

# HOUSE BILL No. 4534

March 10, 2009, Introduced by Rep. Calley and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1280 (MCL 380.1280), as amended by 2006 PA 123;  
and to repeal acts and parts of acts.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1280. (1) The board of a school district that does not  
2       want to be subject to the measures described in this section shall  
3       ensure that each public school within the school district is  
4       accredited.

5       (2) As used in subsection (1), and subject to subsection (6),  
6       "accredited" means certified by the superintendent of public  
7       instruction as having met or exceeded standards established under  
8       this section for 6 areas of school operation: administration and  
9       school organization, curricula, staff, school plant and facilities,

1 school and community relations, and school improvement plans and  
2 student performance. The building-level evaluation used in the  
3 accreditation process shall include, but is not limited to, school  
4 data collection, self-study, visitation and validation,  
5 determination of performance data to be used, and the development  
6 of a school improvement plan.

7 (3) The department shall develop and distribute to all public  
8 schools proposed accreditation standards. Upon distribution of the  
9 proposed standards, the department shall hold statewide public  
10 hearings for the purpose of receiving testimony concerning the  
11 standards. After a review of the testimony, the department shall  
12 revise and submit the proposed standards to the superintendent of  
13 public instruction. After a review and revision, if appropriate, of  
14 the proposed standards, the superintendent of public instruction  
15 shall submit the proposed standards to the senate and house  
16 committees that have the responsibility for education legislation.  
17 Upon approval by these committees, the department shall distribute  
18 to all public schools the standards to be applied to each school  
19 for accreditation purposes. The superintendent of public  
20 instruction shall review and update the accreditation standards  
21 annually using the process prescribed under this subsection.

22 (4) The superintendent of public instruction shall develop and  
23 distribute to all public schools standards for determining that a  
24 school is eligible for summary accreditation under subsection (6).  
25 The standards shall be developed, reviewed, approved, and  
26 distributed using the same process as prescribed in subsection (3)  
27 for accreditation standards, and shall be finally distributed and

1 implemented not later than December 31, 1994.

2 (5) The standards for accreditation or summary accreditation  
3 under this section shall include as criteria pupil performance on  
4 Michigan education assessment program (MEAP) tests and on the  
5 Michigan merit examination under section 1279g, ~~and, until the~~  
6 ~~Michigan merit examination has been fully implemented, the~~  
7 ~~percentage of pupils achieving state endorsement under section~~  
8 ~~1279, but shall not be based solely on pupil performance on MEAP~~  
9 ~~tests or the Michigan merit examination. or on the percentage of~~  
10 ~~pupils achieving state endorsement under section 1279.~~ The  
11 standards shall also include as criteria multiple year change in  
12 pupil performance on MEAP tests and the Michigan merit examination.  
13 ~~and, until after the Michigan merit examination is fully~~  
14 ~~implemented, multiple year change in the percentage of pupils~~  
15 ~~achieving state endorsement under section 1279.~~ If it is necessary  
16 for the superintendent of public instruction to revise  
17 accreditation or summary accreditation standards established under  
18 subsection (3) or (4) to comply with this subsection, the revised  
19 standards shall be developed, reviewed, approved, and distributed  
20 using the same process as prescribed in subsection (3).

21 (6) If the superintendent of public instruction determines  
22 that a public school has met the standards established under  
23 subsection (4) or (5) for summary accreditation, the school is  
24 considered to be accredited without the necessity for a full  
25 building-level evaluation under subsection (2).

26 (7) If the superintendent of public instruction determines  
27 that a school has not met the standards established under

1 subsection (4) or (5) for summary accreditation but that the school  
2 is making progress toward meeting those standards, or if, based on  
3 a full building-level evaluation under subsection (2), the  
4 superintendent of public instruction determines that a school has  
5 not met the standards for accreditation but is making progress  
6 toward meeting those standards, the school is in interim status and  
7 is subject to a full building-level evaluation as provided in this  
8 section.

9 (8) If a school has not met the standards established under  
10 subsection (4) or (5) for summary accreditation and is not eligible  
11 for interim status under subsection (7), the school is unaccredited  
12 and subject to the measures provided in this section.

13 (9) ~~Beginning with the 2002-2003 school year, if~~ **IF** at least  
14 5% of a public school's answer sheets from the administration of  
15 the Michigan educational assessment program (MEAP) tests are lost  
16 by the department or by a state contractor and if the public school  
17 can verify that the answer sheets were collected from pupils and  
18 forwarded to the department or the contractor, the department shall  
19 not assign an accreditation score or school report card grade to  
20 the public school for that subject area for the corresponding year  
21 for the purposes of determining state accreditation under this  
22 section. The department shall not assign an accreditation score or  
23 school report card grade to the public school for that subject area  
24 until the results of all tests for the next year are available.

25 (10) Subsection (9) does not preclude the department from  
26 determining whether a public school or a school district has  
27 achieved adequate yearly progress for the school year in which the

1 answer sheets were lost for the purposes of the no child left  
2 behind act of 2001, Public Law 107-110. However, the department  
3 shall ensure that a public school or the school district is not  
4 penalized when determining adequate yearly progress status due to  
5 the fact that the public school's MEAP answer sheets were lost by  
6 the department or by a state contractor, but shall not require a  
7 public school or school district to retest pupils or produce scores  
8 from another test for this purpose.

9 (11) The superintendent of public instruction shall annually  
10 review and evaluate for accreditation purposes the performance of  
11 each school that is unaccredited and as many of the schools that  
12 are in interim status as permitted by the department's resources.

13 (12) The superintendent of public instruction shall, and the  
14 intermediate school district to which a school district is  
15 constituent, a consortium of intermediate school districts, or any  
16 combination thereof may, provide technical assistance, as  
17 appropriate, to a school that is unaccredited or that is in interim  
18 status upon request of the board of the school district in which  
19 the school is located. If requests to the superintendent of public  
20 instruction for technical assistance exceed the capacity, priority  
21 shall be given to unaccredited schools.

22 (13) A school that has been unaccredited for 3 consecutive  
23 years is subject to 1 or more of the following measures, as  
24 determined by the superintendent of public instruction:

25 (a) The superintendent of public instruction or his or her  
26 designee shall appoint at the expense of the affected school  
27 district an administrator of the school until the school becomes

1 accredited.

2 (b) A parent, legal guardian, or person in loco parentis of a  
3 child who attends the school may send his or her child to any  
4 accredited public school with an appropriate grade level within the  
5 school district.

6 (c) The school, with the approval of the superintendent of  
7 public instruction, shall align itself with an existing research-  
8 based school improvement model or establish an affiliation for  
9 providing assistance to the school with a college or university  
10 located in this state.

11 (d) The school shall be closed.

12 (14) The superintendent of public instruction shall evaluate  
13 the school accreditation program and the status of schools under  
14 this section and shall submit an annual report based upon the  
15 evaluation to the senate and house committees that have the  
16 responsibility for education legislation. The report shall address  
17 the reasons each unaccredited school is not accredited and shall  
18 recommend legislative action that will result in the accreditation  
19 of all public schools in this state.

20 ~~—— (15) Beginning with the 2008-2009 school year, a high school~~  
21 ~~shall not be accredited by the department unless the department~~  
22 ~~determines that the high school is providing or has otherwise~~  
23 ~~ensured that all pupils have access to all of the elements of the~~  
24 ~~curriculum required under sections 1278a and 1278b. If it is~~  
25 ~~necessary for the superintendent of public instruction to revise~~  
26 ~~accreditation or summary accreditation standards established under~~  
27 ~~subsection (3) or (4) to comply with the changes made to this~~

1 ~~section by the amendatory act that added this subsection, the~~  
2 ~~revised standards shall be developed, reviewed, approved, and~~  
3 ~~distributed using the same process as prescribed in subsection (3).~~

4       Enacting section 1. Sections 1278a and 1278b of the revised  
5 school code, 1976 PA 451, MCL 380.1278a and 1278b, are repealed.