

HOUSE BILL No. 6457

September 24, 2002, Introduced by Reps. Hart, Godchaux and Scranton and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 3, 1279, 1279c, and 1481 (MCL 380.3,
380.1279, 380.1279c, and 380.1481), sections 3 and 1279c as
amended by 1995 PA 289, section 1279 as amended by 1997 PA 175,
and section 1481 as added by 2000 PA 230, and by adding
section 1160.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) "Area" as used in the phrase "area
2 vocational-technical education program" means the geographical
3 territory, both within and without the boundaries of either a K
4 to 12 school district or a community college district, that is
5 designated by the ~~state board~~ DEPARTMENT as the service area
6 for the operation of an area vocational-technical education
7 program.

(2) "Area vocational-technical education program" means a program of organized, systematic instruction designed to prepare the following persons for useful employment in recognized occupations:

(a) Persons enrolled in high school.

(b) Persons who have completed or left high school and who are available for full-time study in preparation for entering the labor market.

(c) Persons who have entered the labor market and who need training or retraining to achieve stability or advancement in employment.

(3) "Board" or "school board" means the governing body of a local school district or a local act school district unless clearly otherwise stated.

(4) "Boarding school" means a place accepting for board, care, and instruction 5 or more children under 16 years of age.

(5) "Constituent district" means a local school district or special act school district the territory of which is entirely within and is an integral part of an intermediate school district.

SEC. 1160. (1) THE MICHIGAN COMMISSION ON ASIA IN THE SCHOOLS IS TRANSFERRED TO THE DEPARTMENT BY A TYPE II TRANSFER AS DESCRIBED IN SECTION 3 OF THE EXECUTIVE ORGANIZATION ACT OF 1965, 1965 PA 380, MCL 16.103.

(2) AS USED IN THIS SECTION, "MICHIGAN COMMISSION ON ASIA IN THE SCHOOLS" MEANS THAT COMMISSION AS CREATED IN EXECUTIVE ORDER NO. 2002-4.

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.

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

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

17 (2) The department shall develop scaled scores for reporting
18 subject area assessment results for each of the subject areas
19 under this section. Subject to approval by the state board, the
20 superintendent of public instruction shall establish 3 categories
21 for each subject area indicating basic competency, above average,
22 and outstanding, and shall establish the scaled score range
23 required for each category. The department shall design and dis-
24 tribute to school districts, intermediate school districts,
25 public school academies, and nonpublic schools a simple and con-
26 cise document that describes these categories in each subject
27 area and indicates the scaled score ranges for each category in

1 each subject area. A school district or public school academy
2 may award a high school diploma to a pupil who successfully com-
3 pletes local school district or public school academy require-
4 ments established in accordance with state law for high school
5 graduation, regardless of whether the pupil is eligible for any
6 state endorsement.

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

25 (4) For each pupil who does not achieve state endorsement in
26 1 or more subject areas, the board of the school district or
27 public school academy in which the pupil is enrolled shall

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

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

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

19 (7) The department shall establish, schedule, and arrange
20 periodic retesting periods throughout the year for individuals
21 who desire to repeat an assessment under this section. The
22 department shall coordinate the arrangements for administering
23 the repeat assessments and shall ensure that the retesting is
24 made available at least within each intermediate school district
25 and, to the extent possible, within each school district.

26 (8) A school district or public school academy shall provide
27 accommodations to a pupil with disabilities for the assessments

1 required under this section, as provided under section 504 of
2 title V of the rehabilitation act of 1973, Public Law 93-112, 29
3 U.S.C. 794; subtitle A of title II of the Americans with disabil-
4 ities act of 1990, Public Law 101-336, 42 U.S.C. 12131 to 12134;
5 and the implementing regulations for those statutes.

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

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

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

1 indicate on the person's high school transcript that the person
2 has achieved state endorsement for that subject 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.~~

1 (13) ~~—(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 shall supply assessments and the nonpublic school may
9 administer the assessment.

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

20 (15) ~~—(16)—~~ Not later than 90 days after the effective date
21 of this subsection, the state board shall appoint an 11-member
22 assessment administration advisory committee to advise the state
23 board on Michigan education assessment program (MEAP) tests and
24 on the assessments used for state endorsements under this
25 section. This advisory committee shall be composed of represen-
26 tatives of school districts, intermediate school districts,
27 school administrators, teachers, and parents, with the

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

20 (16) ~~-(17)-~~ As used in this section:

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

22 (b) "Social studies" means geography, history, economics,
23 and American government.

24 Sec. 1279c. The state board, THE DEPARTMENT, the board of
25 each school district, and each public school academy shall ensure
26 that the Michigan educational assessment program (MEAP) tests are
27 not used to measure pupils' values or attitudes.

1 Sec. 1481. (1) ~~Not later than the beginning of the~~
2 ~~2000-2001 school year, the~~ THE Michigan virtual university shall
3 develop, implement, and operate the Michigan virtual high school,
4 as described in this section.

5 (2) The Michigan virtual high school shall have the follow-
6 ing goals:

7 (a) Significantly expand curricular offerings for high
8 schools across this state through agreements with school dis-
9 tricts or licenses from other recognized providers.

10 (b) Create a statewide instructional model using interactive
11 multimedia tools delivered by electronic means, including, but
12 not limited to, the internet, digital broadcast, or satellite
13 network, for distributed learning at the high school level.

14 (c) Provide pupils with opportunities to develop skills and
15 competencies through on-line learning.

16 (d) Offer high school teachers opportunities to learn new
17 skills and strategies for developing and delivering instructional
18 services.

19 (e) Accelerate this state's ability to respond to current
20 and emerging educational demands.

21 (f) Grant high school diplomas through a dual enrollment
22 method with school districts.

23 (g) Act as a broker for college level equivalent courses, as
24 defined in section 1471, and dual enrollment courses from post-
25 secondary education institutions.

26 (3) The Michigan virtual high school course offerings shall
27 include, but are not limited to, all of the following:

1 (a) Information technology courses.

2 (b) College level equivalent courses, as defined in section
3 1471.

4 (c) Courses and dual enrollment opportunities.

5 (d) At-risk programs and services.

6 (e) General education development test preparation courses
7 for adjudicated youth.

8 (f) Special interest courses.

9 (g) Professional development programs and services for
10 teachers.

11 (4) In addition to its other duties under this section, the
12 Michigan virtual university shall work with the department and
13 other appropriate state agencies to explore the development and
14 delivery of a full curriculum for migrant pupils that would be
15 available through distance learning. The Michigan virtual uni-
16 versity and the department shall submit a joint report on their
17 findings under this subsection to the legislature not later than
18 ~~1 year after the effective date of this section~~ JUNE 27, 2001.

19 (5) Nonpublic school students and home-schooled children may
20 participate in course offerings of the Michigan virtual high
21 school to the same extent they are allowed to participate in
22 school district course offerings under this act and the state
23 school aid act of 1979, 1979 PA 94, MCL 388.1601 to 388.1772.

24 (6) The Michigan virtual university shall fund the Michigan
25 virtual high school from appropriations made for this purpose and
26 may also use funds received from other sources. The department

1 shall provide technical assistance as requested by the Michigan
2 virtual university for the purposes of this section.

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

6 (a) Senate Bill No. _____ or House Bill No. 6458
7 (request no. 07908'02).

8 (b) Senate Bill No. _____ or House Bill No. 6455
9 (request no. 07909'02).

10 (c) Senate Bill No. _____ or House Bill No. 6456
11 (request no. 07909'02 a).