

**SUBSTITUTE FOR
HOUSE BILL NO. 5879**

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 627, 1204a, 1277a, 1279, 1280, and 1280b
(MCL 380.627, 380.1204a, 380.1277a, 380.1279, 380.1280, and
380.1280b), section 627 as amended by 1995 PA 289, section 1204a
as amended by 1996 PA 159, section 1277a as added by 1993 PA 335,
section 1279 as amended by 1997 PA 175, section 1280 as amended
by 1997 PA 180, and section 1280b as added by 2000 PA 230, and by
adding part 20c; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 627. (1) An intermediate school board shall do all of
2 the following:

3 (a) Upon request of the board of a constituent district,
4 furnish services on a management, consultant, or supervisory
5 basis to the district. The intermediate school board may charge

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1 a constituent district for the costs of services furnished under
2 this subdivision.

3 (b) Upon request of the board of a constituent district,
4 direct, supervise, and conduct cooperative educational programs
5 on behalf of the district. The intermediate school board may
6 utilize available funds not otherwise obligated by law and accept
7 contributions from other sources for the purpose of financing the
8 programs. The funds shall be deposited with the treasurer in a
9 cooperative education fund and shall be disbursed as the interme-
10 diate school board directs. The intermediate school board may
11 employ personnel and take other action necessary to direct,
12 supervise, and conduct cooperative educational programs.

13 (c) Conduct cooperative programs mutually agreed upon by 2
14 or more intermediate school boards.

15 (d) Conduct cooperative programs mutually agreed upon with 1
16 or more public school academies.

17 (2) An intermediate school board may conduct or participate
18 in cooperative programs for information technology systems which
19 may include, but are not limited to, equipment for storage,
20 retrieval, processing, and transmission of voice, data, or video
21 communications; contract with public schools or other educational
22 institutions, government agencies, public broadcasting stations
23 or systems, or information technology service providers in con-
24 ducting the programs; and acquire and install the equipment,
25 software, and training necessary for the programs in the manner
26 and at the places the intermediate school board considers
27 appropriate.

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(3) Upon request of the board of a constituent school district or public school academy located within the intermediate school district, an intermediate school board may provide, either solely or as part of a consortium of intermediate school districts, comprehensive school improvement support services to the district or public school academy. These services may include, but are not limited to, all of the following:

(a) The development of a core curriculum.

(b) The evaluation of a core curriculum.

(c) The preparation of 1 or more school improvement plans.

(d) The dissemination of information concerning 1 or more school improvement plans.

(e) The preparation of an annual educational report CARD UNDER SECTION 1204A.

(f) Professional development.

(g) Educational research.

(h) The compilation of instructional objectives, instructional resources, pupil demographics, and pupil academic achievement.

(i) Assistance in obtaining school accreditation.

(j) The provision of general technical assistance.

(4) To the extent allowed by law, if the most cost-effective business services are not available to constituent districts, an intermediate school board shall offer to provide for constituent districts and public school academies located within the intermediate school district business services that can be accomplished more cost-effectively by an intermediate school district. An

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1 intermediate school district may charge a fee for these services,
2 and may contract with a third party for provision of some or all
3 of these services. These services may include, but are not
4 limited to, any of the following:

5 (a) Data processing.

6 (b) Payroll.

7 (c) Class scheduling.

8 (d) Distance learning coordination and delivery.

9 (e) Transportation services.

10 Sec. 1204a. (1) In addition to the requirements specified
11 in section 1280 for accreditation under that section, if the
12 board of a school district wants all of its schools to be accred-
13 ited under section 1280, the board shall prepare and submit to
14 the state board not later than September 1 each year, and shall
15 provide that each school in the school district distributes to
16 the public at an open meeting not later than October 15 each
17 year, an annual educational report CARD. The annual educational
18 report CARD shall include, but is not limited to, all of the fol-
19 lowing information for each public school in the school
20 district:

21 (a) The accreditation status of each school within the
22 school district, the process by which pupils are assigned to par-
23 ticular schools, and a description of each specialized school.

24 (b) The status of the 3- to 5-year school improvement plan
25 as described in section 1277 for each school within the school
26 district.

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1 (c) A copy of the core academic curriculum and a description
2 of its implementation, including how pupils are ensured
3 enrollment in those courses or subjects necessary for them to
4 receive adequate instruction in all of the core academic curricu-
5 lum, and the variances and explanation for the variances from the
6 model core academic curriculum CONTENT STANDARDS developed by the
7 state board pursuant to section 1278(2).

8 (d) A report for each school of aggregate student achieve-
9 ment based upon the results of any locally-administered student
10 competency tests, MICHIGAN EDUCATION ASSESSMENT PROGRAM TESTS OR
11 OTHER statewide assessment tests, or nationally normed achieve-
12 ment tests that were given to pupils attending THE school. ~~in~~
13 ~~the school district.~~

14 (e) For the year in which the report is filed and the previ-
15 ous school year, the district pupil retention report as defined
16 in section 6 of the state school aid act of 1979, ~~being~~
17 ~~section 388.1606 of the Michigan Compiled Laws~~ MCL 388.1606.

18 (f) The number and percentage of parents, legal guardians,
19 or persons in loco parentis with pupils enrolled in the school
20 district who participate in parent-teacher conferences for pupils
21 at the elementary, middle, and secondary school level, as
22 appropriate.

23 (g) ~~Beginning in the 1996-97 school year, if~~ IF the school
24 is a high school, all of the following:

25 (i) The number and percentage of pupils enrolled in the
26 school who enrolled during the immediately preceding school year
27 in 1 or more postsecondary courses under the postsecondary

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1 enrollment options act, ~~or under section 21b of the state school~~
2 ~~aid act of 1979, being section 388.1621b of the Michigan Compiled~~
3 ~~Laws~~ 1996 PA 160, MCL 388.511 TO 388.524.

4 (ii) The number of college level equivalent courses offered
5 to pupils enrolled in the school, in the school district, and in
6 consortia or cooperative programs available to pupils of the
7 school district.

8 (iii) The number and percentage of pupils enrolled in the
9 school who were enrolled in at least 1 college level equivalent
10 course during the immediately preceding school year, disaggre-
11 gated by grade level.

12 (iv) The number and percentage of pupils described in sub-
13 paragraph (iii) who took a college level equivalent credit
14 examination.

15 (v) The number and percentage of pupils described in sub-
16 paragraph (iv) who achieved a score on a college level equivalent
17 credit examination that is at or above the level recommended by
18 the testing service for college credit.

19 (h) A comparison with the immediately preceding school year
20 of the information required by subdivisions (a) through (g).

21 (2) BEGINNING IN 2003, THE BOARD OF A SCHOOL DISTRICT SHALL
22 ENSURE THAT THE INFORMATION LISTED IN SUBSECTION (1), EXCEPT THE
23 INFORMATION IN SUBSECTION (1)(F), IS DISAGGREGATED BY
24 RACE/ETHNICITY, SOCIOECONOMIC LEVEL, GENDER, AND MIGRANT STATUS
25 AND BY WHETHER THE PUPIL HAS A DISABILITY OR SPEAKS ENGLISH AS A
26 SECOND LANGUAGE, AS REQUIRED UNDER SECTION 1111 OF SUBPART 1 OF

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1 PART A OF TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT
2 OF 1965, PUBLIC LAW 89-10, 20 U.S.C. 6311.

3 (3) THE SUPERINTENDENT OF PUBLIC INSTRUCTION, MICHIGAN
4 ASSESSMENT GOVERNING BOARD, CENTER FOR EDUCATIONAL PERFORMANCE
5 AND INFORMATION, AND DEPARTMENT OF INFORMATION TECHNOLOGY SHALL
6 DEVELOP AND IMPLEMENT A COORDINATED SYSTEM FOR PUBLIC REPORTING
7 OF THE INFORMATION LISTED IN SUBSECTION (1), DISAGGREGATED AS
8 REQUIRED UNDER SUBSECTION (2), AT THE STATE, SCHOOL DISTRICT, AND
9 SCHOOL BUILDING LEVELS. THIS SYSTEM SHALL MAKE THE STATE- AND
10 SCHOOL DISTRICT-LEVEL INFORMATION AVAILABLE TO SCHOOL DISTRICTS
11 SO THAT IT MAY BE DISTRIBUTED ALONG WITH THE SCHOOL
12 BUILDING-LEVEL INFORMATION DISTRIBUTED UNDER SUBSECTION (1).

13 (4) IN ADDITION TO THE INFORMATION LISTED IN SUBSECTION (1),
14 THE BOARD OF A SCHOOL DISTRICT SHALL ENSURE THAT THE ANNUAL EDU-
15 CATIONAL REPORT CARD FOR EACH OF ITS SCHOOLS INCLUDES A DESCRIP-
16 TION PROVIDED BY THE DEPARTMENT OF THE ANNUAL BENCHMARKS BEING
17 USED FOR THAT YEAR FOR MEASURING ADEQUATE YEARLY PROGRESS FOR
18 ACCREDITATION PURPOSES AND A DESCRIPTION OF THE MEASURES THE
19 SCHOOL DISTRICT HAS IMPLEMENTED OR PLANNED FOR ENCOURAGING MEAN-
20 INGFUL PARENTAL INVOLVEMENT.

21 (5) ~~-(2)-~~ At least annually, the department shall prepare
22 and submit to the legislature a report of the information
23 described in subsection (1)(g), aggregated for statewide and
24 intermediate school district totals, using the information sub-
25 mitted by school districts.

26 (6) ~~-(3)-~~ The ~~state board~~ DEPARTMENT shall prepare and
27 make available to school districts suggestions for accumulating

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1 the information listed in subsection (1) and a model annual
2 educational report CARD for school districts to consider in the
3 implementation of this section.

4 (7) ~~-(4)-~~ As used in this section, "college level equivalent
5 course" and "college level equivalent credit examination" mean
6 those terms as defined in ~~part 14a~~ SECTION 1471.

7 Sec. 1277a. (1) ~~Beginning in the 1994-95 school year, in~~
8 IN addition to the requirements specified in section 1280 for
9 accreditation under that section, if the board of a school dis-
10 trict wants all of the schools in the school district to be
11 accredited under section 1280, the board shall ensure ~~all of the~~
12 ~~following:~~

13 ~~(a) That all information assembled regarding each school~~
14 ~~building within the school district to prepare the school's~~
15 ~~annual educational report, as described in section 1204a, is dis-~~
16 ~~aggregated by gender and is provided to the individuals partici-~~
17 ~~pating in the development of the district's school improvement~~
18 ~~plan under section 1277.~~

19 ~~(b) That all gender equity issues raised by~~ THAT ALL
20 ACHIEVEMENT GAP ISSUES REVEALED IN the disaggregated information
21 described in ~~subdivision (a)~~ SECTION 1204A(2) are addressed as
22 part of the planning, development, implementation, evaluation,
23 and updating of the school improvement plan of each school within
24 the school district under section 1277 or, if such an issue is
25 not addressed, that an explanation is made to the community of
26 the reason or reasons why the issue is not addressed. An
27 explanation for not addressing ~~a gender equity~~ AN ACHIEVEMENT

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1 GAP issue may be included in the school's annual educational
2 report CARD under section 1204a.

3 (2) Upon request by a school district, intermediate school
4 district, or school, the department shall provide advice and
5 technical assistance to the district or school on meeting the
6 requirements of this section.

7 Sec. 1279. (1) The board of a school district or public
8 school academy shall administer state assessments UNDER THIS
9 SECTION to high school pupils in the subject areas of communica-
10 tions skills, mathematics, science, and ~~—, beginning with pupils~~
11 ~~scheduled to graduate in 2000,~~ social studies. IF THE MICHIGAN
12 ASSESSMENT GOVERNING BOARD DETERMINES THAT IT WOULD BE CONSISTENT
13 WITH THE PURPOSES OF THIS SECTION, THE MICHIGAN ASSESSMENT GOV-
14 ERNING BOARD MAY DESIGNATE THE GRADE 11 MICHIGAN EDUCATION
15 ASSESSMENT PROGRAM TESTS AS THE ASSESSMENTS TO BE USED FOR THE
16 PURPOSES OF THIS SECTION. The board OF A SCHOOL DISTRICT OR BOARD
17 OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY shall include on the
18 pupil's high school transcript all of the following:

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

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

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

4 (2) The ~~department~~ MICHIGAN ASSESSMENT GOVERNING BOARD
5 shall develop scaled scores for reporting subject area assessment
6 results for each of the subject areas under this section.
7 Subject to approval by the state board, the ~~superintendent of~~
8 ~~public instruction~~ MICHIGAN ASSESSMENT GOVERNING BOARD shall
9 establish 3 categories for each subject area indicating basic
10 competency, above average, and outstanding, and shall establish
11 the scaled score range required for each category. The
12 ~~department~~ MICHIGAN ASSESSMENT GOVERNING BOARD shall design and
13 distribute to school districts, intermediate school districts,
14 public school academies, and nonpublic schools a simple and con-
15 cise document that describes these categories in each subject
16 area and indicates the scaled score ranges for each category in
17 each subject area. A school district or public school academy
18 may award a high school diploma to a pupil who successfully com-
19 pletes local school district or public school academy require-
20 ments established in accordance with state law for high school
21 graduation, regardless of whether the pupil is eligible for any
22 state endorsement. FOR THE PURPOSES OF THIS SECTION, THE
23 MICHIGAN ASSESSMENT GOVERNING BOARD MAY USE THE SAME CATEGORIES
24 AND SCALED SCORE RANGES AS THOSE THAT WERE USED UNDER THIS SUB-
25 SECTION BEFORE THE EFFECTIVE DATE OF SECTION 1493.

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

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

19 (4) For each pupil who does not achieve state endorsement in
20 1 or more subject areas, the board of the school district or
21 public school academy in which the pupil is enrolled shall pro-
22 vide that there be at least 1 meeting attended by at least the
23 pupil and a member of the school district's or public school
24 academy's staff or a local or intermediate school district con-
25 sultant who is proficient in the measurement and evaluation of
26 pupils. The school district or public school academy may provide
27 the meeting as a group meeting for pupils in similar

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

21 (5) A pupil who wants to repeat an assessment administered
22 under this section may repeat the assessment, without charge to
23 the pupil, in the next school year or after graduation. An indi-
24 vidual may repeat an assessment at any time the school district
25 or public school academy administers an applicable assessment
26 instrument or during a retesting period under subsection (7).

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1 (6) The ~~department~~ MICHIGAN ASSESSMENT GOVERNING BOARD
2 shall ensure that the length of the assessments used for the
3 purposes of this section and the combined total time necessary to
4 administer all of the assessments ~~—, including social studies,~~
5 are the shortest possible that will still maintain the degree of
6 reliability and validity of the assessment results determined
7 necessary by the ~~department~~ MICHIGAN ASSESSMENT GOVERNING
8 BOARD. The ~~department~~ MICHIGAN ASSESSMENT GOVERNING BOARD
9 shall ensure that the maximum total combined length of time that
10 schools are required to set aside for administration of all of
11 the assessments used for the purposes of this section, including
12 social studies, does not exceed 8 hours. However, this subsec-
13 tion does not limit the amount of time that individuals may have
14 to complete the assessments.

15 (7) The ~~department~~ MICHIGAN ASSESSMENT GOVERNING BOARD
16 shall establish, schedule, and arrange periodic retesting periods
17 throughout the year for individuals who desire to repeat an
18 assessment under this section. The ~~department~~ MICHIGAN ASSESS-
19 MENT GOVERNING BOARD shall coordinate the arrangements for admin-
20 istering the repeat assessments and shall ensure that the retest-
21 ing is made available at least within each intermediate school
22 district and, to the extent possible, within each school
23 district.

24 (8) A school district or public school academy shall provide
25 accommodations to a pupil with disabilities for the assessments
26 required under this section, as provided under section 504 of
27 title V of the rehabilitation act of 1973, Public Law 93-112, 29

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1 U.S.C. 794; subtitle A of title II of the Americans with
2 disabilities act of 1990, Public Law 101-336, 42 U.S.C. 12131 to
3 12134; and the implementing regulations for those statutes.

4 (9) For the purposes of this section, the ~~state board~~
5 MICHIGAN ASSESSMENT GOVERNING BOARD shall develop or select and
6 approve assessment instruments to measure pupil performance in
7 communications skills, mathematics, social studies, and science.
8 The assessment instruments shall be based on the state board
9 model core academic content standards objectives.

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

15 (10) ~~(11)~~ A person who has graduated from high school
16 after 1996 and who has not previously taken an assessment under
17 this section may take an assessment used for the purposes of this
18 section, without charge to the person, at the school district
19 from which he or she graduated from high school at any time that
20 school district administers the assessment or during a retesting
21 period scheduled under subsection (7) and have his or her scaled
22 score on the assessment included on his or her high school
23 transcript. If the person's scaled score on a subject area
24 assessment falls within the range required under subsection (2)
25 for a category established under subsection (2), the school dis-
26 trict shall also indicate on the person's high school transcript

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1 that the person has achieved state endorsement for that subject
2 area.

3 ~~(12) 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 ~~(13) 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 school districts and public school academies, shall make~~
22 ~~arrangements for repeat assessments to be available for these~~
23 ~~pupils in each school district that operates a high school during~~
24 ~~the 1997-98 school year in time for these pupils to repeat the~~
25 ~~assessments before graduation. The repeat assessments may be~~
26 ~~administered at times other than regular school hours.~~

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1 (11) ~~—(14)—~~ 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 school district in which the child resides, and
5 that school district shall administer the assessment, or the
6 child may take the assessment at a nonpublic school if allowed by
7 the nonpublic school. Upon request from a nonpublic school, the
8 ~~department~~ MICHIGAN ASSESSMENT GOVERNING BOARD shall supply
9 assessments and the nonpublic school may administer the
10 assessment.

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

22 ~~—(16) Not later than 90 days after the effective date of~~
23 ~~this subsection, the state board shall appoint an 11-member~~
24 ~~assessment administration advisory committee to advise the state~~
25 ~~board on Michigan education assessment program (MEAP) tests and~~
26 ~~on the assessments used for state endorsements under this~~
27 ~~section. This advisory committee shall be composed of~~

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1 ~~representatives of school districts, intermediate school~~
2 ~~districts, school administrators, teachers, and parents, with the~~
3 ~~appointments reflecting the geographic and population diversity~~
4 ~~of school districts in this state. The representatives of school~~
5 ~~districts and intermediate school districts shall be persons who~~
6 ~~are expert in testing or test administration. This advisory com-~~
7 ~~mittee shall evaluate these tests and assessments and make recom-~~
8 ~~mendations to the state board and department on issues related to~~
9 ~~administration, scoring, and reporting and use of results of~~
10 ~~these tests and assessments, including, but not limited to,~~
11 ~~length of the tests and assessments; the time of the testing~~
12 ~~period during the school year; feedback provided to pupils, par-~~
13 ~~ents, and schools; accurate and relevant reporting of results to~~
14 ~~the general public; the selection of a retesting period and pro-~~
15 ~~cedures and arrangements for repeating tests or assessments;~~
16 ~~local scoring and other general issues regarding scoring of tests~~
17 ~~and assessments; categories of scoring on the MEAP tests and cat-~~
18 ~~egories of state endorsement under this section; and professional~~
19 ~~development for teachers to assist in preparing pupils to have~~
20 ~~the necessary skills and knowledge to succeed on the tests and~~
21 ~~assessments.~~

22 (13) ~~(17)~~ As used in this section:

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

24 (B) "MICHIGAN ASSESSMENT GOVERNING BOARD" MEANS THE MICHIGAN
25 ASSESSMENT GOVERNING BOARD CREATED UNDER SECTION 1493.

26 (C) ~~(b)~~ "Social studies" means geography, history,
27 economics, and American government.

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1 Sec. 1280. (1) The board of a school district, ~~that does~~
2 ~~not want to be~~ TO AVOID BEING subject to the measures described
3 in this section, shall ensure that each public school within the
4 school district is accredited. THE BOARD OF DIRECTORS OF A
5 PUBLIC SCHOOL ACADEMY, TO AVOID BEING SUBJECT TO THE MEASURES
6 DESCRIBED IN THIS SECTION, SHALL ENSURE THAT THE PUBLIC SCHOOL
7 ACADEMY IS ACCREDITED.

8 (2) As used in ~~subsection (1), and subject to subsection~~
9 ~~(6)~~ THIS SECTION, "accredited" means certified by the ~~state~~
10 ~~board~~ DEPARTMENT as having met or exceeded state board-approved
11 standards. ~~established for 6 areas of school operation: admin-~~
12 ~~istration and school organization, curricula, staff, school plant~~
13 ~~and facilities, school and community relations, and school~~
14 ~~improvement plans and student performance. The building-level~~
15 ~~evaluation used in the accreditation process shall include, but~~
16 ~~is not limited to, school data collection, self-study, visitation~~
17 ~~and validation, determination of performance data to be used, and~~
18 ~~the development of a school improvement plan.~~ THE STANDARDS
19 SHALL BE BASED ON ALL OF THE FOLLOWING FACTORS:

20 (A) PARENTAL INVOLVEMENT.

21 (B) PUPIL ACHIEVEMENT, INCLUDING STATUS, CHANGE, AND ANNUAL
22 INDIVIDUAL PUPIL PROGRESS.

23 (C) QUALITY OF TEACHERS.

24 (D) QUALITY OF SCHOOLS.

25 (E) COMMUNITY INVOLVEMENT.

26 (3) ~~The~~ NOT LATER THAN JULY 1, 2002, THE department shall
27 develop and distribute to all public schools proposed

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1 accreditation standards THAT MEET THE REQUIREMENTS OF
2 SUBSECTION (2). Upon distribution of the proposed standards, the
3 department shall ~~hold statewide public hearings for the purpose~~
4 ~~of receiving testimony concerning the standards. After a review~~
5 ~~of the testimony, the department shall revise and~~ submit the
6 proposed standards to the state board. After a review and revi-
7 sion, if appropriate, of the proposed standards, the state board
8 shall submit the proposed standards to the senate and house com-
9 mittees that have the responsibility for education legislation.
10 ~~Upon approval by these committees, the~~ THE department shall
11 distribute to all public schools the standards to be applied to
12 each school for accreditation purposes.

13 ~~(4) The department shall develop and distribute to all~~
14 ~~public schools standards for determining that a school is eligi-~~
15 ~~ble for summary accreditation under subsection (6). The stan-~~
16 ~~dards shall be developed, reviewed, approved, and distributed~~
17 ~~using the same process as prescribed in subsection (3) for~~
18 ~~accreditation standards, and shall be finally distributed and~~
19 ~~implemented not later than December 31, 1994.~~

20 (4) ~~-(5)-~~ The standards for accreditation ~~or summary~~
21 ~~accreditation~~ under this section THAT ARE BASED ON PUPIL
22 ACHIEVEMENT shall include pupil performance on Michigan education
23 assessment program (MEAP) tests and the percentage of pupils
24 achieving state endorsement under section 1279 as criteria, but
25 shall not be based solely on pupil performance on MEAP tests or
26 on the percentage of pupils achieving state endorsement under
27 section 1279. The standards shall also include multiple year

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1 change in pupil performance on MEAP tests and multiple year
2 change in the percentage of pupils achieving state endorsement
3 under section 1279 as criteria. ~~If it is necessary for the~~
4 ~~state board to revise accreditation or summary accreditation~~
5 ~~standards established under subsection (3) or (4) to comply with~~
6 ~~this subsection, the revised standards shall be developed,~~
7 ~~reviewed, approved, and distributed using the same process as~~
8 ~~prescribed in subsection (3).~~

9 (5) IF THE DEPARTMENT DECIDES TO REVISE THE ACCREDITATION
10 STANDARDS OR PROCESSES UNDER THIS SECTION AFTER THEY ARE IMPLE-
11 MENTED UNDER SUBSECTION (3), THE DEPARTMENT SHALL DEVELOP PRO-
12 POSED REVISED STANDARDS OR PROCESSES AND SUBMIT THOSE TO THE
13 STATE BOARD. AFTER A REVIEW AND REVISION, IF APPROPRIATE, OF THE
14 PROPOSED REVISIONS BY THE STATE BOARD, THE DEPARTMENT SHALL
15 SUBMIT THE PROPOSED REVISIONS TO THE SENATE AND HOUSE STANDING
16 COMMITTEES ON EDUCATION. UPON APPROVAL BY THESE COMMITTEES, THE
17 DEPARTMENT SHALL DISTRIBUTE AND IMPLEMENT THE REVISIONS. THE
18 DEPARTMENT SHALL ENSURE THAT THE EXISTING STANDARDS AND PROCESSES
19 CONTINUE TO BE APPLIED UNTIL THE REVISIONS ARE FINALIZED,
20 APPROVED, AND FULLY IMPLEMENTED.

21 (6) If the department determines that a public school has
22 met the ACCREDITATION standards established under ~~subsection (4)~~
23 ~~or (5) for summary accreditation~~ THIS SECTION, the school is
24 considered to be accredited. ~~without the necessity for a full~~
25 ~~building-level evaluation under subsection (2).~~

26 ~~(7) If the department determines that a school has not met~~
27 ~~the standards established under subsection (4) or (5) for summary~~

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1 ~~accreditation but that the school is making progress toward~~
2 ~~meeting those standards, or if, based on a full building-level~~
3 ~~evaluation under subsection (2), the department determines that a~~
4 ~~school has not met the standards for accreditation but is making~~
5 ~~progress toward meeting those standards, the school is in interim~~
6 ~~status and is subject to a full building-level evaluation as pro-~~
7 ~~vided in this section.~~

8 (7) ~~-(8)-~~ If THE DEPARTMENT DETERMINES THAT a school has not
9 met the ACCREDITATION standards established under ~~subsection (4)~~
10 ~~or (5) for summary accreditation and is not eligible for interim~~
11 ~~status under subsection (7)~~ THIS SECTION, the school is unac-
12 credited and IS subject to the measures provided in this
13 section. NOT LATER THAN OCTOBER 1 EACH YEAR, THE DEPARTMENT
14 SHALL PUBLISH AND SUBMIT TO THE LEGISLATURE A LIST OF UNACCREDI-
15 TED SCHOOLS.

16 (8) ~~-(9)-~~ The department shall annually review and evaluate
17 for accreditation purposes the performance of each school. ~~that~~
18 ~~is unaccredited and as many of the schools that are in interim~~
19 ~~status as permitted by the department's resources.~~

20 (9) ~~-(10)-~~ The department shall, and the intermediate school
21 district to which a school district is constituent, a consortium
22 of intermediate school districts, or any combination thereof may,
23 provide technical assistance, as appropriate, to a school that is
24 unaccredited ~~or that is in interim status~~ upon request of the
25 board of the school district in which the school is located OR
26 BOARD OF DIRECTORS IF THE SCHOOL IS A PUBLIC SCHOOL ACADEMY. ~~If~~

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1 ~~requests to the department for technical assistance exceed the~~
2 ~~capacity, priority shall be given to unaccredited schools.~~

3 (10) SUBJECT TO SUBSECTION (13), IF A SCHOOL IS UNACCREDITED
4 FOR 1 YEAR, THE SCHOOL SHALL DEVELOP AN ENSURED LEARNING ACTION
5 PLAN FOR IMPROVEMENT OF THE SCHOOL AND SUBMIT THAT PLAN TO THE
6 DEPARTMENT FOR APPROVAL IN THE FORM AND MANNER PRESCRIBED BY THE
7 DEPARTMENT. THE SCHOOL SHALL IMPLEMENT THE PLAN NOT LATER THAN
8 THE NEXT SCHOOL YEAR AFTER THE DEPARTMENT APPROVES THE PLAN.

9 (11) ~~A~~ SUBJECT TO SUBSECTION (13), IF A school ~~that~~ has
10 been unaccredited for ~~3~~ 2 consecutive years, ~~is subject to 1~~
11 ~~or more~~ ALL of the following ~~measures, as determined by the~~
12 ~~superintendent of public instruction~~ APPLY:

13 ~~(a) The superintendent of public instruction or his or her~~
14 ~~designee shall appoint at the expense of the affected school dis-~~
15 ~~trict an administrator of the school until the school becomes~~
16 ~~accredited.~~

17 ~~(b) A parent, legal guardian, or person in loco parentis of~~
18 ~~a child who attends the school may send his or her child to any~~
19 ~~accredited public school with an appropriate grade level within~~
20 ~~the school district.~~

21 (A) THE DEPARTMENT SHALL PLACE THE SCHOOL ON A LIST OF PRI-
22 ORITY SCHOOLS IDENTIFYING THE SCHOOL AS A SCHOOL IN NEED OF SPE-
23 CIAL ASSISTANCE. THE DEPARTMENT SHALL DEVELOP AND PUBLISH THE
24 LIST OF PRIORITY SCHOOLS NOT LATER THAN OCTOBER 1 OF EACH YEAR,
25 BEGINNING IN THE FIRST YEAR IN WHICH 1 OR MORE SCHOOLS HAVE BEEN
26 DETERMINED TO BE UNACCREDITED FOR 2 CONSECUTIVE YEARS UNDER THIS
27 SECTION.

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1 (B) IF THE DEPARTMENT INCLUDES A SCHOOL ON THE PRIORITY
2 SCHOOLS LIST UNDER SUBDIVISION (A), THE DEPARTMENT SHALL NOTIFY
3 THE SCHOOL AND SCHOOL DISTRICT AND SHALL PROVIDE THE SCHOOL AND
4 SCHOOL DISTRICT WITH A DETAILED LIST OF THE REASONS FOR THE
5 SCHOOL BEING INCLUDED ON THE LIST.

6 (C) WITHIN 30 DAYS AFTER THE DEPARTMENT NOTIFIES A SCHOOL
7 THAT IT HAS BEEN INCLUDED ON THE PRIORITY SCHOOLS LIST UNDER
8 SUBDIVISION (A), THE DEPARTMENT SHALL IDENTIFY METHODS FOR
9 ASSISTING THE SCHOOL. SUBJECT TO SUBSECTION (14), AS PART OF
10 THIS ASSISTANCE THE DEPARTMENT SHALL ESTABLISH A PARTNERSHIP FOR
11 SUCCESS TEAM FOR THE SCHOOL. A PARTNERSHIP FOR SUCCESS TEAM
12 SHALL CONSIST OF AT LEAST 2 MEMBERS SELECTED BY THE DEPARTMENT.
13 THE MEMBERS SHALL BE PERSONS WITH EXPERTISE AND EXPERIENCE IN
14 APPROPRIATE AREAS SUCH AS SCHOOL OR BUSINESS ADMINISTRATION,
15 STAFF DEVELOPMENT, EARLY CHILDHOOD EDUCATION, CURRICULUM DEVELOP-
16 MENT, BUDGET DEVELOPMENT, FISCAL MANAGEMENT, LABOR RELATIONS, OR
17 SPECIAL EDUCATION. THE MEMBERS MAY INCLUDE, BUT ARE NOT LIMITED
18 TO, CERTIFICATED TEACHERS, SCHOOL ADMINISTRATORS, SCHOOL BOARD
19 MEMBERS, SCHOOL BUSINESS OFFICIALS, ACADEMIC EXPERTS, OR EDUCA-
20 TIONAL OR BUSINESS CONSULTANTS. A PARTNERSHIP FOR SUCCESS TEAM
21 SHALL DO ALL OF THE FOLLOWING:

22 (i) WORK WITH THE LOCAL ENSURED LEARNING TEAM ESTABLISHED
23 UNDER SUBDIVISION (D) TO ASSIST IN THE DEVELOPMENT AND IMPLEMEN-
24 TATION OF THE ENSURED LEARNING ACTION PLAN UNDER
25 SUBDIVISION (D).

26 (ii) PROVIDE TECHNICAL ASSISTANCE TO THE SCHOOL AND THE
27 SCHOOL DISTRICT FOR ACHIEVING ACCREDITATION.

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1 (D) WITHIN 30 DAYS AFTER BEING NOTIFIED THAT 1 OR MORE OF
2 ITS SCHOOLS HAS BEEN INCLUDED ON THE PRIORITY SCHOOLS LIST UNDER
3 SUBDIVISION (A), THE BOARD OR BOARD OF DIRECTORS OF THE SCHOOL
4 DISTRICT SHALL ESTABLISH A LOCAL ENSURED LEARNING TEAM. A LOCAL
5 ENSURED LEARNING TEAM SHALL CONSIST OF THE FOLLOWING 9 MEMBERS:

6 (i) A MEMBER OF THE BOARD OR BOARD OF DIRECTORS OF THE
7 SCHOOL DISTRICT, DESIGNATED BY THE BOARD OR BOARD OF DIRECTORS.

8 (ii) THE SUPERINTENDENT OF SCHOOLS OF THE SCHOOL DISTRICT,
9 OR CHIEF ADMINISTRATOR IF THE SCHOOL DISTRICT IS A PUBLIC SCHOOL
10 ACADEMY.

11 (iii) THE INTERMEDIATE SUPERINTENDENT OF THE INTERMEDIATE
12 SCHOOL DISTRICT IN WHICH THE SCHOOL DISTRICT IS LOCATED, OR HIS
13 OR HER DESIGNEE.

14 (iv) A PRINCIPAL OF A SCHOOL OPERATED BY THE SCHOOL DIS-
15 TRICT, SELECTED BY THE SCHOOL DISTRICT SUPERINTENDENT OF SCHOOLS,
16 OR CHIEF ADMINISTRATOR IF THE SCHOOL DISTRICT IS A PUBLIC SCHOOL
17 ACADEMY, FROM A SCHOOL THAT IS AMONG THE MOST SUCCESSFUL OPERATED
18 BY THE SCHOOL DISTRICT.

19 (v) A TEACHER EMPLOYED BY THE SCHOOL DISTRICT, SELECTED BY
20 MAJORITY VOTE OF THE TEACHERS EMPLOYED BY THE SCHOOL DISTRICT WHO
21 VOTE ON THE SELECTION.

22 (vi) TWO PARENTS OF PUPILS ENROLLED IN THE SCHOOL DISTRICT
23 IN AN UNACCREDITED SCHOOL, SELECTED IN A MANNER DESIGNED TO
24 ENSURE PUBLIC AWARENESS THAT THIS POSITION IS AVAILABLE AND TO
25 ENSURE PUBLIC INPUT BEFORE THE SELECTION.

26 (vii) A REPRESENTATIVE OF THE LOCAL BUSINESS COMMUNITY,
27 SELECTED IN A MANNER DESIGNED TO ENSURE PUBLIC AWARENESS THAT

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1 THIS POSITION IS AVAILABLE AND TO ENSURE PUBLIC INPUT BEFORE THE
2 SELECTION.

3 (viii) A REPRESENTATIVE OF THE GENERAL PUBLIC, SELECTED IN A
4 MANNER DESIGNED TO ENSURE PUBLIC AWARENESS THAT THIS POSITION IS
5 AVAILABLE AND TO ENSURE PUBLIC INPUT BEFORE THE SELECTION. A
6 PERSON WHO WORKS WITH THE SCHOOL DISTRICT AS A REPRESENTATIVE OF
7 A LOCAL LAW ENFORCEMENT, SOCIAL SERVICE, OR HEALTH CARE AGENCY
8 MAY BE CONSIDERED TO BE A REPRESENTATIVE OF THE GENERAL PUBLIC.

9 (E) THE LOCAL ENSURED LEARNING TEAM ESTABLISHED UNDER SUBDI-
10 VISION (D), IN COLLABORATION WITH THE SCHOOL'S PARTNERSHIP FOR
11 SUCCESS TEAM, SHALL DEVELOP A NEW ENSURED LEARNING ACTION PLAN
12 FOR THE SCHOOL AND ASSIST IN ITS IMPLEMENTATION. THE ENSURED
13 LEARNING ACTION PLAN SHALL BE ADOPTED BY MAJORITY VOTE OF THE
14 LOCAL ENSURED LEARNING TEAM, WITHIN 60 DAYS AFTER THE FIRST MEET-
15 ING OF THE LOCAL ENSURED LEARNING TEAM. WITHIN 20 DAYS AFTER THE
16 LOCAL ENSURED LEARNING TEAM ADOPTS AN ENSURED LEARNING ACTION
17 PLAN, THE LOCAL ENSURED LEARNING TEAM SHALL SUBMIT THE ENSURED
18 LEARNING ACTION PLAN TO THE BOARD OR BOARD OF DIRECTORS OF THE
19 SCHOOL DISTRICT AND TO THE DEPARTMENT. THE LOCAL ENSURED LEARN-
20 ING TEAM SHALL ARRANGE FOR THE ENSURED LEARNING ACTION PLAN TO BE
21 AVAILABLE FOR REVIEW AT THE SCHOOL DISTRICT OFFICES AT LEAST 10
22 DAYS BEFORE SUBMITTING THE ENSURED LEARNING ACTION PLAN TO THE
23 BOARD OR BOARD OF DIRECTORS. WITHIN 30 DAYS AFTER SUBMISSION OF
24 AN ENSURED LEARNING ACTION PLAN, THE BOARD OR BOARD OF DIRECTORS
25 AND THE DEPARTMENT EACH SHALL EITHER APPROVE THE PLAN OR RETURN
26 IT TO THE LOCAL ENSURED LEARNING TEAM WITH SPECIFIC SUGGESTIONS
27 FOR MODIFICATIONS. IF THE ENSURED LEARNING ACTION PLAN IS

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1 RETURNED WITH SUGGESTED MODIFICATIONS, THE LOCAL ENSURED LEARNING
2 TEAM SHALL CONSIDER THESE SUGGESTIONS BEFORE IMPLEMENTING THE
3 ENSURED LEARNING ACTION PLAN.

4 (F) AN ENSURED LEARNING ACTION PLAN UNDER SUBDIVISION (E)
5 SHALL CONTAIN SPECIFIC MEASURES TO INCREASE PARENTAL INVOLVEMENT
6 AS THE TOP PRIORITY OF THE ACTION PLAN. IN ADDITION, THE ACTION
7 PLAN SHALL CONTAIN OR ADDRESS AT LEAST ALL OF THE FOLLOWING:

8 (i) ESTABLISHMENT OF BUILDING-LEVEL ACADEMIC STANDARDS THAT
9 MEET OR EXCEED STATE ACADEMIC STANDARDS. THESE STANDARDS SHALL
10 ADDRESS BOTH CONTENT AND SKILL LEVEL.

11 (ii) PERFORMANCE GOALS, BENCHMARKS, AND TIMETABLES FOR
12 IMPROVEMENT OF ACADEMIC PERFORMANCE FOR THE SCHOOL, DESIGNED TO
13 ENABLE THE SCHOOL TO BE REMOVED FROM THE PRIORITY SCHOOLS LIST.

14 (iii) REVISIONS TO CURRICULUM, INSTRUCTIONAL PRACTICES, OR
15 PROGRAMS THAT WILL ENABLE PUPILS TO MEET THE ACADEMIC STANDARDS
16 DESCRIBED IN SUBPARAGRAPH (i).

17 (iv) A SYSTEM OF ASSESSMENTS TO MEASURE THE PERFORMANCE OF
18 THE SCHOOL TO ENSURE THAT THE PERFORMANCE OF EVERY PUPIL IS
19 IMPROVING OVER TIME. THE SYSTEM SHALL INCLUDE AT LEAST MICHIGAN
20 EDUCATION ASSESSMENT PROGRAM (MEAP) ASSESSMENTS UNDER PART 20C
21 AND ASSESSMENTS UNDER SECTION 1280B. THE ENSURED LEARNING ACTION
22 PLAN ALSO SHALL ADDRESS HOW THE RESULTS OF THESE ASSESSMENTS WILL
23 BE USED TO IMPROVE INSTRUCTION AT ALL GRADE LEVELS.

24 (v) SPECIFIC PROCEDURES TO HELP INCREASE THE INFORMATION
25 AVAILABLE TO PARENTS ON THE PERFORMANCE OF THE SCHOOL AND TO
26 INCREASE PARENTAL PARTICIPATION IN THE SCHOOL.

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1 (vi) SPECIFIC POLICIES TO INCREASE THE AUTHORITY GRANTED TO,
2 AND RESPONSIBILITY FOR PERFORMANCE EXPECTED OF, THE SCHOOL.
3 THESE POLICIES MAY INCLUDE, BUT ARE NOT LIMITED TO, GRANTING THE
4 PRINCIPAL OF THE SCHOOL GREATER CONTROL OVER PERSONNEL, BUDGET,
5 AND EDUCATIONAL PROGRAMS.

6 (vii) THE CONTENTS OF THE ANNUAL REPORT TO BE FILED WITH THE
7 DEPARTMENT EACH YEAR WHILE THE SCHOOL IS ON THE PRIORITY SCHOOLS
8 LIST, AS REQUIRED UNDER SUBDIVISION (G).

9 (G) A LOCAL ENSURED LEARNING TEAM SHALL SUBMIT AN ANNUAL
10 REPORT TO THE DEPARTMENT EACH YEAR THAT 1 OR MORE SCHOOLS OPER-
11 ATED BY THE SCHOOL DISTRICT ARE INCLUDED ON THE PRIORITY SCHOOLS
12 LIST. THE REPORT SHALL SUMMARIZE THE ACTIVITIES OF THE LOCAL
13 ENSURED LEARNING TEAM AND THE PROGRESS MADE IN ADDRESSING THE
14 REASONS THE SCHOOL OR SCHOOLS ARE INCLUDED ON THE PRIORITY
15 SCHOOLS LIST.

16 (H) IN ADDITION TO THE ITEMS REQUIRED TO BE INCLUDED IN AN
17 ENSURED LEARNING ACTION PLAN UNDER SUBDIVISION (F), THE ENSURED
18 LEARNING ACTION PLAN ALSO MAY ADDRESS THE ABILITY OF THE SCHOOL
19 DISTRICT TO USE 1 OF THE FOLLOWING OPTIONS TO ASSIST THE SCHOOL:

20 (i) CONVERSION OF 1 OR MORE SCHOOLS TO A PUBLIC SCHOOL ACAD-
21 EMY AUTHORIZED BY THE SCHOOL DISTRICT.

22 (ii) CONTRACTING WITH A PRIVATE MANAGEMENT FIRM FOR THE MAN-
23 AGEMENT OF THE SCHOOL.

24 (I) WHILE A SCHOOL DISTRICT HAS 1 OR MORE SCHOOLS ON THE
25 PRIORITY SCHOOLS LIST, THE BOARD OR BOARD OF DIRECTORS OF THE
26 SCHOOL DISTRICT SHALL NOT TERMINATE THE EMPLOYMENT OF THE
27 SUPERINTENDENT OR CHIEF ADMINISTRATOR OF THE SCHOOL DISTRICT

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1 WITHOUT PRIOR APPROVAL BY THE INTERMEDIATE SCHOOL BOARD OF THE
2 INTERMEDIATE SCHOOL DISTRICT IN WHICH THE SCHOOL DISTRICT IS
3 LOCATED. THIS APPLIES TO EITHER A DISCHARGE OR A NONRENEWAL OF A
4 CONTRACT.

5 (J) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL TAKE
6 EFFECTIVE STEPS TO FACILITATE ALLOWING A PARENT, LEGAL GUARDIAN,
7 OR PERSON IN LOCO PARENTIS OF A CHILD WHO ATTENDS THE SCHOOL TO
8 ENROLL THE CHILD IN AN ACCREDITED PUBLIC SCHOOL WITH AN APPROPRI-
9 ATE GRADE LEVEL THAT IS EITHER WITHIN THE SCHOOL DISTRICT OR IS
10 OPEN FOR ENROLLMENT OF NONRESIDENT PUPILS UNDER SECTION 105 OR
11 105C OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1705 AND
12 388.1705C.

13 (K) IF THE DEPARTMENT DETERMINES THAT THE ORIGINAL REASONS
14 FOR INCLUDING A PARTICULAR SCHOOL ON THE PRIORITY SCHOOLS LIST
15 HAVE BEEN RECTIFIED, THE DEPARTMENT SHALL REMOVE THE SCHOOL FROM
16 THE PRIORITY SCHOOLS LIST.

17 (12) SUBJECT TO SUBSECTION (13), IF A SCHOOL IS INCLUDED ON
18 THE PRIORITY SCHOOLS LIST FOR 2 CONSECUTIVE YEARS, THE SUPERIN-
19 TENDENT OF PUBLIC INSTRUCTION SHALL CONTINUE TO TAKE EFFECTIVE
20 STEPS TO FACILITATE ALLOWING A PARENT, LEGAL GUARDIAN, OR PERSON
21 IN LOCO PARENTIS OF A CHILD WHO ATTENDS THE SCHOOL TO ENROLL THE
22 CHILD IN AN ACCREDITED PUBLIC SCHOOL WITH AN APPROPRIATE GRADE
23 LEVEL THAT IS EITHER WITHIN THE SCHOOL DISTRICT OR IS OPEN FOR
24 ENROLLMENT OF NONRESIDENT PUPILS UNDER SECTION 105 OR 105C OF THE
25 STATE SCHOOL AID ACT OF 1979, MCL 388.1705 AND 388.1705C, AND
26 SHALL DO 1 OR MORE OF THE FOLLOWING:

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1 (A) APPOINT AN ADMINISTRATOR FOR THE SCHOOL AT THE EXPENSE
2 OF THE AFFECTED SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY.

3 (B) ~~(c) The school, with the approval of the superintendent~~
4 ~~of public instruction, shall align itself~~ ALIGN THE SCHOOL with
5 an existing research-based school improvement model or establish
6 an affiliation for providing assistance to the school with a col-
7 lege or university located in this state.

8 ~~(d) The school shall be closed.~~

9 (C) ORDER THE SCHOOL DISTRICT OR BOARD OF DIRECTORS TO CLOSE
10 THE SCHOOL AND TO MAKE ARRANGEMENTS FOR THE PUPILS TO BE EDUCATED
11 AT AN ACCREDITED PUBLIC SCHOOL WITH AN APPROPRIATE GRADE LEVEL
12 EITHER WITHIN THE SCHOOL DISTRICT OR THAT IS OPEN FOR ENROLLMENT
13 OF NONRESIDENT PUPILS UNDER SECTION 105 OR 105C OF THE STATE
14 SCHOOL AID ACT OF 1979, MCL 388.1705 AND 388.1705C.

15 (13) A SCHOOL THAT IS LOCATED IN A SCHOOL DISTRICT THAT IS A
16 QUALIFYING SCHOOL DISTRICT THAT HAS A SCHOOL REFORM BOARD IN
17 PLACE UNDER PART 5A IS NOT SUBJECT TO THE MEASURES UNDER SUBSEC-
18 TIONS (10), (11), AND (12).

19 (14) THE DEPARTMENT SHALL USE FUNDS APPROPRIATED UNDER SEC-
20 TION 94 OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1694, AND
21 AVAILABLE FEDERAL FUNDING FOR PARTNERSHIP FOR SUCCESS TEAMS UNDER
22 THIS SECTION. THE NUMBER, SIZE, AND SCOPE OF ACTIVITIES FOR
23 PARTNERSHIP FOR SUCCESS TEAMS FOR A PARTICULAR FISCAL YEAR SHALL
24 BE DETERMINED BY THE SUFFICIENCY OF THE FUNDING APPROPRIATED FOR
25 THAT FISCAL YEAR. THE DEPARTMENT SHALL PRIORITIZE THE PLACEMENT
26 AND FUNCTIONS OF PARTNERSHIP FOR SUCCESS TEAMS BASED ON THE
27 PRIORITY SCHOOLS WITH THE GREATEST NEED FOR ASSISTANCE.

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1 (15) ~~—(12)—~~ The department shall evaluate the school
2 accreditation program and the status of schools under this sec-
3 tion and shall submit an annual report based upon the evaluation
4 to the senate and house STANDING committees ~~that have the~~
5 ~~responsibility for~~ ON education. ~~—legislation.—~~ The report shall
6 address the reasons each unaccredited school is not accredited
7 and shall recommend legislative action that will result in the
8 accreditation of all public schools in this state.

9 (16) IF A SCHOOL IS REQUIRED UNDER SECTION 1116 OF SUBPART 1
10 OF PART A OF TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION
11 ACT OF 1965, PUBLIC LAW 89-10, 20 U.S.C. 6317, TO TAKE CORRECTIVE
12 ACTION AS PROVIDED UNDER THAT FEDERAL LAW, THE SCHOOL IS SUBJECT
13 TO THE MEASURES UNDER THIS SECTION IN ADDITION TO BEING REQUIRED
14 TO TAKE THAT CORRECTIVE ACTION AS REQUIRED UNDER FEDERAL LAW.

[(17) EXCEPT FOR DETERMINING WHETHER A SCHOOL IS ACCREDITED OR
UNACCREDITED, THE DEPARTMENT SHALL NOT ASSIGN ANY GRADE OR LABEL TO A
SCHOOL BASED ON ITS ASSESSMENT OF THE SCHOOL UNDER THIS SECTION.]

15 [(18)] AS USED IN THIS SECTION, "SCHOOL" OR "SCHOOL DISTRICT"
16 INCLUDES A PUBLIC SCHOOL ACADEMY.

17 Sec. 1280b. (1) Subject to subsection (2), AND UNTIL IMPLE-
18 MENTATION OF THE ASSESSMENTS UNDER SUBSECTION (3), the board of a
19 school district, or board of directors of a public school academy
20 that operates any of grades 1 to 5, shall administer each school
21 year to all pupils in grades 1 to 5 a nationally-recognized
22 norm-referenced test or another assessment, which may include a
23 locally-adopted assessment, approved by the superintendent of
24 public instruction at the request of the school district or
25 public school academy. AFTER IMPLEMENTATION OF THE ASSESSMENTS
26 UNDER SUBSECTION (3), THIS SUBSECTION AND SUBSECTION (2) APPLY
27 ONLY TO GRADES 1 AND 2.

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1 (2) A school district or public school academy may use the
2 Michigan literacy progress profile to assess literacy in grades 1
3 to 3 as part of its compliance with subsection (1).

4 (3) NOT LATER THAN THE 2005-2006 SCHOOL YEAR, THE BOARD OF A
5 SCHOOL DISTRICT, OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY
6 THAT OPERATES ANY OF GRADES 3 TO 8, SHALL ADMINISTER ANNUAL
7 ASSESSMENTS IN READING AND MATHEMATICS TO ALL PUPILS IN GRADES 3
8 TO 8. THE MICHIGAN ASSESSMENT GOVERNING BOARD SHALL DEVELOP AND
9 IMPLEMENT THE ASSESSMENT SYSTEM FOR THE PURPOSES OF THIS
10 SUBSECTION. THE ASSESSMENTS USED MAY INCLUDE MICHIGAN EDUCATION
11 ASSESSMENT PROGRAM (MEAP) TESTS UNDER PART 20C AND MUST BE
12 ALIGNED WITH THE MICHIGAN EDUCATION ASSESSMENT PROGRAM UNDER PART
13 20C AND WITH THE STATE BOARD RECOMMENDED MODEL CORE ACADEMIC CUR-
14 RICULUM CONTENT STANDARDS DEVELOPED UNDER SECTION 1278. THE
15 MICHIGAN ASSESSMENT GOVERNING BOARD SHALL ENSURE THAT READING AND
16 MATHEMATICS ASSESSMENT INSTRUMENTS USED FOR THE PURPOSES OF THIS
17 SECTION WILL RESULT IN SCORING THAT WILL ALLOW FOR ALL OF THE
18 FOLLOWING:

19 (A) COMPARISON OF PUPIL PERFORMANCE FROM YEAR TO YEAR.

20 (B) COMPARISON OF PUPIL PERFORMANCE TO MICHIGAN EDUCATION
21 ASSESSMENT PROGRAM TEST RESULTS.

22 (C) DISAGGREGATION OF RESULTS BY RACE, GENDER, AND SOCIOECO-
23 NOMIC STATUS AND BY WHETHER A PUPIL HAS A DISABILITY OR SPEAKS
24 ENGLISH AS A SECOND LANGUAGE.

25 (D) TIMELY RETURN OF RESULTS SO THAT THEY MAY BE USED AS A
26 DIAGNOSTIC TOOL, BUT NOT LATER THAN OCTOBER 1 OF THE NEXT SCHOOL
27 YEAR.

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1 (4) THE LEGISLATURE ENCOURAGES THE DEVELOPMENT AND
2 IMPLEMENTATION OF ONLINE ASSESSMENTS FOR THE PURPOSES OF THIS
3 SECTION.

4 (5) ~~-(3)-~~ If a school is designated for participation in the
5 national assessment of education progress program, the school
6 shall participate as designated.

7 (6) ~~(4) An elementary~~ A school that is not in compliance
8 with ~~subsection (1) or a school that does not comply with~~
9 ~~subsection (3)~~ THIS SECTION shall not be accredited under sec-
10 tion 1280.

PART 20C

MICHIGAN EDUCATION ASSESSMENT PROGRAM

13 SEC. 1491. (1) THE MICHIGAN ASSESSMENT GOVERNING BOARD CRE-
14 ATED UNDER SECTION 1493 SHALL ADMINISTER THE MICHIGAN EDUCATION
15 ASSESSMENT PROGRAM AS PROVIDED IN THIS PART. THE MICHIGAN
16 ASSESSMENT GOVERNING BOARD SHALL PROMULGATE RULES AS NECESSARY TO
17 ADMINISTER THE PROGRAM. THOSE RULES PROMULGATED UNDER FORMER
18 1970 PA 38 OR UNDER SECTION 9 OF THE MICHIGAN MERIT AWARD SCHOL-
19 ARSHIP ACT, 1999 PA 94, MCL 390.1459, THAT ARE IN EFFECT ON THE
20 EFFECTIVE DATE OF THIS SECTION SHALL REMAIN IN EFFECT UNTIL
21 RESCINDED, AS PROVIDED UNDER SECTION 31 OF THE ADMINISTRATIVE
22 PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.231. THE RULES SHALL
23 ADDRESS AT LEAST ASSESSMENT TEST ADMINISTRATION AND CHEATING ON
24 ASSESSMENT TESTS.

25 (2) THE MICHIGAN EDUCATION ASSESSMENT PROGRAM SHALL CONSIST
26 OF ASSESSMENTS ADMINISTERED TO ALL PUBLIC SCHOOL PUPILS IN THE
27 SUBJECT AREAS OF READING, MATHEMATICS, LANGUAGE ARTS, SCIENCE,

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1 AND SOCIAL STUDIES. THE MICHIGAN ASSESSMENT GOVERNING BOARD
2 SHALL DESIGNATE THE GRADES IN WHICH EACH ASSESSMENT IS TO BE
3 ADMINISTERED, BUT SHALL ENSURE THAT EACH SUBJECT AREA ASSESSMENT
4 IS ADMINISTERED TO PUPILS IN AT LEAST 1 OF GRADES 1 TO 5, IN AT
5 LEAST 1 OF GRADES 6 TO 8, AND IN AT LEAST 1 OF GRADES 9 TO 12.
6 TO THE EXTENT THAT THE MICHIGAN ASSESSMENT GOVERNING BOARD CON-
7 SIDERS IT CONSISTENT WITH THE PURPOSES OF THIS ACT, TESTS ADMIN-
8 ISTERED UNDER THIS PART MAY BE USED FOR THE PURPOSES OF SECTION
9 1279 OR 1280B AND TESTS ADMINISTERED UNDER THOSE SECTIONS MAY BE
10 USED FOR THE PURPOSES OF THIS PART.

11 (3) THE ASSESSMENTS USED IN THE MICHIGAN EDUCATION ASSESS-
12 MENT PROGRAM SHALL BE OBJECTIVE-ORIENTED AND CONSISTENT WITH THE
13 MODEL CORE ACADEMIC CONTENT STANDARDS OBJECTIVES UNDER SECTION
14 1278.

15 (4) THE STATE BOARD, THE MICHIGAN ASSESSMENT GOVERNING
16 BOARD, THE BOARD OF EACH SCHOOL DISTRICT, AND THE BOARD OF DIREC-
17 TORS OF EACH PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT THE MICHIGAN
18 EDUCATION ASSESSMENT PROGRAM TESTS ARE NOT USED TO MEASURE
19 PUPILS' VALUES OR ATTITUDES.

20 (5) THE MICHIGAN ASSESSMENT GOVERNING BOARD SHALL ESTABLISH
21 A STATEWIDE TOLL-FREE TELEPHONE LINE AND INTERNET ACCESS TO
22 RECEIVE QUESTIONS, COMMENTS, AND COMPLAINTS CONCERNING THE
23 MICHIGAN EDUCATION ASSESSMENT PROGRAM, INCLUDING, BUT NOT LIMITED
24 TO, COMPLAINTS OF STUDENT CHEATING ON AN ASSESSMENT TEST, COM-
25 PLAINTS OR COMMENTS ABOUT SPECIFIC ASSESSMENT TEST QUESTIONS OR
26 TESTING CONDITIONS, OR OTHER QUESTIONS, COMMENTS, OR COMPLAINTS

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1 RELATING TO THE DEVELOPMENT, PREPARATION, DISTRIBUTION, SCORING,
2 OR DISSEMINATION OF RESULTS OF AN ASSESSMENT TEST.

3 (6) NOT LATER THAN JULY 1 OF EACH YEAR, THE MICHIGAN ASSESS-
4 MENT GOVERNING BOARD SHALL SUBMIT A COMPREHENSIVE REPORT TO THE
5 LEGISLATURE ON THE STATUS OF THE MICHIGAN EDUCATION ASSESSMENT
6 PROGRAM UNDER THIS PART. THE REPORT SHALL INCLUDE AT LEAST ALL
7 OF THE FOLLOWING:

8 (A) THE ANNUAL PUPIL ASSESSMENT DATA.

9 (B) A DESCRIPTION OF THE FEEDBACK PROVIDED TO PUPILS, PAR-
10 ENTS, AND SCHOOLS.

11 (C) A DESCRIPTION OF ANY SIGNIFICANT ALTERATIONS MADE IN THE
12 PROGRAM BY THE MICHIGAN ASSESSMENT GOVERNING BOARD DURING THE
13 PERIOD COVERED BY THE REPORT.

14 (D) ANY RECOMMENDATIONS BY THE MICHIGAN ASSESSMENT GOVERNING
15 BOARD FOR LEGISLATIVE CHANGES TO THE PROGRAM.

16 SEC. 1492. THE BOARD OF EACH SCHOOL DISTRICT, LOCAL ACT
17 SCHOOL DISTRICT, OR INTERMEDIATE SCHOOL DISTRICT OR BOARD OF
18 DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT THE
19 MICHIGAN EDUCATION ASSESSMENT PROGRAM ASSESSMENTS ARE ADMINIS-
20 TERED TO ALL PUPILS IN THE GRADES DESIGNATED BY THE MICHIGAN
21 ASSESSMENT GOVERNING BOARD AS PROVIDED UNDER THIS PART.

22 SEC. 1493. (1) THE MICHIGAN ASSESSMENT GOVERNING BOARD IS
23 CREATED AS AN INDEPENDENT BOARD WITHIN THE DEPARTMENT OF
24 TREASURY. THE MICHIGAN ASSESSMENT GOVERNING BOARD SHALL EXERCISE
25 ITS AUTHORITY, POWERS, DUTIES, AND RESPONSIBILITIES INDEPENDENTLY
26 OF THE STATE TREASURER. HOWEVER, THE DEPARTMENT OF TREASURY
27 SHALL PROVIDE STAFF FOR THE MICHIGAN ASSESSMENT GOVERNING BOARD

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1 AND SHALL CARRY OUT THE ADMINISTRATIVE DUTIES AND FUNCTIONS AS
2 DIRECTED BY THE MICHIGAN ASSESSMENT GOVERNING BOARD. THE BUDGET-
3 ING, PROCUREMENT, AND RELATED FUNCTIONS AS DIRECTED BY THE
4 MICHIGAN ASSESSMENT GOVERNING BOARD ARE UNDER THE SUPERVISION OF
5 THE STATE TREASURER.

6 (2) THE MICHIGAN ASSESSMENT GOVERNING BOARD CONSISTS OF THE
7 FOLLOWING 13 MEMBERS:

8 (A) THE FOLLOWING 6 MEMBERS APPOINTED BY THE GOVERNOR:

9 (i) ONE PUBLIC SCHOOL TEACHER.

10 (ii) ONE PUBLIC SCHOOL ADMINISTRATOR.

11 (iii) TWO INDIVIDUALS WHO ARE EXPERTS IN ACADEMIC TESTING
12 AND MEASUREMENT.

13 (iv) ONE INDIVIDUAL WHO IS THE CHIEF EXECUTIVE OFFICER OF A
14 BUSINESS.

15 (v) ONE MEMBER REPRESENTING THE GENERAL PUBLIC. THIS MEMBER
16 SHALL BE THE PARENT OF A SCHOOL-AGE CHILD.

17 (B) TWO MEMBERS OF THE STATE BOARD APPOINTED BY THE STATE
18 BOARD. THESE MEMBERS SHALL BE FROM DIFFERENT POLITICAL PARTIES.

19 (C) FOUR MEMBERS APPOINTED BY THE LEGISLATIVE LEADERSHIP, AS
20 FOLLOWS:

21 (i) TWO MEMBERS APPOINTED BY THE SENATE MAJORITY LEADER.
22 THESE MEMBERS SHALL BE FROM DIFFERENT POLITICAL PARTIES.

23 (ii) TWO MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF
24 REPRESENTATIVES. THESE MEMBERS SHALL BE FROM DIFFERENT POLITICAL
25 PARTIES.

26 (D) THE GOVERNOR OR HIS OR HER DESIGNEE.

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1 (3) A MEMBER OF THE MICHIGAN ASSESSMENT GOVERNING BOARD
2 SHALL BE APPOINTED FOR A TERM OF 4 YEARS, EXCEPT THAT OF THE
3 MEMBERS FIRST APPOINTED BY THE GOVERNOR, 3 SHALL BE APPOINTED FOR
4 A TERM OF 2 YEARS AND 3 FOR A TERM OF 4 YEARS FROM THE DATES OF
5 THEIR APPOINTMENTS. A VACANCY SHALL BE FILLED FOR THE BALANCE OF
6 THE UNEXPIRED TERM IN THE SAME MANNER AS AN ORIGINAL
7 APPOINTMENT.

8 (4) EXCEPT AS OTHERWISE PROVIDED BY LAW, A MEMBER OF THE
9 MICHIGAN ASSESSMENT GOVERNING BOARD SHALL NOT RECEIVE COMPENSA-
10 TION FOR SERVICES, BUT THE AUTHORITY MAY REIMBURSE EACH MEMBER
11 FOR EXPENSES NECESSARILY INCURRED IN THE PERFORMANCE OF HIS OR
12 HER DUTIES.

13 (5) THE MICHIGAN ASSESSMENT GOVERNING BOARD SHALL DO ALL OF
14 THE FOLLOWING:

15 (A) ADMINISTER THE MICHIGAN EDUCATION ASSESSMENT PROGRAM
16 UNDER THIS PART.

17 (B) ADMINISTER THE ASSESSMENT SYSTEM UNDER SECTION 1280B.

18 (C) ADMINISTER THE STATE ENDORSEMENT TEST PROGRAM UNDER SEC-
19 TION 1279.

20 (D) ADMINISTER THE MICHIGAN MERIT AWARD PROGRAM AS PROVIDED
21 UNDER THE MICHIGAN MERIT AWARD SCHOLARSHIP ACT, 1999 PA 94,
22 MCL 390.1451 TO 390.1459.

23 (E) ADMINISTER OTHER TESTING PROGRAMS ESTABLISHED FOR PUBLIC
24 SCHOOL PUPILS UNDER STATE OR FEDERAL LAW.

25 (F) MAKE GOLDEN APPLE AWARDS UNDER SECTION 96 OF THE STATE
26 SCHOOL AID ACT OF 1979, MCL 388.1696.

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1 (G) PERFORM OTHER FUNCTIONS AS PROVIDED BY LAW.

2 (6) THE MICHIGAN ASSESSMENT GOVERNING BOARD MAY ENTER INTO A
3 CONTRACT OR AGREEMENT WITH ANOTHER AGENCY OR ENTITY, INCLUDING,
4 BUT NOT LIMITED TO, A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DIS-
5 TRICT, ANOTHER STATE OR POLITICAL SUBDIVISION OF ANOTHER STATE,
6 OR A STATE OR NATIONAL ASSOCIATION, TO PROVIDE SERVICES OR MAN-
7 AGEMENT RELATED TO AN ASSESSMENT INSTRUMENT.

8 Enacting section 1. (1) Section 1279c of the revised school
9 code, 1976 PA 451, MCL 380.1279c, is repealed.

10 (2) 1970 PA 38, MCL 388.1081 to 388.1086, is repealed.

11 Enacting section 2. This amendatory act does not take
12 effect unless all of the following bills of the 91st Legislature
13 are enacted into law:

14 (a) House Bill No. 5880.

15 (b) House Bill No. 5881.