

SUBSTITUTE FOR
SENATE BILL NO. 787

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1280 (MCL 380.1280), as amended by 1997 PA
180.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1280. (1) The board of a school district that does not
2 want to be subject to the measures described in this section
3 shall ensure that each public school within the school district
4 is accredited.

5 (2) As used in subsection (1), and subject to subsection (6),
6 "accredited" means certified by the ~~state board~~ **superintendent**
7 **of public instruction** as having met or exceeded ~~state~~
8 ~~board-approved~~ standards established **under this section** for 6
9 areas of school operation: administration and school
10 organization, curricula, staff, school plant and facilities,

1 school and community relations, and school improvement plans and
2 student performance. The building-level evaluation used in the
3 accreditation process shall include, but is not limited to,
4 school data collection, self-study, visitation and validation,
5 determination of performance data to be used, and the development
6 of a school improvement plan.

7 (3) The department shall develop and distribute to all public
8 schools proposed accreditation standards. Upon distribution of
9 the proposed standards, the department shall hold statewide
10 public hearings for the purpose of receiving testimony concerning
11 the standards. After a review of the testimony, the department
12 shall revise and submit the proposed standards to the ~~state~~
13 ~~board~~ **superintendent of public instruction**. After a review and
14 revision, if appropriate, of the proposed standards, the ~~state~~
15 ~~board~~ **superintendent of public instruction** shall submit the
16 proposed standards to the senate and house committees that have
17 the responsibility for education legislation. Upon approval by
18 these committees, the department shall distribute to all public
19 schools the standards to be applied to each school for
20 accreditation purposes.

21 (4) The ~~department~~ **superintendent of public instruction**
22 shall develop and distribute to all public schools standards for
23 determining that a school is eligible for summary accreditation
24 under subsection (6). The standards shall be developed,
25 reviewed, approved, and distributed using the same process as
26 prescribed in subsection (3) for accreditation standards, and
27 shall be finally distributed and implemented not later than

1 December 31, 1994.

2 (5) The standards for accreditation or summary accreditation
3 under this section shall include pupil performance on Michigan
4 education assessment program (MEAP) tests and the percentage of
5 pupils achieving state endorsement under section 1279 as
6 criteria, but shall not be based solely on pupil performance on
7 MEAP tests or on the percentage of pupils achieving state
8 endorsement under section 1279. The standards shall also include
9 multiple year change in pupil performance on MEAP tests and
10 multiple year change in the percentage of pupils achieving state
11 endorsement under section 1279 as criteria. If it is necessary
12 for the ~~state board~~ **superintendent of public instruction** to
13 revise accreditation or summary accreditation standards
14 established under subsection (3) or (4) to comply with this
15 subsection, the revised standards shall be developed, reviewed,
16 approved, and distributed using the same process as prescribed in
17 subsection (3).

18 (6) If the ~~department~~ **superintendent of public instruction**
19 determines that a public school has met the standards established
20 under subsection (4) or (5) for summary accreditation, the school
21 is considered to be accredited without the necessity for a full
22 building-level evaluation under subsection (2).

23 (7) If the ~~department~~ **superintendent of public instruction**
24 determines that a school has not met the standards established
25 under subsection (4) or (5) for summary accreditation but that
26 the school is making progress toward meeting those standards, or
27 if, based on a full building-level evaluation under subsection

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1 (2), the ~~department~~ **superintendent of public instruction**
2 determines that a school has not met the standards for
3 accreditation but is making progress toward meeting those
4 standards, the school is in interim status and is subject to a
5 full building-level evaluation as provided in this section.

6 (8) If a school has not met the standards established under
7 subsection (4) or (5) for summary accreditation and is not
8 eligible for interim status under subsection (7), the school is
9 unaccredited and subject to the measures provided in this
10 section.

11 (9) **[Beginning with the 2002-2003 school year, if at least 5%]** of a
12 **public school's answer sheets from**
13 **the administration of the Michigan educational assessment program**
14 **(MEAP) tests are lost by the department or by a state contractor**
15 **and if the public school can verify that the answer sheets were**
16 **collected from pupils and forwarded to the department or the**
17 **contractor, the department shall not assign an accreditation**
18 **score or school report card grade to the public school for that**
19 **subject area for the corresponding year for the purposes of**
20 **determining state accreditation under this section. The**
21 **department shall not assign an accreditation score or school**
22 **report card grade to the public school for that subject area**
23 **until the results of all tests for the next year are available.**

24 (10) Subsection (9) does not preclude the department from
25 determining whether a public school or a school district has
26 achieved adequate yearly progress **[for the school year in which the**
27 **answer sheets were lost]** for the purposes of the no
child left behind act of 2001, Public Law 107-110, 115
Stat. 1425. However, the department shall [

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1] ensure that a public school or the school district is
 2 not penalized when determining adequate yearly progress status
 3 due to the fact that the public school's MEAP answer sheets were
 4 lost by the department or by a state contractor[, but shall not require a
 public school or school district to retest pupils or produce scores from
 another test for this purpose].

5 (11) ~~-(9)-~~ The ~~department~~ **superintendent of public**
 6 **instruction** shall annually review and evaluate for accreditation
 7 purposes the performance of each school that is unaccredited and
 8 as many of the schools that are in interim status as permitted by
 9 the department's resources.

10 (12) ~~-(10)-~~ The ~~department~~ **superintendent of public**
 11 **instruction** shall, and the intermediate school district to which
 12 a school district is constituent, a consortium of intermediate
 13 school districts, or any combination thereof may, provide
 14 technical assistance, as appropriate, to a school that is
 15 unaccredited or that is in interim status upon request of the
 16 board of the school district in which the school is located. If
 17 requests to the ~~department~~ **superintendent of public instruction**
 18 for technical assistance exceed the capacity, priority shall be
 19 given to unaccredited schools.

20 (13) ~~-(11)-~~ A school that has been unaccredited for 3
 21 consecutive years is subject to 1 or more of the following
 22 measures, as determined by the superintendent of public
 23 instruction:

24 (a) The superintendent of public instruction or his or her
 25 designee shall appoint at the expense of the affected school
 26 district an administrator of the school until the school becomes
 27 accredited.

1 (b) A parent, legal guardian, or person in loco parentis of a
2 child who attends the school may send his or her child to any
3 accredited public school with an appropriate grade level within
4 the school district.

5 (c) The school, with the approval of the superintendent of
6 public instruction, shall align itself with an existing
7 research-based school improvement model or establish an
8 affiliation for providing assistance to the school with a college
9 or university located in this state.

10 (d) The school shall be closed.

11 **(14)** ~~-(12)-~~ The ~~department~~ **superintendent of public**
12 **instruction** shall evaluate the school accreditation program and
13 the status of schools under this section and shall submit an
14 annual report based upon the evaluation to the senate and house
15 committees that have the responsibility for education
16 legislation. The report shall address the reasons each
17 unaccredited school is not accredited and shall recommend
18 legislative action that will result in the accreditation of all
19 public schools in this state.