



**House  
Legislative  
Analysis  
Section**

House Office Building, 9 South  
Lansing, Michigan 48909  
Phone: 517/373-6466

**REVISE MEAP; ACCREDITATION;  
ANNUAL EDUCATION REPORT;  
CREATE ASSESSMENT  
GOVERNING BOARD**

**House Bill 5879**

**Sponsor: Rep. Wayne Kuipers**

**House Bill 5880**

**Sponsor: Rep. Brian Palmer**

**House Bill 5881**

**Sponsor: Rep. Charles LaSata**

**Committee: Education**

**Complete to 4-10-02**

**A SUMMARY OF HOUSE BILLS 5879 - 5881 AS INTRODUCED 4-10-02**

The bills would amend various acts to establish the Michigan Assessment Governing Board; to revise the Michigan Educational Assessment Program (MEAP), the accreditation program, and the annual education report; and to repeal certain acts. House Bill 5879 is tie-barred to both House Bills 5880 and 5881, and each of those bills is tie-barred to House Bill 5879. A more detailed description of each bill follows.

House Bill 5879 would add Part 20c to the Revised School Code, a section entitled "Michigan Education Assessment Program," and also amend six existing sections (MCL 380.627 et al.). Under Part 20c the Michigan Assessment Governing Board would be created as an independent board within the Department of Treasury. However, the department would provide staff for the board, and its budgeting and procurement functions would be supervised by the state treasurer.

Assessment Governing Board Duties. Under the bill, the Assessment Governing Board would do all of the following: a) establish and administer the Michigan Education Assessment Program; b) establish and administer the assessment system under the accreditation program; c) administer the state endorsement test program under the Michigan Education Assessment Program; d) perform duties regarding the Michigan Merit Award Program as provided under the Michigan Merit Award Scholarship Act; e) administer other testing programs established for public school students under state or federal law; f) make Golden Apple Awards as provided under the School Aid Act; and g) perform other functions as provided by law.

Assessment Governing Board Membership. The Assessment Governing Board would have 19 members: 11 members appointed by the governor, two members appointed by the State Board of Education, and four members appointed by the legislative leadership, and also would include the superintendent of public instruction (or a designee), and the governor (or a designee). The governor's appointees would include the following people: i) two public school teachers (one of whom worked at the elementary level, and the second at the secondary level); ii) two public school principals (one of whom worked at the elementary level, and the second at the secondary

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level); iii) a current or former superintendent; iv) two individuals who were experts in academic testing and measurement; v) two individuals who were chief executive officers of businesses or business leaders; and vi) two members who represented the general public, at least one of whom was the parent of a school-aged child.

Michigan Education Assessment Program. House Bill 5879 specifies that the assessment governing board would administer an assessment program to all public school students in the subject areas of reading, mathematics, language arts, science, and social studies. However, beginning in 2005, the board would be required to replace the social studies assessment with an assessment in civics. [Under the bill, "civics" is defined to mean American history, American government, Michigan history, and Michigan government.] The board also would designate the grades in which each assessment was to be administered, but would be required to ensure that each subject area assessment be administered to students in at least one of grades one to five, in at least one of grades six to eight, and in at least one of grades nine to 12. These tests could be used for the purposes specified in section 1279 of the act (which concerns the MEAP subject matter high school test and endorsement) or section 1280b of the act (which concerns annual elementary school tests for children in grades one to five, and if the bill were adopted would concern annual tests for grades one to eight), and for the purposes of Part 20c.

Objective-oriented tests. The bill specifies that assessments used in the Michigan Education Assessment Program would have to be objective-oriented and consistent with the model core academic content standards objectives. Further, the bill specifies that the State Board of Education, the Assessment Governing Board, and the boards of each school district would be required to ensure that the MEAP tests not be used to measure students' values or attitudes.

Assessment Administration Advisory Committee. Under the bill, the governing board would be required to maintain an 11-member assessment administration advisory committee, composed of representatives from school districts, intermediate school districts, school administrators, teachers, and parents, with the appointments reflecting the geographic and population diversity of school districts in the state. The representatives of school districts and intermediate school districts would be people who have expertise in testing or test administration. The advisory committee members would be required to evaluate the tests and assessments and make recommendations to the state board and department on issues related (but not limited) to the following: administration; scoring; reporting and use of test results; length of the tests; time of the testing period during the school year; feedback to students, parents, and schools; accurate and relevant reporting of test results to the general public; the selection of a re-testing period; local scoring and other scoring issues; categories of scoring on MEAP tests and categories of state endorsement; and, professional development for teachers to assist in preparing students to succeed on the tests and assessments.

Annual report to legislature. Not later than July 1 each year, the Assessment Governing Board would be required to submit a comprehensive report to the legislature on the status of the assessment program. The report would include at least all of the following: a) the annual student assessment data; b) a description of the feedback provided to students, parents, and schools; c) a description of any significant alterations made in the program by the governing board; d) any recommendations for legislative changes; and e) an update of the reports of the assessment advisory committees to the governing board.

Assessment Governing Board terms; member compensation; board contracts. The bill specifies that the members of the board would serve four-year terms, except that of the members first appointed by the governor, six would be appointed for a term of two years, and five for a term of four years. A vacancy would be filled for the balance of the un-expired term in the same manner as was an original appointment. The members would not receive compensation for services, but the authority could reimburse each members for expenses. The board members could enter into a contract or agreement with another agency or entity, including but not limited to a school district, intermediate school district, another state or political subdivision of another state, or a state or national association, to provide services or management related to an assessment instrument.

In addition to adding the new chapter to the Revised School Code that is described above, House Bill 5879 would make changes to six sections of the code. A brief description of those changes follows.

Annual Educational Report Card; Disaggregation of Data; Benchmarks. Currently under the law, a school district must prepare and publish an annual educational report card, in order to receive accreditation. House Bill 5879 would require that each indicator in that report card receive a letter grade. Currently the report card must report the number and percentage of parents, legal guardians, or persons in loco parentis who participate in parent-teacher conferences for students at the elementary, middle, and secondary school level. The bill would eliminate this provision.

In addition, House Bill 5879 would require that beginning in 2003, the board of a school district ensure that information it publishes in its annual educational report card be disaggregated by race/ethnicity, socioeconomic level, gender, and migrant status, and by whether the student has a disability or speaks English as a second language (as specified under federal law).

Under the bill, the superintendent of public instruction, the Department of Treasury, and the Department of Information Technology would be required to develop and implement a coordinated system for public reporting of the disaggregated information, at the state, school district, and school building levels. The system also would include reporting of the grades earned by each school, and would make the state- and school district-level information available to school districts so they could distribute it with the school building-level information.

House Bill 5879 also would require that the board of a school district ensure that the annual educational report card for each of its schools include a description provided by the department of the annual benchmarks being used for that year, for measuring adequate yearly progress for accreditation purposes, and a description of the measures that school district had implemented or planned for encouraging meaningful parental involvement.

Achievement Gap Addressed in School Improvement Plan. Currently under the law, all gender equity issues raised in the disaggregated information must be addressed as part of the planning, development, implementation, evaluation, and updating of the school improvement plan of each school within a school district. House Bill 5879 would eliminate that requirement

to specify instead that all achievement gap issues revealed in the disaggregated information be addressed.

High School Test. Currently under the law, each school district or public school academy administers a state assessment (more customarily known as the grade 11 MEAP test) to high school students in the subject areas of communication skills, mathematics, science, and social studies. House Bill 5879 requires that beginning in 2005, the Michigan Assessment Governing Board replace the social studies assessment with an assessment in civics. The bill also specifies that if the assessment governing board determined that it would be consistent with the purposes of this provision, it could designate the grade 11 MEAP tests as the assessments to be used for the high school test. The bill also specifies that the assessment governing board could use the same categories and scaled score ranges as those now being used.

Throughout this provision, the bill eliminates references to the department and to the superintendent of public instruction, and instead makes reference to the Michigan Assessment Governing Board. The bill also would delete the requirement that the Department of Education appoint an 11-member assessment advisory committee. Further, the bill would eliminate an outdated requirement that the department make an annual comprehensive report about the state assessment program to the legislature, as well as an outdated provision that allowed students to re-take the high school test in the 1997-1998 school year.

Standards-Based Accreditation for Schools. Currently under the law, accredited schools are 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 performance. The building-level evaluation used in the accreditation process includes, but is not limited to, school data collection, self-study, visitation and validation, determination of performance data to be used, and the development of a school improvement plan. These standards would be eliminated under the bill. Further, the bill would eliminate the provisions of the law that provide for summary accreditation based on student performance on the MEAP test. Instead, new standards would be put in place, consistent with the adequate yearly progress provisions of federal law, so that the department considered the progress a school was making toward meeting the federal law goal of 100 percent pupil proficiency in reading and mathematics by the end of the 2012-2013 school year.

Under the bill, the new standards would be required to meet all of the following: a) include letter grades (using a grading scale established by the department) assigned to each school on an A to E scale, with a letter grade for each of four indicators: student achievement, measured to reflect i) status (measured by MEAP), ii) change (with a focus on reducing achievement gaps among subgroups of students), and iii) annual individual pupil performance (over the most recent three-year period). Further, the standards would include three additional factors: i) quality of teachers (including teacher attendance rate, a school district self-assessment to determine within subject area of teaching expertise and teacher deployment, and professional development); ii) quality of schools (including student attendance rate, drop-out rate, graduation rate, self-assessment to include quality of curriculum, school improvement plan, and use of educational technology); and iii) parental and community involvement.

Under the bill the determination of a school accreditation would be based on the school's letter grades for each of the indicators. The department would determine the evaluation process to be used for determining whether a school met the accreditation standards, and for determining the school's letter grade, as well as the letter grades necessary, overall, to earn accreditation. However, the bill specifies that 75 percent of the determination would be based on the school's grades on the pupil achievement indicator, with the most weight given to improvement of individual pupil performance over time; and, the remaining 25 percent would be based on the school's grades for the remaining three indicators.

The bill would require the department to develop and distribute the proposed accreditation and grading system not later than July 1, 2002.

Unaccredited Schools; Priority Schools. If a school is unaccredited for one year, it would be required to develop a learning action plan, submit it to the department for approval, and implement it within the next school year. Under the bill, if a school has been unaccredited for two consecutive years, all of the following would apply: a) the department would place the school on a list of priority schools, identifying it as in need of special assistance. The list of priority schools would be published no later than October 1 of each year.

Partnership for Success Team; Local Ensured Learning Team. Within 30 days of designating a priority school, the department would establish a Partnership for Success Team for the school, and that team would have at least two members having expertise the school needed. Under the bill, a Partnership for Success Team would work with the local Ensured Learning Team to assist in the development and implementation of the Learning Action Plan, and provide technical assistance to the school and the school district. Within 30 days after being notified that one or more of its schools had been included on the priority school list, the board or board of directors of the school district would establish a local Ensured Learning Team. The Ensured Learning Team would have nine members, including the following: a member of the board or board of directors, the superintendent, a principal or chief administrator, a teacher selected by a majority vote of the teachers, two parents, a representative of the local business community, a representative of the general public (who could be a representative of a local law enforcement, social service, or health care agency working with the school).

Under the bill, the local Ensured Learning Team would, in collaboration with the school's Partnership for Success Team, develop a new Ensured Learning Action Plan, adopted by a majority vote of the Ensured Learning Team within 90 days after the first meeting. Within 20 days, the local Ensured Learning Team would submit the action plan to the board, or board of directors, making certain the plan was available for review at the school district offices at least 10 days before submitting it to the board. Within 30 days, the board would be required to approve the plan, or return it to the Ensured Learning Team with specific suggestions for modifications.

The bill requires that an Ensured Learning Action Plan contain or address at least all of the following: i) creation of building-level academic standards that met or exceeded state academic standards (addressing both content and skill level); ii) performance goals, benchmarks, and

timetables for improvement of academic performance; iii) revision to curriculum, instructional practices, or programs that would enable students to meet the described academic standards; iv) a system of assessments to measure the performance of the school to ensure that the performance of every student was improving over time (Under the bill, the system would include at least MEAP assessments developed by the Assessment Governing Board, and the Ensured Learning Action Plan would be required to address how the results of the assessments would be used to improve instruction at all grade levels); v) specific procedures to help increase the information available to parents about school performance, and to encourage parental participation; vi) specific policies to increase the authority granted to and responsibility for performance expected of the school (including granting the principal greater control over personnel, budget, and educational programs); and vii) the contents of the annual report to be filed with the department each year while the school is on the priority schools lists.

Under the bill, the local Ensured Learning Team would be required to submit an annual report to the department each year that one or more schools were included on the priority schools list. Further, the Ensured Learning Action Plan could also address the ability of the school district to use one of the following options to assist the school: a) conversion of one or more schools to a public school academy; and, b) contracting with a private management firm for the management of a school.

If a school were included on the priority school list for two consecutive years, the superintendent of public instruction would be required under the bill to do one or more of the following: a) appoint an administrator for the school at the expense of the affected school district or public school academy; b) take effective steps to facilitate allowing a parent to enroll a child in an accredited public school that was either within the school district, or was open for enrollment of nonresident students; c) align the school with an existing research-based school improvement model, or establish an affiliation for providing assistance with a college or university; and d) order the school district or board of directors to close the school, and to make arrangements for the students to be educated at an accredited public school with an appropriate grade level either within the school district, or within a district that had open enrollment of nonresident students.

Further, House Bill 5879 specifies that a school that is located in a school district that is a qualifying school district and has a school reform board in place (such as Detroit) would not be subject to the measures that would create the Ensured Learning Action Plans, local teams, and partnership teams.

Finally, House Bill 5879 specifies that the department would implement these provisions using funds appropriated under the School Aid Act that are designated for Partnership for Success Teams. The number, size, and scope of activities for Partnership for Success Teams for a particular fiscal year would be determined by the sufficiency of the funding appropriated. The department would prioritize the placement and functions of the teams, based on the priority schools with the greatest need for assistance. The bill also specifies that if a school were required under Title I of the Elementary and Secondary Education Act to take corrective action as provided under federal law, the school would be subject to the measures under the bill, in addition to being required to take corrective action as required under federal law.

Annual Elementary and Middle School Assessments. Currently under the law, the board of a school district or the board of directors of a public school academy administers each school year to all students in grades one to five, a nationally-recognized norm-referenced test or other assessment, which can include a locally-adopted assessment approved by the superintendent of public instruction. Further, a school district or academy can use the Michigan literacy progress profile to assess literacy in grades one to three. House Bill 5879 would retain these provisions, but specify that after implementation of the grades three to eight assessments (see below), this provision would apply only to grades one and two.

In addition, the bill specifies that not later than the 2005-2006 school year, the board of a school district, or board of directors of a public school academy that operates any of grades three to eight, would be required to administer annual assessments in reading and mathematics to all students in grades three to eight. Further and under the bill, the Michigan Assessment Governing Board would be required to develop and implement this aspect of the assessment system. The bill specifies that these assessments could include the Michigan Education Assessment Program (MEAP) tests developed by the governing board, and the tests would be required to be aligned with the Michigan Education Assessment Program development by the governing board, as well as with the state board recommended model core academic curriculum content standards. Under the bill, the assessment governing board would be required to ensure that the reading and mathematics assessment instruments that were used resulted in scoring that allowed for all of the following: a) comparison of pupil performance from year to year; b) comparison of pupil performance to Michigan Education Assessment Program results; c) disaggregation of results by race, gender, and socio-economic status, and by whether a pupil had a disability or spoke English as a second language; and, d) timely return of results so that they could be used as a diagnostic tool, but not later than October 1 of the next school year.

Finally, the bill specifies that the legislature encourages the development and implementation of online assessments for the purposes of these provisions.

Repealed sections. The bill would repeal section 1279c of the Revised School Code (MCL 380.1279c) which specifies that MEAP tests cannot be used to measure students' values or attitudes (this would be included in the a different section of the act). Further, the bill would repeal Public Act 38 of 1970 (MCL 388.1081 to 388.1086), which created the original Michigan Educational Assessment Program (what was then called an assessment of educational progress and remedial assistance).

House Bill 5880 would amend the Michigan Merit Award Scholarship Act (MCL 390.1454 et al.) to specify that the merit award board, currently established within the Department of the Treasury, would be an agency of the Michigan Assessment Governing Board. The merit award board would include among its members the chairperson of the Assessment Governing Board, instead of the state treasurer, and the Assessment Governing Board chair would serve as the merit award board chairman, as well. The Assessment Governing Board would be required to establish the statewide toll-free telephone line and Internet access to receive questions, comments, and complaints concerning the assessment tests, rather than the merit award board as is currently the case. House Bill 5880 also would eliminate the merit award board's authority to promulgate rules governing assessment test administration and cheating.

House Bill 5881 would amend the School Aid Act (MCL 388.1622b et al.) to revise its provisions concerning the accreditation and MEAP programs. Currently, the act requires that a district administer in each grade level that it operates in grades 1 to 5, a standardized assessment approved by the department of grade-appropriate basic educational skills. The act also specifies that a district can use the Michigan literacy progress profile to satisfy this requirement for grades 1 to 3. House Bill 5881 would eliminate this provision, and require instead that a district comply with section 1280b of the Revised School Code (which concerns the MEAP grades 1 to 8 annual assessments that would be created by House Bill 5879).

In addition, House Bill 5881 would update the eligibility requirements for the Golden Apple Award, place responsibility for the program with the Michigan Assessment Governing Board, and set the award at \$1,000. Currently the law specifies that an award consists of \$1,000 per each full-time employee who works in an eligible elementary school, plus \$10,000, to be allocated to the principal for the school for school improvements, and it cannot be less than \$50,000 for each school.

Further, House Bill 5881 would require that beginning in 2005, the Michigan Assessment Governing Board replace the social studies assessment with an assessment in civics. [Under the bill, "civics" would be defined to mean American history, American government, Michigan history, and Michigan government.] Currently, the act specifies that in order to receive state aid, a district must administer state assessments to high school students in the subject areas of communications skills, mathematics, science, and social studies. The bill also replaces references to the Department of Education and the state superintendent of public instruction, to instead make reference to the Michigan Assessment Governing Board concerning the design and administration of assessments. The bill specifies that the board could use the same categories and scaled score ranges as those used before the bill's enactment into law.

Finally, House Bill 5881 would delete an outdated provision of the act that required that not later than July 1 of each year until the year 2000, the department submit a comprehensive report to the legislature and the state budget director on the status of the assessment program.

Analyst: J. Hunault

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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.