

HOUSE BILL No. 5061

September 20, 2001, Introduced by Reps. Bernero, Spade, Waters, Lipsey, Rich Brown, Adamini, McConico, Plakas, Pestka, Neumann, Minore, Gielegem, Murphy, Bogardus, Wojno, Dennis, O'Neil, Zelenko, Jacobs, Clarke and Hansen 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.

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 board shall include on the pupil's
6 high school transcript all of the following:

7 (a) For each high school graduate who has completed a
8 subject area assessment under this section, the pupil's scaled
9 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
3 category 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~~ STATE BOARD 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 STATE
12 BOARD shall establish 3 categories for each subject area indicat-
13 ing basic competency, above average, and outstanding, and shall
14 establish the scaled score range required for each category. The
15 ~~department~~ STATE BOARD shall design and distribute to school
16 districts, intermediate school districts, public school acade-
17 mies, and nonpublic schools a simple and concise document that
18 describes these categories in each subject area and indicates the
19 scaled score ranges for each category in each subject area. A
20 school district or public school academy may award a high school
21 diploma to a pupil who successfully completes local school dis-
22 trict or public school academy requirements established in
23 accordance with state law for high school graduation, regardless
24 of whether the pupil is eligible for any state endorsement.

25 (3) The assessments administered for the purposes of this
26 section shall be administered to pupils during the last 30 school
27 days of grade 11. The ~~department~~ STATE BOARD shall ensure that

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

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

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

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

25 (6) The ~~department~~ STATE BOARD shall ensure that the
26 length of the assessments used for the purposes of this section
27 and the combined total time necessary to administer all of the

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

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

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

26 (9) For the purposes of this section, the state board shall
27 develop or select and approve assessment instruments to measure

1 pupil performance in communications skills, mathematics, social
2 studies, and science. The assessment instruments shall be based
3 on the state board model core academic content standards
4 objectives.

5 (10) All assessment instruments developed or selected and
6 approved by ~~the~~ THIS state under any statute or rule for a pur-
7 pose related to K to 12 education shall be objective-oriented and
8 consistent with the state board model core academic content stan-
9 dards objectives.

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

23 (12) Not later than July 1 of each year, ~~until 2000, the~~
24 ~~department~~ THE STATE BOARD shall submit a comprehensive report
25 to the legislature on the status of the assessment program under
26 this section. The report shall include at least all of the
27 following:

(a) The annual pupil assessment data.

(b) A description of the feedback provided to pupils, parents, and schools.

(c) A description of any significant alterations made in the program by the ~~department or~~ state board during the period covered by the report.

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

(e) An update of the reports of the assessment advisory committees of the state board.

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

(13) ~~(14)~~ A child who is a student in a nonpublic school or home school may take an assessment under this section. To take an assessment, a child who is a student in a home school shall contact the school district in which the child resides, and that school district shall administer the assessment, or the child may take the assessment at a nonpublic school if allowed by the nonpublic school. Upon request from a nonpublic school, the

1 ~~department~~ STATE BOARD shall supply assessments and the
2 nonpublic school may administer the assessment.

3 (14) ~~-(15)-~~ The purpose of the assessment under this section
4 is to assess pupil performance in mathematics, science, social
5 studies, and communication arts for the purpose of improving aca-
6 demic achievement and establishing a statewide standard of
7 competency. The assessment under this section provides a common
8 measure of data that will contribute to the improvement of
9 Michigan schools' curriculum and instruction by encouraging
10 alignment with Michigan's curriculum framework standards. These
11 standards are based upon the expectations of what pupils should
12 know and be able to do by the end of grade 11.

13 (15) ~~-(16)- Not later than 90 days after the effective date~~
14 ~~of this subsection, the~~ THE state board shall ~~appoint~~ MAINTAIN
15 an 11-member assessment administration advisory committee to
16 advise the state board on Michigan education assessment program
17 (MEAP) tests and on the assessments used for state endorsements
18 under this section. This advisory committee shall be composed of
19 representatives of school districts, intermediate school dis-
20 tricts, school administrators, teachers, and parents, with the
21 appointments reflecting the geographic and population diversity
22 of school districts in this state. The representatives of school
23 districts and intermediate school districts shall be persons who
24 are expert in testing or test administration. This advisory com-
25 mittee shall evaluate these tests and assessments and make recom-
26 mendations to the state board ~~and department~~ on issues related
27 to administration, scoring, and reporting and use of results of

1 these tests and assessments, including, but not limited to,
 2 length of the tests and assessments; the time of the testing
 3 period during the school year; feedback provided to pupils, par-
 4 ents, and schools; accurate and relevant reporting of results to
 5 the general public; the selection of a retesting period and pro-
 6 cedures and arrangements for repeating tests or assessments;
 7 local scoring and other general issues regarding scoring of tests
 8 and assessments; categories of scoring on the MEAP tests and cat-
 9 egories of state endorsement under this section; and professional
 10 development for teachers to assist in preparing pupils to have
 11 the necessary skills and knowledge to succeed on the tests and
 12 assessments.

13 (16) ~~-(17)-~~ As used in this section:

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

15 (b) "Social studies" means geography, history, economics,
 16 and American government.

17 Enacting section 1. This amendatory act does not take
 18 effect unless all of the following bills of the 91st Legislature
 19 are enacted into law:

20 (a) Senate Bill No. _____ or House Bill No. 5060 (request
 21 no. 04812'01).

22 (b) Senate Bill No. _____ or House Bill No. 5062 (request
 23 no. 04812'01 b).

24 (c) Senate Bill No. _____ or House Bill No. 5063 (request
 25 no. 04812'01 c).