

SENATE BILL No. 582

June 12, 2007, Introduced by Senators SWITALSKI, KUIPERS, GLEASON and PAPPAGEORGE and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1280b (MCL 380.1280b), as added by 2000 PA 230,
and by adding section 1280c; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1280b. (1) ~~Subject to subsection (2)~~ **EXCEPT AS OTHERWISE**
2 **PROVIDED IN THIS SECTION**, the board of a school district, or board
3 of directors of a public school academy that operates any of grades
4 1 to 5, shall administer each school year to all pupils in grades 1
5 to 5 a nationally-recognized norm-referenced test or another
6 assessment, which may include a locally-adopted assessment,
7 approved by the superintendent of public instruction at the request
8 of the school district or public school academy. **BEGINNING IN THE**
9 **2007-2008 SCHOOL YEAR, THIS SUBSECTION APPLIES ONLY TO GRADES 1 AND**

1 2.

2 (2) A school district or public school academy may use the
3 Michigan literacy progress profile to assess literacy in grades 1
4 to 3 as part of its compliance with subsection (1).

5 (3) If a school is designated for participation in the
6 national assessment of education progress program, the school shall
7 participate as designated.

8 (4) An elementary school that is not in compliance with
9 subsection (1) or a school that does not comply with subsection (3)
10 shall not be accredited under section 1280.

11 **SEC. 1280C. (1) TO CONTINUE THE ASSESSMENT PROGRAM UNDER**
12 **FORMER 1970 PA 38, THE SUPERINTENDENT OF PUBLIC EDUCATION SHALL**
13 **MAINTAIN A STATEWIDE PROGRAM OF ASSESSMENT OF EDUCATIONAL PROGRESS**
14 **IN THE BASIC SKILLS AS PROVIDED UNDER THIS SECTION. THE PROGRAM MAY**
15 **BE KNOWN AS THE MICHIGAN EDUCATIONAL ASSESSMENT PROGRAM (MEAP) AND**
16 **SHALL ASSESS BASIC SKILLS IN READING, MATHEMATICS, LANGUAGE ARTS,**
17 **SCIENCE, AND OTHER GENERAL SUBJECT AREAS IDENTIFIED BY THE**
18 **DEPARTMENT. THE PROGRAM SHALL DO ALL OF THE FOLLOWING:**

19 (A) ESTABLISH MEANINGFUL ACHIEVEMENT GOALS IN THE BASIC SKILLS
20 FOR STUDENTS AND IDENTIFY THOSE STUDENTS WITH THE GREATEST
21 EDUCATIONAL NEED IN THESE SKILLS.

22 (B) PROVIDE THE STATE WITH THE INFORMATION NEEDED TO ALLOCATE
23 STATE FUNDS AND PROFESSIONAL SERVICES IN A MANNER BEST CALCULATED
24 TO EQUALIZE EDUCATIONAL OPPORTUNITIES FOR STUDENTS TO ACHIEVE
25 COMPETENCE IN THESE BASIC SKILLS.

26 (C) PROVIDE SCHOOL SYSTEMS WITH STRONG INCENTIVES TO INTRODUCE
27 EDUCATIONAL PROGRAMS TO IMPROVE THE EDUCATION OF STUDENTS IN THESE

1 BASIC SKILLS AND MODEL PROGRAMS TO RAISE THE LEVEL OF ACHIEVEMENT
2 OF STUDENTS.

3 (D) DEVELOP A SYSTEM FOR EDUCATIONAL SELF-RENEWAL THAT WOULD
4 CONTINUOUSLY EVALUATE THE PROGRAMS AND BY THIS MEANS HELP EACH
5 SCHOOL TO DISCOVER AND INTRODUCE PROGRAM CHANGES THAT ARE MOST
6 LIKELY TO IMPROVE THE QUALITY OF EDUCATION.

7 (E) PROVIDE THE PUBLIC PERIODICALLY WITH INFORMATION
8 CONCERNING THE PROGRESS OF THE STATE SYSTEM OF EDUCATION. THE
9 PROGRAMS SHALL EXTEND CURRENT DEPARTMENT OF EDUCATION EFFORTS TO
10 CONDUCT PERIODIC AND COMPREHENSIVE ASSESSMENT OF EDUCATIONAL
11 PROGRESS.

12 (2) THE MICHIGAN EDUCATIONAL ASSESSMENT PROGRAM SHALL COVER
13 ALL PUBLIC SCHOOL PUPILS ANNUALLY IN ALL OF GRADES 3 TO 8, AS
14 REQUIRED UNDER THE NO CHILD LEFT BEHIND ACT OF 2001, PUBLIC LAW
15 107-110. IF THE FEDERAL GOVERNMENT REQUIRES ASSESSMENTS AT
16 ADDITIONAL GRADE LEVELS UNDER THE NO CHILD LEFT BEHIND ACT OF 2001,
17 PUBLIC LAW 107-110, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL
18 ENSURE THAT THIS STATE COMPLIES WITH THOSE REQUIREMENTS.

19 (3) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL SUPERVISE
20 THE MICHIGAN EDUCATIONAL ASSESSMENT PROGRAM AND MAY UTILIZE THE
21 ASSISTANCE OF APPROPRIATE TESTING ORGANIZATIONS OR TESTING
22 SPECIALISTS. ALL OF THE FOLLOWING APPLY TO THE ASSESSMENT PROGRAM:

23 (A) NOT LATER THAN OCTOBER 1, 2007, THE SUPERINTENDENT OF
24 PUBLIC INSTRUCTION SHALL SELECT FOR EACH SUBJECT AREA AT EACH GRADE
25 LEVEL COVERED BY THE PROGRAM A NATIONALLY RECOGNIZED, COMMERCIALY
26 AVAILABLE ASSESSMENT INSTRUMENT AND SHALL MAKE THE ASSESSMENT
27 AVAILABLE TO SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADEMIES.

1 (B) BEGINNING IN THE 2007-2008 SCHOOL YEAR, THE BOARD OF A
2 SCHOOL DISTRICT, OR THE BOARD OF DIRECTORS OF A PUBLIC SCHOOL
3 ACADEMY THAT OPERATES ANY OF GRADES 3 TO 8, SHALL ADMINISTER THE
4 ASSESSMENTS SELECTED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION
5 UNDER SUBDIVISION (A) EACH SCHOOL YEAR TO ALL PUPILS IN EACH OF
6 THOSE GRADES. THE ADMINISTRATION AND GRADING OF THE ASSESSMENTS AND
7 REPORTING OF THE RESULTS SHALL BE AS PRESCRIBED BY THE
8 SUPERINTENDENT OF PUBLIC INSTRUCTION.

9 (C) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ENSURE THAT
10 ANY CONTRACTOR USED FOR SCORING AN ASSESSMENT INSTRUMENT SUPPLIES
11 AN INDIVIDUAL REPORT FOR EACH STUDENT THAT WILL ALLOW THE STUDENT'S
12 PARENTS AND TEACHERS TO ASSESS AND REMEDY PROBLEMS BEFORE THE
13 STUDENT MOVES TO THE NEXT GRADE.

14 (D) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ENSURE THAT
15 ANY CONTRACTOR USED FOR SCORING, DEVELOPING, OR PROCESSING AN
16 ASSESSMENT INSTRUMENT MEETS QUALITY MANAGEMENT STANDARDS COMMONLY
17 USED IN THE ASSESSMENT INDUSTRY.

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

25 (F) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ENSURE THAT
26 THE ASSESSMENT INSTRUMENTS MEET ALL OF THE FOLLOWING:

27 (i) ARE DESIGNED TO TEST STUDENTS ON BASIC SKILLS IN ALL

1 SUBJECTS TESTED FOR EACH GRADE LEVEL TESTED.

2 (ii) COMPLY WITH REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT
3 OF 2001, PUBLIC LAW 107-110.

4 (iii) ARE CONSISTENT WITH THE CODE OF FAIR TESTING PRACTICES IN
5 EDUCATION PREPARED BY THE JOINT COMMITTEE ON TESTING PRACTICES OF
6 THE AMERICAN PSYCHOLOGICAL ASSOCIATION.

7 (iv) ARE FACTUALLY ACCURATE.

8 (4) THE MICHIGAN EDUCATIONAL ASSESSMENT PROGRAM SHALL ASSESS
9 COMPETENCIES IN THE BASIC SKILLS AND COLLECT AND UTILIZE OTHER
10 RELEVANT INFORMATION ESSENTIAL TO THE ASSESSMENT PROGRAM.

11 (5) BASED ON INFORMATION FROM THE MICHIGAN EDUCATIONAL
12 ASSESSMENT PROGRAM, THE PUBLIC SCHOOLS SHALL IDENTIFY STUDENTS WHO
13 HAVE EXTRAORDINARY NEED FOR ASSISTANCE TO IMPROVE THEIR COMPETENCE
14 IN THE BASIC SKILLS AND SHALL IDENTIFY STUDENTS WHO HAVE
15 DEMONSTRATED EXTRAORDINARY COMPETENCE IN MULTIPLE SUBJECT AREAS WHO
16 SHOULD BE RECOMMENDED FOR ADVANCEMENT.

17 (6) INFORMATION FROM THE MICHIGAN EDUCATIONAL ASSESSMENT
18 PROGRAM SHALL BE GIVEN TO EACH SCHOOL AS SOON AS POSSIBLE TO ASSIST
19 IT IN ITS EFFORTS TO IMPROVE THE ACHIEVEMENT OF STUDENTS IN THE
20 BASIC SKILLS.

21 (7) THE DEPARTMENT SHALL TAKE ALL STEPS NECESSARY, INCLUDING,
22 BUT NOT LIMITED TO, CONDUCTING A CONTENT ALIGNMENT STUDY AND
23 STATISTICAL ANALYSES, TO OBTAIN THE APPROVAL OF THE UNITED STATES
24 DEPARTMENT OF EDUCATION TO USE THE ASSESSMENTS SELECTED AND
25 ADMINISTERED UNDER THIS SECTION THE PURPOSES OF THE NO CHILD LEFT
26 BEHIND ACT OF 2001, PUBLIC LAW 107-110, BY NOT LATER THAN DECEMBER
27 31, 2007 OR AS SOON THEREAFTER AS POSSIBLE.

1 Enacting section 1. 1970 PA 38, MCL 388.1081 to 388.1086, is
2 repealed effective December 31, 2007.