

SENATE BILL No. 807

October 12, 2005, Introduced by Senators CASSIS, SWITALSKI, TOY, BIRKHOLZ, McMANUS and ALLEN 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), as amended by 2005 PA 31.

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 in at least 2 elementary
3 and middle school grade levels in public schools. If the federal
4 government requires assessments at additional grade levels under
5 the no child left behind act of 2001, Public Law 107-110, the
6 superintendent of public instruction shall ensure that this state
7 complies with those requirements.

8 (2) The superintendent of public instruction shall develop and

1 conduct the assessment program and may utilize the assistance of
2 appropriate testing organizations or testing specialists.

3 ~~Beginning with assessments conducted in the 2005-2006 school year,~~
4 ~~all~~ **ALL** of the following apply to the assessment program:

5 (a) The superintendent of public instruction shall ensure that
6 any contractor used for scoring an assessment instrument supplies
7 an individual report for each student that will identify for the
8 student's parents and teachers whether the student met expectations
9 or failed to meet expectations for each standard, to allow the
10 student's parents and teachers to assess and remedy problems before
11 the student moves to the next grade.

12 (b) The superintendent of public instruction shall ensure that
13 any contractor used for scoring, developing, or processing an
14 assessment instrument meets quality management standards commonly
15 used in the assessment industry, including at least meeting level 2
16 of the capability maturity model developed by the software
17 engineering institute of Carnegie Mellon university for the 2005-
18 2006 school year assessments and at least meeting level 3 of the
19 capability maturity model for subsequent assessments.

20 (c) The superintendent of public instruction shall ensure that
21 any contract it enters into for scoring, administering, or
22 developing an assessment instrument includes specific deadlines for
23 all steps of the assessment process, including, but not limited to,
24 deadlines for the correct testing materials to be supplied to
25 schools and for the correct results to be returned to schools, and
26 includes penalties for noncompliance with these deadlines.

27 (d) The superintendent of public instruction shall ensure that

1 the assessment instruments meet all of the following:

2 (i) Are designed to test students on grade level content
3 expectations in all subjects tested for each grade level tested.

4 (ii) Comply with requirements of the no child left behind act
5 of 2001, Public Law 107-110.

6 (iii) Are consistent with the code of fair testing practices in
7 education prepared by the joint committee on testing practices of
8 the American psychological association.

9 (iv) Are factually accurate. If the superintendent of public
10 instruction determines that a question is not factually accurate
11 and should be removed from an assessment instrument, the state
12 board and the superintendent shall ensure that the question is
13 removed from the assessment instrument.

14 **(E) THE DEPARTMENT SHALL SPECIFY A TESTING PERIOD EACH YEAR**
15 **FOR PUBLIC SCHOOLS TO ADMINISTER THE ASSESSMENTS. THE TESTING**
16 **PERIOD SHALL BE AT LEAST 5 WEEKS LONG AND SHALL BEGIN NO EARLIER**
17 **THAN OCTOBER 1.**

18 (3) The program shall assess competencies in the basic skills
19 and collect and utilize other relevant information essential to the
20 assessment program.

21 (4) Based on information from the program, the public schools
22 shall identify students who have extraordinary need for assistance
23 to improve their competence in the basic skills and shall identify
24 students who have demonstrated extraordinary competence in multiple
25 subject areas who should be recommended for advancement.

26 (5) Information from the program shall be given to each school
27 as soon as possible to assist it in its efforts to improve the

1 achievement of students in the basic skills.