

SENATE BILL No. 787

October 22, 2003, Introduced by Senators HARDIMAN, GARCIA, KUIPERS, SIKKEMA, JELINEK, BIRKHOLZ, GOSCHKA, BROWN, JOHNSON, HAMMERSTROM, VAN WOERKOM, TOY, GEORGE, CASSIS, McMANUS, PATTERSON, CROPSEY, GILBERT, SANBORN, CLARK-COLEMAN, CLARKE, SCOTT, JACOBS and STAMAS and referred to the Committee on Education.

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

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) If all or some of a public school's answer sheets from
12 the administration of the Michigan educational assessment program
13 (MEAP) tests are lost by the department or by a state contractor
14 and if the public school can verify that the answer sheets were
15 collected from pupils and forwarded to the department or the
16 contractor, all of the following apply:

17 (a) If 25% or more of the answer sheets for a particular
18 subject area test are lost, the department shall not assign an
19 accreditation score or school report card grade to the public
20 school for that subject area for the corresponding year for the
21 purposes of determining state accreditation under this section.
22 The department shall not assign an accreditation score or school
23 report card grade to the public school for that subject area
24 until the results of all tests for the next year are available.

25 (b) If less than 25% of the answer sheets for a particular
26 subject area test are lost, the department shall not include
27 those pupils whose answer sheets are lost in determining an

1 accreditation score or school report card grade for the public
2 school for that subject area for the corresponding year for the
3 purposes of determining state accreditation under this section.

4 (c) This subsection does not preclude the department from
5 determining whether a public school has achieved adequate yearly
6 progress for the purposes of the no child left behind act of
7 2001, Public Law 107-110, 115 Stat. 1425. However, the
8 department shall make every effort possible to work with the
9 United States department of education to ensure that a public
10 school is not penalized when determining adequate yearly progress
11 status due to the fact that the public school's MEAP answer
12 sheets were lost by the department or by a state contractor. For
13 a public school described in subdivision (a), these efforts shall
14 include at least requesting a waiver from a determination of
15 adequate yearly progress status for the public school for the
16 applicable year. For a public school described in subdivision
17 (b), these efforts shall include at least requesting a waiver
18 with regard to excluding the pupils whose answer sheets have been
19 lost in making the determination of adequate yearly progress
20 status for the public school for the applicable year. When
21 requesting a waiver, the department shall report that the reason
22 for the request is the fact that answer sheets of the pupils in
23 the public school were lost by the department or a state
24 contractor and shall refer at least to section 1116(b)(2) of the
25 no child left behind act of 2001, 20 USC 6316.

26 (10) ~~—(9)—~~ The ~~—department—~~ superintendent of public
27 instruction shall annually review and evaluate for accreditation

1 purposes the performance of each school that is unaccredited and
2 as many of the schools that are in interim status as permitted by
3 the department's resources.

4 (11) ~~-(10)-~~ The ~~department~~ **superintendent of public**
5 **instruction** shall, and the intermediate school district to which
6 a school district is constituent, a consortium of intermediate
7 school districts, or any combination thereof may, provide
8 technical assistance, as appropriate, to a school that is
9 unaccredited or that is in interim status upon request of the
10 board of the school district in which the school is located. If
11 requests to the ~~department~~ **superintendent of public instruction**
12 for technical assistance exceed the capacity, priority shall be
13 given to unaccredited schools.

14 (12) ~~-(11)-~~ A school that has been unaccredited for 3
15 consecutive years is subject to 1 or more of the following
16 measures, as determined by the superintendent of public
17 instruction:

18 (a) The superintendent of public instruction or his or her
19 designee shall appoint at the expense of the affected school
20 district an administrator of the school until the school becomes
21 accredited.

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

26 (c) The school, with the approval of the superintendent of
27 public instruction, shall align itself with an existing

1 research-based school improvement model or establish an
2 affiliation for providing assistance to the school with a college
3 or university located in this state.

4 (d) The school shall be closed.

5 (13) ~~—(12)—~~ The ~~department~~ **superintendent of public**
6 **instruction** shall evaluate the school accreditation program and
7 the status of schools under this section and shall submit an
8 annual report based upon the evaluation to the senate and house
9 committees that have the responsibility for education
10 legislation. The report shall address the reasons each
11 unaccredited school is not accredited and shall recommend
12 legislative action that will result in the accreditation of all
13 public schools in this state.