

# HOUSE BILL No. 4142

February 1, 2005, Introduced by Rep. Palmer and referred to the Committee on Education.

A bill to amend 1970 PA 38, entitled

"An act to provide for assessment and remedial assistance programs of students in reading, mathematics and vocational education,"

by amending section 2 (MCL 388.1082).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 2. (1) The statewide assessment program of educational  
2 progress shall cover all students annually ~~at two~~ **IN AT LEAST 2**  
3 **ELEMENTARY AND MIDDLE SCHOOL** grade levels in public schools.

4       (2) The ~~department of education, hereinafter referred to as~~  
5 ~~the department,~~ **SUPERINTENDENT OF PUBLIC INSTRUCTION** shall develop  
6 and conduct the **ASSESSMENT** program ~~—~~ and may utilize the

1 assistance of appropriate testing organizations ~~and/or~~ OR testing  
2 ~~specialist~~ SPECIALISTS. ~~The program shall expand the current~~  
3 ~~basic skills testing inventory in grades 4 and 7 coordinated by the~~  
4 ~~department.~~ BEGINNING WITH ASSESSMENTS CONDUCTED IN THE 2005-2006  
5 SCHOOL YEAR, ALL OF THE FOLLOWING APPLY TO THE ASSESSMENT PROGRAM:

6 (A) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ENSURE THAT  
7 ANY CONTRACTOR USED FOR SCORING AN ASSESSMENT INSTRUMENT SUPPLIES  
8 AN INDIVIDUAL REPORT FOR EACH STUDENT THAT WILL IDENTIFY FOR THE  
9 STUDENT'S PARENTS AND TEACHERS WHETHER THE STUDENT MET EXPECTATIONS  
10 OR FAILED TO MEET EXPECTATIONS FOR EACH QUESTION, TO ALLOW THE  
11 STUDENT'S PARENTS AND TEACHERS TO ASSESS AND REMEDY PROBLEMS BEFORE  
12 THE STUDENT MOVES TO THE NEXT GRADE.

13 (B) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ENSURE THAT  
14 ANY CONTRACTOR USED FOR SCORING, DEVELOPING, OR PROCESSING AN  
15 ASSESSMENT INSTRUMENT MEETS QUALITY MANAGEMENT STANDARDS COMMONLY  
16 USED IN THE ASSESSMENT INDUSTRY, INCLUDING AT LEAST MEETING LEVEL 2  
17 OF THE CAPABILITY MATURITY MODEL DEVELOPED BY THE SOFTWARE  
18 ENGINEERING INSTITUTE OF CARNEGIE MELLON UNIVERSITY FOR THE 2005-  
19 2006 SCHOOL YEAR ASSESSMENTS AND AT LEAST MEETING LEVEL 3 OF THE  
20 CAPABILITY MATURITY MODEL FOR SUBSEQUENT ASSESSMENTS.

21 (C) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ENSURE THAT  
22 ANY CONTRACT IT ENTERS INTO FOR SCORING, ADMINISTERING, OR  
23 DEVELOPING AN ASSESSMENT INSTRUMENT INCLUDES SPECIFIC DEADLINES FOR  
24 ALL STEPS OF THE ASSESSMENT PROCESS, INCLUDING, BUT NOT LIMITED TO,  
25 DEADLINES FOR THE CORRECT TESTING MATERIALS TO BE SUPPLIED TO  
26 SCHOOLS AND FOR THE CORRECT RESULTS TO BE RETURNED TO SCHOOLS, AND  
27 INCLUDES PENALTIES FOR NONCOMPLIANCE WITH THESE DEADLINES.

1 (D) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ENSURE THAT  
2 THE ASSESSMENT INSTRUMENTS MEET ALL OF THE FOLLOWING:

3 (i) ARE DESIGNED TO TEST STUDENTS ON GRADE LEVEL CONTENT  
4 EXPECTATIONS IN ALL SUBJECTS TESTED FOR EACH GRADE LEVEL TESTED.

5 (ii) INCLUDE NOT MORE THAN 2 WRITTEN RESPONSE PORTIONS FOR  
6 ENGLISH LANGUAGE ARTS FOR EACH GRADE LEVEL AND DO NOT INCLUDE A  
7 WRITTEN RESPONSE PORTION FOR MATHEMATICS OR SCIENCE.

8 (iii) COMPLY WITH REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT  
9 OF 2001, PUBLIC LAW 107-110.

10 (E) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL WORK WITH  
11 THE ASSESSMENT ADVISORY BOARD ESTABLISHED IN SECTION 1279G OF THE  
12 REVISED SCHOOL CODE, 1976 PA 451, MCL 380.1279G, AS APPLICABLE AND  
13 SHALL COMPLY WITH THE GUIDELINES AND PROCEDURES ESTABLISHED BY THE  
14 ASSESSMENT ADVISORY BOARD AS PROVIDED UNDER THAT SECTION.

15 (3) The program shall assess competencies in the basic skills  
16 and collect and utilize other relevant information essential to the  
17 assessment program.

18 (4) Based on information from the program, **THE PUBLIC SCHOOLS**  
19 **SHALL IDENTIFY** students ~~shall be identified~~ who have  
20 extraordinary need for assistance to improve their competence in  
21 the basic skills **AND SHALL IDENTIFY STUDENTS WHO HAVE DEMONSTRATED**  
22 **EXTRAORDINARY COMPETENCE IN MULTIPLE SUBJECT AREAS WHO SHOULD BE**  
23 **RECOMMENDED FOR ADVANCEMENT.**

24 (5) Information from the program shall be given to each school  
25 ~~as soon as possible~~ **IN ACCORDANCE WITH DEADLINES ESTABLISHED BY**  
26 **THE ASSESSMENT ADVISORY BOARD UNDER SECTION 1279G OF THE REVISED**  
27 **SCHOOL CODE, 1976 PA 451, MCL 380.1279G,** to assist ~~it~~ **THE SCHOOL**

1 in its efforts to improve the achievement of students in the basic  
2 skills.