

SENATE BILL No. 609

July 11, 2001, Introduced by Senators PETERS, SMITH, BYRUM, DE BEAUSSAERT, DINGELL, YOUNG, SCOTT, MURPHY, CHERRY, KOIVISTO, MILLER, HART and EMERSON and referred to the Committee on Education.

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending section 104a (MCL 388.1704a), as amended by 1999
PA 119.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 104a. (1) In order to receive state aid under this
2 act, a district shall comply with this section and shall adminis-
3 ter state assessments to high school pupils in the subject areas
4 of communications skills, mathematics, science, and, beginning
5 with pupils scheduled to graduate in 2000, social studies. The
6 district shall include on the pupil's high school transcript all
7 of 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 shall develop scaled scores for reporting
9 subject area assessment results for each of the subject areas
10 under this section. The superintendent shall establish 3 catego-
11 ries for each subject area indicating basic competency, above
12 average, and outstanding, and shall establish the scaled score
13 range required for each category. The department shall design
14 and distribute to districts, intermediate districts, and nonpub-
15 lic schools a simple and concise document that describes these
16 categories in each subject area and indicates the scaled score
17 ranges for each category in each subject area. A district may
18 award a high school diploma to a pupil who successfully completes
19 local district requirements established in accordance with state
20 law for high school graduation, regardless of whether the pupil
21 is eligible for any state endorsement.

22 (3) The assessments administered for the purposes of this
23 section shall be administered to pupils during the last 30 school
24 days of grade 11. The department shall ensure that the assess-
25 ments are scored and the scores are returned to pupils, their
26 parents or legal guardians, and districts not later than the
27 beginning of the pupil's first semester of grade 12. ~~Not later~~

1 ~~than fall 1999, the~~ THE department shall arrange for those
2 portions of a pupil's assessment that cannot be scored mechani-
3 cally to be scored in Michigan by persons who are Michigan teach-
4 ers, retired Michigan teachers, or Michigan school administrators
5 and who have been trained in scoring the assessments. The
6 returned scores shall indicate the pupil's scaled score for each
7 subject area assessment, the range of scaled scores for each
8 subject area, and the range of scaled scores required for each
9 category established under subsection (2). In reporting the
10 scores to pupils, parents, and schools, the department shall pro-
11 vide specific, meaningful, and timely feedback on the pupil's
12 performance on the assessment.

13 (4) For each pupil who does not achieve state endorsement in
14 1 or more subject areas, the board of the district in which the
15 pupil is enrolled shall provide that there be at least 1 meeting
16 attended by at least the pupil and a member of the district's
17 staff or a local or intermediate district consultant who is pro-
18 ficient in the measurement and evaluation of pupils. The dis-
19 trict may provide the meeting as a group meeting for pupils in
20 similar circumstances. If the pupil is a minor, the district
21 shall invite and encourage the pupil's parent, legal guardian, or
22 person in loco parentis to attend the meeting and shall mail a
23 notice of the meeting to the pupil's parent, legal guardian, or
24 person in loco parentis. The purpose of this meeting and any
25 subsequent meeting under this subsection shall be to determine an
26 educational program for the pupil designed to have the pupil
27 achieve state endorsement in each subject area in which he or she

1 did not achieve state endorsement. In addition, a district may
2 provide for subsequent meetings with the pupil conducted by a
3 high school counselor or teacher designated by the pupil's high
4 school principal, and shall invite and encourage the pupil's
5 parent, legal guardian, or person in loco parentis to attend the
6 subsequent meetings. The district shall provide special programs
7 for the pupil or develop a program using the educational programs
8 regularly provided by the district unless the board of the dis-
9 trict decides otherwise and publishes and explains its decision
10 in a public justification report.

11 (5) A pupil who wants to repeat an assessment administered
12 under this section may repeat the assessment, without charge to
13 the pupil, in the next school year or after graduation. An indi-
14 vidual may repeat an assessment at any time the district adminis-
15 ters an applicable assessment instrument or during a retesting
16 period under subsection (7).

17 (6) The department shall ensure that the length of the
18 assessments used for the purposes of this section and the com-
19 bined total time necessary to administer all of the assessments,
20 including social studies, are the shortest possible that will
21 still maintain the degree of reliability and validity of the
22 assessment results determined necessary by the department. The
23 department shall ensure that the maximum total combined length of
24 time that schools are required to set aside for administration of
25 all of the assessments used for the purposes of this section,
26 including social studies, does not exceed 8 hours. However, this

1 subsection does not limit the amount of time that individuals may
2 have to complete the assessments.

3 (7) The department shall establish, schedule, and arrange
4 periodic retesting periods throughout the year for individuals
5 who desire to repeat an assessment under this section. The
6 department shall coordinate the arrangements for administering
7 the repeat assessments and shall ensure that the retesting is
8 made available at least within each intermediate district and, to
9 the extent possible, within each district.

10 (8) A district shall provide accommodations to a pupil with
11 disabilities for the assessments required under this section, as
12 provided under section 504 of title V of the rehabilitation act
13 of 1973, Public Law 93-112, 29 U.S.C. 794; subtitle A of title II
14 of the Americans with disabilities act of 1990, Public Law
15 101-336, 42 U.S.C. 12131 to 12134; and the implementing regula-
16 tions for those statutes.

17 (9) For the purposes of this section, the superintendent
18 shall develop or select and approve assessment instruments to
19 measure pupil performance in communications skills, mathematics,
20 social studies, and science. The assessment instruments shall be
21 based on the model core academic content standards objectives
22 under section 1278 of the revised school code, MCL 380.1278.

23 (10) Upon written request by the pupil's parent or legal
24 guardian stating that the request is being made for the purpose
25 of providing the pupil with an opportunity to qualify to take 1
26 or more postsecondary courses as an eligible student under the
27 postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to

1 388.524, the board of a district shall allow a pupil who is in at
2 least grade 10 to take an assessment administered under this sec-
3 tion without charge at any time the district regularly adminis-
4 ters the assessment or during a retesting period established
5 under subsection (7). A district is not required to include in
6 an annual education report, or in any other report submitted to
7 the department for accreditation purposes, results of assessments
8 taken under this subsection by a pupil in grade 11 or lower until
9 the results of that pupil's graduating class are otherwise
10 reported.

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

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

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

3 (13) Not later than July 1 of each year, ~~until 2000, the~~
4 THE department shall submit a comprehensive report to the legis-
5 lature and the state budget director on the status of the assess-
6 ment program under this section. The report shall include at
7 least all 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 during the period covered by the report.

13 (d) Any recommendations for legislative changes to the
14 program.

15 (e) An update of the reports of the assessment advisory com-
16 mittees of the state board.

17 (14) A child who is a student in a nonpublic school or home
18 school may take an assessment under this section. To take an
19 assessment, a child who is a student in a home school shall con-
20 tact the district in which the child resides, and that district
21 shall administer the assessment, or the child may take the
22 assessment at a nonpublic school if allowed by the nonpublic
23 school. Upon request from a nonpublic school, the department
24 shall supply assessments and the nonpublic school may administer
25 the assessment.

26 (15) The purpose of the assessment under this section is to
27 assess pupil performance in mathematics, science, social studies,

1 and communication arts for the purpose of improving academic
2 achievement and establishing a statewide standard of competency.
3 The assessment under this section provides a common measure of
4 data that will contribute to the improvement of Michigan schools'
5 curriculum and instruction by encouraging alignment with
6 Michigan's curriculum framework standards. These standards are
7 based upon the expectations of what pupils should know and be
8 able to do by the end of grade 11.

9 (16) As used in this section:

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

11 (b) "Social studies" means geography, history, economics,
12 and American government.

13 Enacting section 1. This amendatory act is intended to
14 return to the superintendent of public instruction, the depart-
15 ment of education, and the state board of education certain func-
16 tions relating to state assessments transferred to the department
17 of treasury under Executive Reorganization Order No. 1999-7,
18 MCL 388.995.

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

22 (a) Senate Bill No. 607.

23

24 (b) Senate Bill No. 608.

25

26 (c) Senate Bill No. 610.

27