall submit a comprehensive report to the legislature  
5 on the status of the assessment program under this section. The  
6 report shall include at least all of the following:

7 (a) The annual pupil assessment data.

8 (b) A description of the feedback provided to pupils, par-  
9 ents, and schools.

10 (c) A description of any significant alterations made in the  
11 program by the department or state board during the period cov-  
12 ered by the report.

13 (d) Any recommendations by the department or state board for  
14 legislative changes to the program.

15 (e) An update of the reports of the assessment advisory com-  
16 mittees of the state board.

17 ~~-(14) Pupils scheduled to graduate in 1998 who took the~~  
18 ~~assessments used for the purposes of this section during the~~  
19 ~~1996-97 school year may repeat 1 or more of the assessments~~  
20 ~~during the 1997-98 school year. The department, in cooperation~~  
21 ~~with districts, shall make arrangements for repeat assessments to~~  
22 ~~be available for these pupils in each district that operates a~~  
23 ~~high school during the 1997-98 school year in time for these~~  
24 ~~pupils to repeat the assessments before graduation. The repeat~~  
25 ~~assessments may be administered at times other than regular~~  
26 ~~school hours.~~

1       (14) ~~—(15)—~~ A child who is a student in a nonpublic school  
2 or home school may take an assessment under this section. To  
3 take an assessment, a child who is a student in a home school  
4 shall contact the district in which the child resides, and that  
5 district shall administer the assessment, or the child may take  
6 the assessment at a nonpublic school if allowed by the nonpublic  
7 school. Upon request from a nonpublic school, the department  
8 shall supply assessments and the nonpublic school may administer  
9 the assessment.

10       (15) IF A PUPIL'S PARENT OR LEGAL GUARDIAN OR, IF THE PUPIL  
11 IS AT LEAST AGE 18 OR IS AN EMANCIPATED MINOR, THE PUPIL NOTIFIES  
12 THE BOARD OF THE DISTRICT WITHIN 60 DAYS AFTER RECEIVING THE  
13 PUPIL'S SCORES ON THE ASSESSMENTS ADMINISTERED UNDER THIS SECTION  
14 THAT HE OR SHE DOES NOT WANT THE PUPIL'S SCORES ON THE ASSESS-  
15 MENTS TO BE INCLUDED ON THE PUPIL'S HIGH SCHOOL TRANSCRIPT, THEN  
16 THE DISTRICT SHALL NOT INCLUDE THE PUPIL'S SCORES ON THE PUPIL'S  
17 HIGH SCHOOL TRANSCRIPT.

18       (16) The purpose of the assessment under this section is to  
19 assess pupil performance in mathematics, science, social studies,  
20 and communication arts for the purpose of improving academic  
21 achievement and establishing a statewide standard of competency.  
22 The assessment under this section provides a common measure of  
23 data that will contribute to the improvement of Michigan schools'  
24 curriculum and instruction by encouraging alignment with  
25 Michigan's curriculum framework standards. These standards are  
26 based upon the expectations of what pupils should know and be  
27 able to do by the end of grade 11.



- 1 (17) As used in this section:
- 2 (a) "Communications skills" means reading and writing.
- 3 (b) "Social studies" means geography, history, economics,
- 4 and American government.