

Legislative Analysis



MEAP AUTHORIZATION

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House Bill 4142 (Substitute H-1)

Sponsor: Rep. Brian Palmer

Committee: Education

Revised First Analysis (2-15-05)

BRIEF SUMMARY: The bill would amend the original Michigan Educational Assessment Program (MEAP) authorizing statute to revise the manner in which the state assessment program is administered.

FISCAL IMPACT: Fiscal analysis is in process.

THE APPARENT PROBLEM:

Since the early 1970s Michigan has had an annual school testing program called MEAP—or the Michigan Educational Assessment Program. For many years, students were tested in four subject areas: math and reading in grades 4, 7, and 11, and science and writing in grades 5, 8, and 11. Beginning in 1999, a social studies MEAP was offered in grades 5, 8, and 11. The five MEAP tests—math, reading, science, writing, and social studies—administered in the 11th grade constitute the Michigan High School Test. The MEAP was developed and administered for nearly 30 years by the Michigan Department of Education, where the test evolved over time to reflect the core curricular standards that are taught in Michigan's schools.

The program was moved from the Department of Education to the Department of Treasury in 1999 by an executive order of former Governor Engler, after the Michigan Merit Award was established in the Department of Treasury—a scholarship based on the results students earn on the high school MEAP tests administered in 11th grade. In November 2003 the Michigan Educational Assessment Program was returned to the Michigan Department of Education—by executive order of Governor Granholm—after having been administered from the Department of Treasury for four years.

In the period before the testing program was returned to the Department of Education and shortly after, many people expressed concerns about the administration of the assessment program. For example, out-of-state scorers lost thousands of tests from several school districts making those schools' accountability reports incomplete. Further, test results often were reported to schools too late to be useful for diagnostic and accountability purposes. In addition, the legislature investigated reports of cheating and other irregularities by school districts, and education officials acknowledged the lack of adequate internal systems necessary to ensure the selection of high quality vendors (such as the companies used to develop and score tests), and to monitor the works of those vendors so test results were reported to schools accurately and in a timely manner.

The MEAP will undergo further changes in the coming year by expanding to comply with the testing requirements of the federal No Child Left Behind Act, passed by the U.S. Congress in January 2001. That law requires that states test students annually in reading and mathematics during grades 3 through 8. In addition, the MEAP high school test likely will change as a result of new statutes passed by the legislature in 2004 to eliminate the MEAP high school tests and develop in their place the Michigan Merit Examination, as well as a work skills test designed for those who wish to pursue technical education beyond high school, but not attend a four-year degree program.

Legislation has been introduced to ensure that the administration of the MEAP in the Department of Education is maximally efficient and fair in this era of change.

THE CONTENT OF THE BILL:

House Bill 4142 would amend Public Act 38 of 1970 (MCL 388.1082), the original Michigan Education Assessment Program (MEAP) authorizing statute, to revise the manner in which the state assessment program is administered.

Beginning with the 2005-2006 school year, the superintendent of public instruction would be required to ensure that all of the following applied to the assessment program.

--Scorers of assessments would be required to supply individual reports for each student that would identify for parents and teachers whether the student met expectations or failed to meet them for each standard, in order to allow the student's parents and teachers to assess and remedy problems before the student moved to the next grade.

--Those who develop or score assessments would be required to meet quality management standards commonly used in the assessment industry, including at least meeting level two of the capability maturity model developed by the software engineering institute of Carnegie Mellon University for the 2005-2006 school year assessments, and improving to at least level three of that model for subsequent assessments. (See Background Information.)

--Contracts with scorers or developers of assessment instruments would have to include specific deadlines for all steps of the assessment process (including deadlines for the correct testing materials to be supplied to schools, and for the correct results to be returned to schools), including penalties for noncompliance with the deadlines.

--All assessment instruments would be required to 1) be designed to test students on grade level content expectations in all subjects tested, for each grade level tested; 2) comply with requirements of the federal No Child Left Behind Act of 2001; 3) be consistent with the Code of Fair Testing Practices in Education prepared by the joint committee on testing practices of the American Psychological Association; and 4) be factually accurate. If the superintendent of public instruction determined that a question was not factually accurate and should be removed from the test, the state board and superintendent would be required to ensure that occurred.

Under the bill, officials working in public schools would be required to identify both students needing assistance to improve their competence in the basic skills and also students who have demonstrated extraordinary competence in multiple subject areas, and who should be advanced.

Currently under the law, the statewide assessment program must cover all students annually in at least two grade levels in public schools. Under House Bill 4142, the program would have to cover all students annually in at least two elementary and middle school grade levels in public schools. If the federal government required assessments at additional grade levels under the No Child Left Behind

BACKGROUND INFORMATION:

The Capability Maturity Model (CMM) noted in the legislation refers to the five evolutionary stages in managing organizational processes with regard to the organization's software development and applications. The five stages of CMM are 1) *initial* (in which processes are ad-hoc, chaotic, or actually few processes are defined); 2) *repeatable* (in which basic processes are established and there is a level of discipline to stick with them); 3) *defined* (in which all processes are defined, documented, standardized and integrated into each other); 4) *managed* (in which processes are measured by collecting detailed data on the processes and their quality); and 5) *optimizing* (in which continuous process improvement is adopted and in place by quantitative feedback and from piloting new ideas and technologies).

Information about the CMM model developed by Carnegie Mellon University is derived from the following website: <http://www.valuebasedmanagement.net> and click on capability maturity model.

ARGUMENTS:

For:

The importance of Michigan's more than 30-year-old MEAP tests continues to increase in this second wave of standards-based school reform and accountability. Changes to the testing program will occur in the coming year to comply with the requirements of the federal No Child Left Behind Act. This legislation will help to ensure that the ever evolving testing program is administered in a fair and efficient manner, so that test results are available in a timely manner and are useful as diagnostic tools for classroom teachers.

Against:

Critics say the legislation is unnecessary. The Department of Education has already entered into a contract with a company that meets level three of the quality management standards commonly used in the assessment industry—surpassing level two, as specified in this bill. After administration of the assessment program was returned to the Department of Education in November 2003 (following its four-year stint in the Department of Treasury), the program's many limitations were immediately addressed by professional educators having nationally recognized expertise in standards-based

educational assessment. Critics say this bill is an unwise attempt to micromanage the department's already successful assessment program.

POSITIONS:

The Michigan Department of Education supports the bill as substituted. (2-9-05)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.