



**House  
Legislative  
Analysis  
Section**

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**MEAP TEST IRREGULARITIES  
NOTIFICATION**

**House Bill 5049 as enrolled  
Public Act 640 of 2002  
Second Analysis (1-13-03)**

**Sponsor: Rep. Judith Scranton  
House Committee: Education  
Senate Committee: Education**

***THE APPARENT PROBLEM:***

On June 7, 2001 the state treasurer announced he had sent letters to 22 school districts and one public school academy asking them to explain groups of identical or nearly identical test answers on science and social studies tests that were part of the Michigan Educational Assessment Program (MEAP). According to the *Gongwer Michigan Report*, in scoring the short-answer portions of the 5<sup>th</sup> grade science social studies and writing, 7<sup>th</sup> grade writing, and 8<sup>th</sup> grade science and social studies exams, readers found incidents at 71 schools where groups of answers were the same. See *BACKGROUND INFORMATION* below. Of the 71 schools involved, 42 were from the Detroit Public School District, the state's largest. The remaining were from across the state, including Lansing, Pontiac, and Benton Harbor, as well as Brighton, Bangor, Northville, Dollar Bay-Tamarak and West Ottawa. The list also included Woodward Academy and Hudsonville Christian School. Although these were not the first incidents of suspected cheating (a charter school had its scores zeroed out the previous year), this was the largest number of suspected cheating incidents in the more than 30 years the tests have been administered.

As the report of testing irregularities emerged, legislators and educators noted the new "high stakes" status of the MEAP tests, the scores now determining students' eligibility for the Michigan Merit Award Scholarships awarded to high achieving 8<sup>th</sup> graders and high school seniors, as well as serving as the basis for \$50,000 school achievement bonuses called Golden Apple Awards. To ensure the integrity of the high-stakes testing program, the chairman of the Senate Education Committee, cautioning that the total number of irregularities was small--involving only about two percent of all schools--called upon administrators of the districts to explain their test results at a public hearing scheduled for June 14, a week after the testing irregularities were released to the press.

At the hearing, educators from across Michigan blasted state officials for creating the MEAP scandal. Of the more than two dozen school officials who testified, only one said they had found any irregularity in testing. [An internal investigation in the Flint Public Schools found one student had cheated.] Indeed, the students and faculty in at least one school, an elementary school in the Brighton School District, grappled with a false allegation that was aired by local press and radio reporters, because state officials confused its school code (or ID number) with an entirely different school building elsewhere in the state. Officials from most of the 22 school districts accused of possible cheating testified that their own investigations found no evidence that teachers or students cheated. Instead, most school officials said teachers were simply following the state's core curriculum, and students were obviously learning it. Many expressed frustration and anger at the process used to notify them of suspected irregularities, claiming it totally undermined the integrity of all public schools. As a result of their testimony, the state treasurer apologized repeatedly for releasing the information to the media before notifying the schools of the irregularities.

In order to avoid errors when test irregularities are announced, legislation has been introduced to address this issue.

***THE CONTENT OF THE BILL:***

House Bill 5049 would amend the Revised School Code to specify that if the Department of Treasury or any other state agency had reason to suspect that there were irregularities in a school district's or a public school academy's administration of a Michigan Educational Assessment Program (MEAP) test, or in the preparation of students for a MEAP test, personnel in the department or any other state

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agency would be prohibited from reporting those suspected irregularities to any person or entity who was not involved in the scoring or administration of the test, before they notified the school district or public school academy officials and allowed them at least five business days to respond.

MCL 380.1279a

### **BACKGROUND INFORMATION:**

The testing irregularities were first reported by the readers (sometimes called scorers) of the open-ended questions on the examinations, a group of people who are specially trained and employed by Measurement Inc., a test-scoring company located in Durham, North Carolina. Measurement Inc. grades tests for more than 25 states. The multiple choice portions of the MEAP tests also are scored out-of-state, but by NCS Pearson, Inc of Minnesota.

Overall, the Department of Treasury spent about \$15 million to have the MEAP tests graded by the out-of-state scorers each year. However, the scoring budget for the fiscal year 2001-2002 has been reduced by \$5 million to \$10 million. According to the *Detroit Free Press*, in an article entitled "Budget Cuts Lead State to Change MEAP Tests" (1-9-02), the reduction in the budget is possible because the tests have been shortened and fewer person hours are needed to score them. The article notes that in particular, those who administer the MEAP have drastically cut the number of questions on the standardized tests that require the student to write out answers in their own words, because those kind of answers are too expensive to grade. In most cases according to the report, the number of test questions requiring a written response will be replaced by multiple choice questions, although in some instances the total number of multiple choice questions also will be reduced. For example, the 8<sup>th</sup> grade social studies test used to have seven open-ended questions, and this year it will have one. Further, the 4<sup>th</sup> grade and 7<sup>th</sup> grade reading tests have been cut from 68 to 40 multiple choice questions. Some educators have worried that reducing the number of questions students answer may dilute the MEAP tests. What is more, they warn that comparisons between last year's test results and this year's test results will have to be carefully undertaken, since students will now have less opportunity to get 50 points, or whatever number of points is needed to score well.

### **FISCAL IMPLICATIONS:**

The House Fiscal Agency notes that the bill appears to have no fiscal impact for either the state or local units of government. (1-22-02)

The Senate Fiscal Agency concurs, noting that the bill would have no fiscal impact on state or local government. (12-10-02)

### **ARGUMENTS:**

#### **For:**

Genuine testing irregularities must be noted and curtailed if the MEAP high-stakes test is to maintain its integrity. Inaccurate reports undermine the confidence school officials must have in the state agency officials who administer the tests, as well as the confidence that citizens in a community must have in their local educators if effective school-home partnerships are to enhance student learning. This legislation will require that school administrators have five business days to review suspected irregularities before the reports of irregularities are released by the Department of Treasury to the media.

#### **Against:**

During committee debate, one supporter of the bill observed that false allegations and errors in reporting MEAP test irregularities could be avoided if the responsibility for the testing program were transferred from the Department of Treasury and returned to the Department of Education, where professional educators and education advocates who are familiar with school life and high academic standards could work to ensure more genuine accountability.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.