

**SENATE BILL NO. 444**

March 17, 1999, Introduced by Senator BENNETT and referred to the Committee on Appropriations.

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 104a and 164c (MCL 388.1704a and 388.1764c), section 104a as amended by 1997 PA 176 and section 164c as added by 1995 PA 130.

**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 district shall include on the pupil's high school transcript all  
7 of the following:

1 (a) For each high school graduate who has completed a  
2 subject area assessment under this section, the pupil's scaled  
3 score on the assessment.

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

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

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

26 (3) The assessments administered for the purposes of this  
27 section shall be administered to pupils during the last 30 school

1 days of grade 11. The department shall ensure that the  
2 assessments are scored and the scores are returned to pupils,  
3 their parents or legal guardians, and districts not later than  
4 the beginning of the pupil's first semester of grade 12. Not  
5 later than fall 1999, the department shall arrange for those por-  
6 tions of a pupil's assessment that cannot be scored mechanically  
7 to be scored in Michigan by persons who are Michigan teachers,  
8 retired Michigan teachers, or Michigan school administrators and  
9 who have been trained in scoring the assessments. The returned  
10 scores shall indicate the pupil's scaled score for each subject  
11 area assessment, the range of scaled scores for each subject  
12 area, and the range of scaled scores required for each category  
13 established under subsection (2). In reporting the scores to  
14 pupils, parents, and schools, the department shall provide spe-  
15 cific, meaningful, and timely feedback on the pupil's performance  
16 on the assessment.

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

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

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

21 (6) The department shall ensure that the length of the  
22 assessments used for the purposes of this section and the com-  
23 bined total time necessary to administer all of the assessments,  
24 including social studies, are the shortest possible that will  
25 still maintain the degree of reliability and validity of the  
26 assessment results determined necessary by the department. The  
27 department shall ensure that the maximum total combined length of

1 time that schools are required to set aside for administration of  
2 all of the assessments used for the purposes of this section,  
3 including social studies, does not exceed 8 hours. However, this  
4 subsection does not limit the amount of time that individuals may  
5 have to complete the assessments.

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

13 (8) A district shall provide accommodations to a pupil with  
14 disabilities for the assessments required under this section, as  
15 provided under section 504 of title V of the rehabilitation act  
16 of 1973, Public Law 93-112, 29 U.S.C. 794; subtitle A of title II  
17 of the Americans with disabilities act of 1990, Public Law  
18 101-336, 42 U.S.C. 12131 to 12134; and the implementing regula-  
19 tions for those statutes.

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

26 (10) Upon written request by the pupil's parent or legal  
27 guardian stating that the request is being made for the purpose

1 of providing the pupil with an opportunity to qualify to take 1  
2 or more postsecondary courses as an eligible student under the  
3 postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to  
4 388.524, the board of a district shall allow a pupil who is in at  
5 least grade 10 to take an assessment administered under this sec-  
6 tion without charge at any time the district regularly adminis-  
7 ters the assessment or during a retesting period established  
8 under subsection (7). A district is not required to include in  
9 an annual education report, or in any other report submitted to  
10 the department for accreditation purposes, results of assessments  
11 taken under this subsection by a pupil in grade 11 or lower until  
12 the results of that pupil's graduating class are otherwise  
13 reported.

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

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

1 required under subsection (2) for a category established under  
2 subsection (2), the district shall also indicate on the person's  
3 high school transcript that the person has achieved state  
4 endorsement for that subject area.

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

9 (a) The annual pupil assessment data.

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

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

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

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

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

~~1 assessments may be administered at times other than regular  
2 school hours.~~

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

12       (15) ~~-(16)-~~ The purpose of the assessment under this section  
13 is to assess pupil performance in mathematics, science, social  
14 studies, and communication arts for the purpose of improving aca-  
15 demic achievement and establishing a statewide standard of  
16 competency. The assessment under this section provides a common  
17 measure of data that will contribute to the improvement of  
18 Michigan schools' curriculum and instruction by encouraging  
19 alignment with Michigan's curriculum framework standards. These  
20 standards are based upon the expectations of what pupils should  
21 know and be able to do by the end of grade 11.

22       (16) ~~-(17)-~~ As used in this section:

23       (a) "Communications skills" means reading and writing.

24       (b) "Social studies" means geography, history, economics,  
25 and American government.

26       Sec. 164c. (1) A district or intermediate district shall  
27 not use funds appropriated under this act to purchase foreign

1 goods or services if competitively priced American goods or  
2 AMERICAN services of comparable quality are available.

3 (2) AS USED IN THIS SECTION:

4 (A) "AMERICAN GOODS" MEANS GOODS PRODUCED IN THE UNITED  
5 STATES OF AMERICA.

6 (B) "AMERICAN SERVICES" MEANS SERVICES PROVIDED BY INDIVIDU-  
7 ALS WHO ARE CITIZENS OF THE UNITED STATES OF AMERICA OR BY BUSI-  
8 NESS ENTITIES THAT MAINTAIN THEIR PRINCIPAL PLACE OF BUSINESS IN  
9 THE UNITED STATES OF AMERICA.