

HOUSE BILL No. 5881

April 10, 2002, Introduced by Rep. LaSata and referred to the Committee on Education.

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending sections 22b, 96, and 104a (MCL 388.1622b, 388.1696,
and 388.1704a), section 22b as amended by 2001 PA 121, section 96
as added by 2000 PA 297, and section 104a as amended by 1999
PA 119.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 22b. (1) From the appropriation in section 11, there
2 is allocated an amount not to exceed \$1,864,000,000.00 for
3 2000-2001, an amount not to exceed \$2,377,200,000.00 for
4 2001-2002, for discretionary payments to districts under this
5 section. Funds allocated under this section that are not
6 expended in the state fiscal year for which they were allocated,
7 as determined by the department, may be used to supplement the

1 allocations under sections 22a and 51c in order to fully fund
2 those calculated allocations for the same fiscal year.

3 (2) Subject to subsection (3) and section 11, beginning in
4 2000-2001, the allocation to a district under this section shall
5 be an amount equal to the sum of the amounts calculated under
6 sections 20, 20j, 51a(2), 51a(3), and 51a(12), minus the sum of
7 the allocations to the district under sections 22a and 51c.

8 (3) In order to receive an allocation under this section,
9 each district shall ~~administer in each grade level that it oper-~~
10 ~~ates in grades 1 to 5 a standardized assessment approved by the~~
11 ~~department of grade appropriate basic educational skills. A dis-~~
12 ~~trict may use the Michigan literacy progress profile to satisfy~~
13 ~~this requirement for grades 1 to 3.~~ COMPLY WITH SECTION 1280B OF
14 THE REVISED SCHOOL CODE, MCL 380.1280B.

15 (4) From the allocation in subsection (1), the department
16 may expend funds to pay for necessary costs associated with
17 resolving matters pending in federal court impacting payments to
18 districts, including, but not limited to, expert witness fees.

19 Sec. 96. (1) From the state school aid fund money appropri-
20 ated in section 11, there is allocated an amount not to exceed
21 \$8,000,000.00 each fiscal year for 1999-2000, for 2000-2001, for
22 2001-2002, and for 2002-2003 for golden apple awards under this
23 section. The awards shall be based on elementary school achieve-
24 ment on the fourth grade and fifth grade Michigan education
25 assessment program (MEAP) tests.

26 (2) To be eligible for a golden apple award, an elementary
27 school shall ~~have~~ MEET ALL OF THE FOLLOWING:

1 (A) THE ELEMENTARY SCHOOL HAS at least 50 pupils in
2 membership. ~~and shall meet the following requirements:~~

3 ~~(a) For 1999-2000, at least 80% of the fourth and fifth~~
4 ~~grade pupils enrolled and in regular daily attendance in the~~
5 ~~school on the pupil membership count day in that school year took~~
6 ~~the applicable MEAP tests, and 1 or both of the following are~~
7 ~~met:~~

8 ~~(i) The composite score for the pupils in the school who~~
9 ~~took the applicable MEAP tests increased by at least 60 points~~
10 ~~over the 2 consecutive school years immediately preceding the~~
11 ~~state fiscal year in which the award is given.~~

12 ~~(ii) The test scores for the pupils in the school who took~~
13 ~~the applicable MEAP tests are among the highest elementary school~~
14 ~~scores statewide, as determined by the department of treasury,~~
15 ~~for that school year.~~

16 ~~(b) Beginning in 2000-2001, at~~ AT least 90% of the fourth
17 and fifth grade pupils enrolled and in regular daily attendance
18 in the school on the pupil membership count day in that school
19 year took the applicable MEAP tests. ~~, and~~

20 (C) THE MICHIGAN ASSESSMENT GOVERNING BOARD DETERMINES THAT
21 1 or both of the following are met:

22 (i) The composite score for the pupils in the school who
23 took the applicable MEAP tests increased by at least 60 points
24 over the 2 consecutive school years immediately preceding the
25 state fiscal year in which the award is given.

26 (ii) The test scores for the pupils in the school who took
27 the applicable MEAP tests are among the highest elementary school

1 scores statewide, as determined by the department of treasury,
2 for that school year.

3 (3) THE MICHIGAN ASSESSMENT GOVERNING BOARD SHALL DETERMINE
4 THE DISTRICTS RECEIVING A GOLDEN APPLE AWARD UNDER THIS SECTION.
5 A golden apple award under this section shall be allocated to and
6 used by a district exclusively for the purpose of distributing
7 funds to each eligible elementary school. A golden apple award
8 shall consist of \$1,000.00. ~~per each full-time employee who~~
9 ~~works in the eligible elementary school plus \$10,000.00 to be~~
10 ~~allocated to the principal of the school for school improvements,~~
11 ~~but shall not be less than \$50,000.00 per recipient school.~~ All
12 money allocated under this section ~~per full-time employee~~ shall
13 be used for school improvements, as determined collectively by a
14 majority vote of ~~those employees~~ THE FULL-TIME EMPLOYEES OF THE
15 SCHOOL.

16 (4) Funds allocated under this section that are not expended
17 in the state fiscal year for which they were allocated may be
18 carried forward to a subsequent state fiscal year.

19 Sec. 104a. (1) In order to receive state aid under this
20 act, a district shall comply with this section and shall adminis-
21 ter state assessments UNDER THIS SECTION to high school pupils in
22 the subject areas of communications skills, mathematics, science,
23 and ~~, beginning with pupils scheduled to graduate in 2000,~~
24 social studies. HOWEVER, BEGINNING IN 2005, THE MICHIGAN ASSESS-
25 MENT GOVERNING BOARD SHALL REPLACE THE SOCIAL STUDIES ASSESSMENT
26 WITH AN ASSESSMENT IN CIVICS. IF THE MICHIGAN ASSESSMENT
27 GOVERNING BOARD DETERMINES THAT IT WOULD BE CONSISTENT WITH THE

1 PURPOSES OF THIS SECTION, THE MICHIGAN ASSESSMENT GOVERNING BOARD
2 MAY DESIGNATE THE GRADE 11 MICHIGAN EDUCATION ASSESSMENT PROGRAM
3 TESTS AS THE ASSESSMENTS TO BE USED FOR THE PURPOSES OF THIS
4 SECTION. The district shall include on the pupil's high school
5 transcript all of the following:

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

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

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

16 (2) The ~~department~~ MICHIGAN ASSESSMENT GOVERNING BOARD
17 shall develop scaled scores for reporting subject area assessment
18 results for each of the subject areas under this section. The
19 ~~superintendent~~ MICHIGAN ASSESSMENT GOVERNING BOARD shall estab-
20 lish 3 categories for each subject area indicating basic compe-
21 tency, above average, and outstanding, and shall establish the
22 scaled score range required for each category. The ~~department~~
23 MICHIGAN ASSESSMENT GOVERNING BOARD shall design and distribute
24 to districts, intermediate districts, and nonpublic schools a
25 simple and concise document that describes these categories in
26 each subject area and indicates the scaled score ranges for each
27 category in each subject area. A district may award a high

1 school diploma to a pupil who successfully completes local
2 district requirements established in accordance with state law
3 for high school graduation, regardless of whether the pupil is
4 eligible for any state endorsement. FOR THE PURPOSES OF THIS
5 SECTION, THE MICHIGAN ASSESSMENT GOVERNING BOARD MAY USE THE SAME
6 CATEGORIES AND SCALED SCORE RANGES AS THOSE USED UNDER THIS SUB-
7 SECTION BEFORE THE EFFECTIVE DATE OF SECTION 1493 OF THE REVISED
8 SCHOOL CODE, MCL 380.1493.

9 (3) The assessments administered for the purposes of this
10 section shall be administered to pupils during the last 30 school
11 days of grade 11. The ~~department~~ MICHIGAN ASSESSMENT GOVERNING
12 BOARD shall ensure that the assessments are scored and the scores
13 are returned to pupils, their parents or legal guardians, and
14 districts not later than the beginning of the pupil's first
15 semester of grade 12. ~~Not later than fall 1999, the department~~
16 ~~shall arrange for those~~ THOSE portions of a pupil's assessment
17 that cannot be scored mechanically ~~to~~ SHALL be scored in
18 ~~Michigan~~ THIS STATE by persons who are Michigan teachers,
19 retired Michigan teachers, or Michigan school administrators and
20 who have been trained in scoring the assessments. The returned
21 scores shall indicate the pupil's scaled score for each subject
22 area assessment, the range of scaled scores for each subject
23 area, and the range of scaled scores required for each category
24 established under subsection (2). In reporting the scores to
25 pupils, parents, and schools, the ~~department~~ MICHIGAN ASSESS-
26 MENT GOVERNING BOARD shall provide specific, meaningful, and
27 timely feedback on the pupil's performance on the assessment.

1 (4) For each pupil who does not achieve state endorsement in
2 1 or more subject areas, the board of the district in which the
3 pupil is enrolled shall provide that there be at least 1 meeting
4 attended by at least the pupil and a member of the district's
5 staff or a local or intermediate district consultant who is pro-
6 ficient in the measurement and evaluation of pupils. The dis-
7 trict may provide the meeting as a group meeting for pupils in
8 similar circumstances. If the pupil is a minor, the district
9 shall invite and encourage the pupil's parent, legal guardian, or
10 person in loco parentis to attend the meeting and shall mail a
11 notice of the meeting to the pupil's parent, legal guardian, or
12 person in loco parentis. The purpose of this meeting and any
13 subsequent meeting under this subsection shall be to determine an
14 educational program for the pupil designed to have the pupil
15 achieve state endorsement in each subject area in which he or she
16 did not achieve state endorsement. In addition, a district may
17 provide for subsequent meetings with the pupil conducted by a
18 high school counselor or teacher designated by the pupil's high
19 school principal, and shall invite and encourage the pupil's
20 parent, legal guardian, or person in loco parentis to attend the
21 subsequent meetings. The district shall provide special programs
22 for the pupil or develop a program using the educational programs
23 regularly provided by the district unless the board of the dis-
24 trict decides otherwise and publishes and explains its decision
25 in a public justification report.

26 (5) A pupil who wants to repeat an assessment administered
27 under this section may repeat the assessment, without charge to

1 the pupil, in the next school year or after graduation. An
2 individual may repeat an assessment at any time the district
3 administers an applicable assessment instrument or during a
4 retesting period under subsection (7).

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

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

1 (8) A district shall provide accommodations to a pupil with
2 disabilities for the assessments required under this section, as
3 provided under section 504 of title V of the rehabilitation act
4 of 1973, Public Law 93-112, 29 U.S.C. 794; subtitle A of title II
5 of the Americans with disabilities act of 1990, Public Law
6 101-336, 42 U.S.C. 12131 to 12134; and the implementing regula-
7 tions for those statutes.

8 (9) For the purposes of this section, the ~~superintendent~~
9 MICHIGAN ASSESSMENT GOVERNING BOARD shall develop or select and
10 approve assessment instruments to measure pupil performance in
11 communications skills, mathematics, social studies, and science.
12 HOWEVER, BEGINNING IN 2005, THE MICHIGAN ASSESSMENT GOVERNING
13 BOARD SHALL REPLACE THE SOCIAL STUDIES ASSESSMENT WITH A CIVICS
14 ASSESSMENT. The assessment instruments shall be based on the
15 model core academic content standards objectives under section
16 1278 of the revised school code, MCL 380.1278.

17 (10) Upon written request by the pupil's parent or legal
18 guardian stating that the request is being made for the purpose
19 of providing the pupil with an opportunity to qualify to take 1
20 or more postsecondary courses as an eligible student under the
21 postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to
22 388.524, the board of a district shall allow a pupil who is in at
23 least grade 10 to take an assessment administered under this sec-
24 tion without charge at any time the district regularly adminis-
25 ters the assessment or during a retesting period established
26 under subsection (7). A district is not required to include in
27 an annual education report, or in any other report submitted to

1 the department for accreditation purposes, results of assessments
2 taken under this subsection by a pupil in grade 11 or lower until
3 the results of that pupil's graduating class are otherwise
4 reported.

5 ~~(11) All assessment instruments developed or selected and~~
6 ~~approved by the state under any statute or rule for a purpose~~
7 ~~related to K to 12 education shall be objective-oriented and con-~~
8 ~~sistent with the model core academic content standards objectives~~
9 ~~under section 1278 of the revised school code, MCL 380.1278.~~

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

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

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

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

4 ~~(c) A description of any significant alterations made in the~~
5 ~~program during the period covered by the report.~~

6 ~~(d) Any recommendations for legislative changes to the~~
7 ~~program.~~

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

10 (12) ~~-(14)-~~ A child who is a student in a nonpublic school
11 or home school may take an assessment under this section. To
12 take an assessment, a child who is a student in a home school
13 shall contact the district in which the child resides, and that
14 district shall administer the assessment, or the child may take
15 the assessment at a nonpublic school if allowed by the nonpublic
16 school. Upon request from a nonpublic school, the ~~department~~
17 MICHIGAN ASSESSMENT GOVERNING BOARD shall supply assessments and
18 the nonpublic school may administer the assessment.

19 (13) ~~-(15)-~~ The purpose of the assessment under this section
20 is to assess pupil performance in ~~mathematics, science, social~~
21 ~~studies, and communication arts~~ THE SUBJECT AREAS TESTED UNDER
22 THIS SECTION for the purpose of improving academic achievement
23 and establishing a statewide standard of competency. The assess-
24 ment under this section provides a common measure of data that
25 will contribute to the improvement of Michigan schools' curricu-
26 lum and instruction by encouraging alignment with Michigan's
27 curriculum framework standards. These standards are based upon

1 the expectations of what pupils should know and be able to do by
2 the end of grade 11.

3 (14) ~~(16)~~ As used in this section:

4 (A) "CIVICS" MEANS AMERICAN HISTORY, AMERICAN GOVERNMENT,
5 MICHIGAN HISTORY, AND MICHIGAN GOVERNMENT.

6 (B) ~~(a)~~ "Communications skills" means reading and
7 writing.

8 (C) "MICHIGAN ASSESSMENT GOVERNING BOARD" MEANS THE MICHIGAN
9 ASSESSMENT GOVERNING BOARD CREATED UNDER SECTION 1493 OF THE
10 REVISED SCHOOL CODE, MCL 380.1493.

11 (D) ~~(b)~~ "Social studies" means geography, history, econom-
12 ics, and American government.

13 Enacting section 1. This amendatory act does not take
14 effect unless Senate Bill No. _____ or House Bill No. 5879
15 (request no. 02837'01) of the 91st Legislature is enacted into
16 law.