

HOUSE BILL No. 4129

February 6, 2001, Introduced by Reps. Raczkowski, Gosselin, Bishop and Mead and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1279 (MCL 380.1279), as amended by 1997 PA
175, and by adding section 1304.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1279. (1) The board of a school district or public
2 school academy shall administer state assessments to high school
3 pupils in the subject areas of communications skills, mathemat-
4 ics, science, and, beginning with pupils scheduled to graduate in
5 2000, social studies. ~~The~~ SUBJECT TO SUBSECTION (13), THE
6 board shall include on the pupil's high school transcript all of
7 the following:

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

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

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

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

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

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

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

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

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

26 (6) The department OF TREASURY shall ensure that the length
27 of the assessments used for the purposes of this section and the

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

12 (7) The department OF TREASURY shall establish, schedule,
13 and arrange periodic retesting periods throughout the year for
14 individuals who desire to repeat an assessment under this
15 section. The department OF TREASURY shall coordinate the
16 arrangements for administering the repeat assessments and shall
17 ensure that the retesting is made available at least within each
18 intermediate school district and, to the extent possible, within
19 each school district.

20 (8) A school district or public school academy shall provide
21 accommodations to a pupil with disabilities for the assessments
22 required under this section, as provided under section 504 of
23 title V of the rehabilitation act of 1973, Public Law 93-112, 29
24 U.S.C. 794; subtitle A of title II of the Americans with disabili-
25 ties act of 1990, Public Law 101-336, 42 U.S.C. 12131 to 12134;
26 and the implementing regulations for those statutes.

1 (9) For the purposes of this section, the ~~state board~~
2 DEPARTMENT OF TREASURY shall develop or select and approve
3 assessment instruments to measure pupil performance in communica-
4 tions skills, mathematics, social studies, and science. The
5 assessment instruments shall be based on the ~~state board~~ model
6 core academic content standards objectives UNDER SECTION 1278.

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

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

25 ~~(12) Not later than July 1 of each year until 2000, the~~
26 ~~department shall submit a comprehensive report to the legislature~~

~~1 on the status of the assessment program under this section. The
2 report shall include at least all of the following:~~

~~3 (a) The annual pupil assessment data.~~

~~4 (b) A description of the feedback provided to pupils, par-
5 ents, and schools.~~

~~6 (c) A description of any significant alterations made in the
7 program by the department or state board during the period cov-
8 ered by the report.~~

~~9 (d) Any recommendations by the department or state board for
10 legislative changes to the program.~~

~~11 (e) An update of the reports of the assessment advisory com-
12 mittees of the state board.~~

~~13 (13) Pupils scheduled to graduate in 1998 who took the
14 assessments used for the purposes of this section during the
15 1996-97 school year may repeat 1 or more of the assessments
16 during the 1997-98 school year. The department, in cooperation
17 with school districts and public school academies, shall make
18 arrangements for repeat assessments to be available for these
19 pupils in each school district that operates a high school during
20 the 1997-98 school year in time for these pupils to repeat the
21 assessments before graduation. The repeat assessments may be
22 administered at times other than regular school hours.~~

~~23 (12) (14) A child who is a student in a nonpublic school
24 or home school may take an assessment under this section. To
25 take an assessment, a child who is a student in a home school
26 shall contact the school district in which the child resides, and
27 that school district shall administer the assessment, or the~~

1 child may take the assessment at a nonpublic school if allowed by
2 the nonpublic school. Upon request from a nonpublic school, the
3 department OF TREASURY shall supply assessments and the nonpublic
4 school may administer the assessment.

5 (13) IF A PUPIL'S PARENT OR LEGAL GUARDIAN OR, IF THE PUPIL
6 IS AT LEAST AGE 18 OR IS AN EMANCIPATED MINOR, THE PUPIL NOTIFIES
7 THE BOARD OF THE SCHOOL DISTRICT OR BOARD OF DIRECTORS OF THE
8 PUBLIC SCHOOL ACADEMY WITHIN 60 DAYS AFTER RECEIVING THE PUPIL'S
9 SCORES ON THE ASSESSMENTS ADMINISTERED UNDER THIS SECTION THAT HE
10 OR SHE DOES NOT WANT THE PUPIL'S SCORES ON THE ASSESSMENTS TO BE
11 INCLUDED ON THE PUPIL'S HIGH SCHOOL TRANSCRIPT, THEN THE BOARD OR
12 BOARD OF DIRECTORS SHALL NOT INCLUDE THE PUPIL'S SCORES ON THE
13 PUPIL'S HIGH SCHOOL TRANSCRIPT.

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

24 (15) ~~-(16)- Not later than 90 days after the effective date~~
25 ~~of this subsection, the state board~~ THE DEPARTMENT OF TREASURY
26 shall appoint an 11-member assessment administration advisory
27 committee to advise the ~~state board~~ DEPARTMENT OF TREASURY on

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

25 (16) ~~-(17)-~~ As used in this section:

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

1 (b) "Social studies" means geography, history, economics,
2 and American government.

3 SEC. 1304. THE BOARD OF A SCHOOL DISTRICT, LOCAL ACT SCHOOL
4 DISTRICT, OR INTERMEDIATE SCHOOL DISTRICT OR A SCHOOL OFFICIAL
5 HAVING CONTROL OVER A PUBLIC SCHOOL SHALL NOT UNREASONABLY
6 RESTRICT A PARENT'S OR LEGAL GUARDIAN'S ACCESS TO HIS OR HER
7 CHILD'S CLASSROOM.