

SENATE BILL No. 1027

March 2, 2004, Introduced by Senator SWITALSKI 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 2003 PA 158.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SENATE BILL No. 1027

1 Sec. 104a. (1) In order to receive state aid under this
2 act, a district shall comply with this section and shall
3 administer state assessments to high school pupils in the subject
4 areas of communications skills, mathematics, science, and social
5 studies. If the ~~department of treasury or the Michigan~~
6 ~~assessment governing board, as applicable,~~ **superintendent of**
7 **public instruction** determines that it would be consistent with
8 the purposes of this section, the ~~department of treasury or the~~
9 ~~Michigan assessment governing board, as applicable,~~
10 **superintendent of public instruction** may designate the grade 11

1 Michigan education assessment program tests or the ACT/ACT work
2 keys tests as the assessments to be used for the purposes of this
3 section. The district shall include on the pupil's high school
4 transcript all of the following:

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

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

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

15 (2) The ~~department of treasury~~ **superintendent of public**
16 **instruction** shall develop scaled scores for reporting subject
17 area assessment results for each of the subject areas under this
18 section. The ~~department of treasury~~ **superintendent of public**
19 **instruction** shall establish 3 categories for each subject area
20 indicating basic competency, above average, and outstanding, and
21 shall establish the scaled score range required for each
22 category. The ~~department of treasury~~ **superintendent of public**
23 **instruction** shall design and distribute to districts,
24 intermediate districts, and nonpublic schools a simple and
25 concise document that describes these categories in each subject
26 area and indicates the scaled score ranges for each category in
27 each subject area. A district may award a high school diploma to

1 a pupil who successfully completes local district requirements
2 established in accordance with state law for high school
3 graduation, regardless of whether the pupil is eligible for any
4 state endorsement.

5 (3) The assessments administered for the purposes of this
6 section shall be administered to pupils during the last 30 school
7 days of grade 11. The ~~department of treasury~~ **superintendent of**
8 **public instruction** shall ensure that the assessments are scored
9 and the scores are returned to pupils, their parents or legal
10 guardians, and districts not later than the beginning of the
11 pupil's first semester of grade 12. The ~~department of treasury~~
12 **superintendent of public instruction** shall arrange for those
13 portions of a pupil's assessment that cannot be scored
14 mechanically to be scored in Michigan by persons who are Michigan
15 teachers, retired Michigan teachers, or Michigan school
16 administrators and who have been trained in scoring the
17 assessments. The returned scores shall indicate the pupil's
18 scaled score for each subject area assessment, the range of
19 scaled scores for each subject area, and the range of scaled
20 scores required for each category established under
21 subsection (2). In reporting the scores to pupils, parents, and
22 schools, the ~~department of treasury~~ **superintendent of public**
23 **instruction** shall provide specific, meaningful, and timely
24 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 district in which the
27 pupil is enrolled shall provide that there be at least 1 meeting

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

23 (5) A pupil who wants to repeat an assessment administered
24 under this section may repeat the assessment ~~—~~ **not more than**
25 **once. The repeat assessment shall be** without charge to the
26 pupil. ~~—, in the next school year or after graduation.—~~ An
27 individual may ~~repeat an~~ **take a repeat** assessment at any time

1 **during the next school year or after graduation when** the district
2 administers an applicable assessment instrument or during a
3 retesting period under subsection (7).

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

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

27 (8) A district shall provide accommodations to a pupil with

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

7 (9) For the purposes of this section, the ~~department of~~
8 ~~treasury~~ **superintendent of public instruction** shall develop or
9 select and approve assessment instruments to measure pupil
10 performance in communications skills, mathematics, social
11 studies, and science. Unless the ~~department of treasury~~
12 **superintendent of public instruction** selects and approves the
13 ACT/ACT work keys tests, the assessment instruments shall be
14 based on the model core academic content standards objectives
15 under section 1278 of the revised school code, MCL 380.1278.

16 (10) Upon written request by the pupil's parent or legal
17 guardian stating that the request is being made for the purpose
18 of providing the pupil with an opportunity to qualify to take 1
19 or more postsecondary courses as an eligible student under the
20 postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to
21 388.524, the board of a district shall allow a pupil who is in at
22 least grade 10 to take an assessment administered under this
23 section without charge at any time the district regularly
24 administers the assessment or during a retesting period
25 established under subsection (7). A district is not required to
26 include in an annual education report, or in any other report
27 submitted to the ~~department of treasury~~ **superintendent of**

1 **public instruction** for accreditation purposes, results of
2 assessments taken under this subsection by a pupil in grade 11 or
3 lower until the results of that pupil's graduating class are
4 otherwise reported.

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

11 (12) 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 district from which he or
15 she graduated from high school at any time that district
16 administers the assessment or during a retesting period scheduled
17 under subsection (7) and have his or her scaled score on the
18 assessment included on his or her high school transcript. If the
19 person's scaled score on a subject area assessment falls within
20 the range required under subsection (2) for a category
21 established under subsection (2), the 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 (13) A child who is a student in a nonpublic school or home
25 school may take an assessment under this section. To take an
26 assessment, a child who is a student in a home school shall
27 contact the district in which the child resides, and that

1 district shall administer the assessment, or the child may take
2 the assessment at a nonpublic school if allowed by the nonpublic
3 school. Upon request from a nonpublic school, the ~~department of~~
4 ~~treasury~~ **superintendent of public instruction** shall supply
5 assessments and the nonpublic school may administer the
6 assessment.

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

17 ~~(15) If the Michigan assessment governing board is~~
18 ~~established by law, the Michigan assessment governing board shall~~
19 ~~administer this section and shall have all of the powers and~~
20 ~~duties as otherwise provided under this section for the~~
21 ~~department of treasury.~~

22 (15) ~~(16)~~ As used in this section:

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

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