

HOUSE BILL No. 5678

March 23, 2004, Introduced by Reps. Clack, Gleason, Bieda, Minore, Zelenko, Meisner, Gielegem, Smith, Sak, Plakas, Reeves, Murphy, Hood, Williams, Stallworth, Kolb, Hart, O'Neil, Jammick, Cheeks, Moolenaar and Hardman 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,
4 mathematics, science, and, beginning with pupils scheduled to
5 graduate in 2000, social studies. The board shall include on the
6 pupil's high school transcript all of the following:

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

10 (b) If the pupil's scaled score on a subject area assessment

1 falls within the range required under subsection (2) for a
2 category established under subsection (2), an indication that the
3 pupil has achieved state endorsement for that subject area.

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

7 (2) The department **of treasury** shall develop scaled scores
8 for reporting subject area assessment results for each of the
9 subject areas under this section. ~~Subject to approval by the~~
10 ~~state board, the superintendent of public instruction~~ **The**
11 **department of treasury** shall establish 3 categories for each
12 subject area indicating basic competency, above average, and
13 outstanding, and shall establish the scaled score range required
14 for each category. The department **of treasury** shall design and
15 distribute to school districts, intermediate school districts,
16 public school academies, and nonpublic schools a simple and
17 concise document that describes these categories in each subject
18 area and indicates the scaled score ranges for each category in
19 each subject area. A school district or public school academy
20 may award a high school diploma to a pupil who successfully
21 completes local school district or public school academy
22 requirements established in accordance with state law for high
23 school graduation, regardless of whether the pupil is eligible
24 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 **of treasury** 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~~ **The**
5 department **of treasury** 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,
14 parents, and schools, the department **of treasury** shall provide
15 specific, meaningful, and timely feedback on the pupil's
16 performance 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
20 provide 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
23 consultant 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
10 conducted 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
16 provided by the district unless the board of the school district
17 or 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
22 individual may repeat an assessment at any time the school
23 district or public school academy administers an applicable
24 assessment instrument or during a retesting period under
25 subsection (7).

26 (6) The department **of treasury** shall ensure that the length
27 of the assessments used for the purposes of this section and the

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

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

20 (8) A school district or public school academy shall provide
21 accommodations to a pupil with disabilities for the assessments
22 required under this section, as provided under section 504 of
23 title V of the rehabilitation act of 1973, Public Law 93-112, 29
24 U.S.C. 794; subtitle A of title II of the Americans with
25 disabilities act of 1990, Public Law 101-336, 42 U.S.C. 12131 to
26 12134; and the implementing regulations for those statutes.

27 (9) For the purposes of this section, the ~~state board~~

1 **department of treasury** shall develop or select and approve
2 assessment instruments to measure pupil performance in
3 communications skills, mathematics, social studies, and science.
4 The assessment instruments shall be based on the state board
5 model core academic content standards objectives.

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

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

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

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

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

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

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

9 ~~—— (e) An update of the reports of the assessment advisory~~
10 ~~committees of the state board.~~

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

21 ~~(12) —(14)—~~ A child who is a student in a nonpublic school or
22 home school may take an assessment under this section. To take
23 an assessment, a child who is a student in a home school shall
24 contact the school district in which the child resides, and that
25 school district shall administer the assessment, or the child may
26 take the assessment at a nonpublic school if allowed by the
27 nonpublic school. Upon request from a nonpublic school, the

1 department **of treasury** shall supply assessments and the nonpublic
2 school may administer the assessment.

3 **(13)** ~~—(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
6 academic 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 **(14)** ~~—(16) Not later than 90 days after the effective date of~~
14 ~~this subsection—~~ **Subject to subsection (15)**, the ~~—state board~~
15 **department of treasury** shall appoint an 11-member assessment
16 administration advisory committee to advise the ~~—state board~~
17 **department of treasury** on Michigan education assessment program
18 (MEAP) tests and on the assessments used for state endorsements
19 under this section. ~~—This—~~ **Subject to subsection (15)**, **this**
20 advisory committee shall be composed of representatives of school
21 districts, intermediate school districts, school administrators,
22 teachers, and parents, with the appointments reflecting the
23 geographic and population diversity of school districts in this
24 state. The representatives of school districts and intermediate
25 school districts shall be persons who are expert in testing or
26 test administration. This advisory committee shall evaluate
27 these tests and assessments and make recommendations to the

1 ~~state board and~~ department **of treasury** on issues related to
2 administration, scoring, and reporting and use of results of
3 these tests and assessments, including, but not limited to,
4 length of the tests and assessments; the time of the testing
5 period during the school year; feedback provided to pupils,
6 parents, and schools; accurate and relevant reporting of results
7 to the general public; the selection of a retesting period and
8 procedures and arrangements for repeating tests or assessments;
9 local scoring and other general issues regarding scoring of tests
10 and assessments; categories of scoring on the MEAP tests and
11 categories of state endorsement under this section; and
12 professional development for teachers to assist in preparing
13 pupils to have the necessary skills and knowledge to succeed on
14 the tests and assessments.

15 **(15) Not later than 90 days after the effective date of this**
16 **subsection, the department of treasury shall appoint an**
17 **additional member to the assessment administration advisory**
18 **committee created in subsection (14). This additional member**
19 **shall be a representative of a state approved teacher education**
20 **institution.**

21 **(16) ~~(17)~~ As used in this section:**

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

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