



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 403 (Substitute S-1 as passed by the Senate)
Sponsor: Senator Wayne Kuipers
Committee: Education

(as enacted)

Date Completed: 5-9-07

RATIONALE

In 2006, Statewide high school graduation requirements known as the Michigan Merit Standard were enacted. The Michigan Merit Standard requires a pupil to complete certain credits in English, math, science, social sciences, and other subject areas before receiving a high school diploma. Although the Revised School Code permits the parent or legal guardian of a pupil to request modifications of those requirements under certain circumstances, some are concerned that a pupil transferring from a nonpublic school or from out of State might not be able to meet the requirements, or that he or she might have to delay graduation to do so. To address these concerns, it has been suggested that students transferring to Michigan public schools midway through high school or later should be allowed additional modifications of the Michigan Merit Standard.

CONTENT

The bill would amend the Revised School Code to do the following:

- **Permit the parent or legal guardian of a transfer student who had completed at least two years of high school credit out of State or at a nonpublic school to request additional modifications of the Michigan Merit Standard as part of his or her personal curriculum.**
- **Remove a requirement that the Department of Education develop or select and approve specific assessments that school districts and PSAs may use to determine whether a pupil has successfully completed a credit under the Michigan Merit Standard.**

Personal Curriculum

Under the Code, beginning with pupils who entered 8th grade in 2006, the board of a school district or board of directors of a public school academy (PSA) may not award a high school diploma to a pupil unless he or she completes credit requirements of the Michigan Merit Standard, including specific credits in math, science, English, social sciences, and other subject areas. The credits must be aligned with subject area content expectations or guidelines developed by the Department of Education.

The Code allows the parent or legal guardian of a pupil to request a personal curriculum for the pupil that modifies some of the Michigan Merit Standard requirements. If the personal curriculum meets certain conditions, and if the pupil successfully completes it, he or she may be awarded a high school diploma even if the curriculum does not meet all of the requirements of the Michigan Merit Standard.

Under the bill, if a pupil transferred to a school district or public school academy from out of State or from a nonpublic school, his or her parent or legal guardian could request, as part of his or her personal curriculum, a modification of the Michigan Merit Standard requirements that would not otherwise be allowed, if all of the following were met:

- The pupil had completed successfully at least the equivalent of two years of high school credit out of State or at a nonpublic school.
- The personal curriculum incorporated as much of the subject area content

- expectations of the Michigan Merit Standard as was practicable for the pupil.
- The personal curriculum included the civics course required under the Code.

The personal curriculum also would have to require the pupil to complete successfully at least one math course during his or her final year of high school enrollment. If the pupil were enrolled in the school district for at least one full school year, that math course would have to be at least algebra I. If the pupil demonstrated that he or she had mastered the content of algebra I, the personal curriculum would have to require that the course be one normally taken after the completion of algebra I.

The school district or PSA could use appropriate assessment examinations to determine what credits, if any, the pupil had earned out of State or at a nonpublic school that could be used to satisfy the curricular requirements of the Michigan Merit Standard and the bill's requirement that the pupil successfully completed the equivalent of two years of high school credit out of State or at a nonpublic school.

Required Assessments

The Code requires the Department of Education, by January 3, 2010, to develop or select and approve assessments that school districts and PSAs may use to determine whether a pupil has successfully completed a required credit under the Michigan Merit Standard, including assessments for algebra I, geometry, algebra II, earth science, biology, physics, chemistry, English in 9th grade through 12th grade, world history, U.S. history, economics, and civics. The assessments for each credit must measure a pupil's understanding of the subject area content expectations or guidelines that apply to that credit.

The bill would remove those provisions.

MCL 380.1278b

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Students who transfer from one school to another during their high school years face tremendous pressures adjusting to a new learning environment, and the new Michigan Merit Standard may raise additional concerns for students who come from other states where the graduation requirements are not so rigorous. The Merit Standard requires a student to earn three credits of science (including biology and chemistry or physics), four credits of math (including algebra I, geometry, and algebra II), four credits of English, and other specific credits in order to receive a high school diploma. A student who transfers to a Michigan public school in the 11th grade may not have taken the appropriate prerequisite courses to enable him or her to complete all of those requirements. Math in particular could be problematic, because of its sequential nature. It would be unfair to punish students who were working under a different set of graduation requirements for not meeting a new and unanticipated set of requirements.

The children of military personnel or those affiliated with the military could be particularly affected, since their parents may be transferred several times during their school years. Reportedly, children in military families change schools an average of six to nine times. The bill would help to ease the transition for students coming into Michigan public schools, and give those students the chance to graduate along with their peers.

These provisions also would help to reassure parents who are considering moving to Michigan, but may be concerned that their children will be unable to complete the high school requirements. In these troubled economic times, the State should make every effort to encourage people to relocate to Michigan.

The bill would preserve the rigor of the system by requiring a student to meet as many of the requirements as was practicable for him or her, and requiring that math be taken in the student's final year of high school. If the student transferred with at least one year of high school remaining, that class would have to be algebra I or a higher course. These provisions would retain high standards for students graduating from public schools in the State, while setting

reasonable exceptions for those entering the system in their last year or two of secondary schooling.

Response: Reportedly, it is current practice in some districts to allow students transferring to Michigan in their final year of high school to transfer the credits earned in Michigan back to their former schools, and receive a diploma from that school. Perhaps a similar arrangement would be possible in Michigan to accommodate students without creating additional exceptions to the Michigan Merit Standard.

Supporting Argument

The Code requires the Department of Education to develop or select assessments for a number of credits required under the Michigan Merit Standard, although school districts are not required to adopt those assessments. The cost of developing or selecting the assessments could be significant, and given the current fiscal situation, it seems ill advised to spend limited resources on tests that may never be implemented. In some cases, school districts may already have assessments that determine whether a pupil has completed a required credit, or a district may choose to develop its own assessments. For these reasons, the bill would remove the requirement that the Department develop or select assessments.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The Department of Education requested \$4.4 million from the School Aid Fund in FY 2007-08 for initial costs associated with developing eight end-of-course exams and administering four of them in FY 2007-08. Eliminating the requirement to develop and administer these tests would eliminate the State's need to spend that money. The Department estimates that developing and administering all 17 tests could cost up to \$15.0 million per year.

The cost to local school districts is indeterminate. If the Department did not develop assessments, the cost of developing and administering these tests would fall to local districts. Districts would be required either to develop or to purchase their own assessments. This additional cost to districts is unknown, and would vary depending on the decision of the districts.

Fiscal Analyst: Kirk Sanderson

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.