

HOUSE BILL No. 5268

August 19, 2009, Introduced by Reps. Genetski, Agema, Amash, Haines, Wayne Schmidt, Tyler, Lund, Moss, Rick Jones, Elsenheimer, Hildenbrand, Meekhof, Rogers, Kowall, Walsh, Knollenberg, Pearce, Ball, Lori, Caul, Opsommer, Calley, Pavlov, Daley, Moore, Rocca, Scripps, Schuitmaker, Stamas, Espinoza, LeBlanc, Tlaib, McMillin, Haveman, Proos, Crawford, Hansen, Booher, Denby, Sheltroun, Miller, Mayes, Gonzales, Terry Brown, Bauer, Roy Schmidt, Slezak, Barnett, Smith, Liss, Constan, Haase, Lindberg, Polidori, Switalski, Robert Jones, Womack, Durhal, Warren, Gregory, Bolger, Clemente, Leland, Haugh, Hammel, Kandrevas, Meltzer, Johnson, Jackson, Dean and Nathan and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 1204a and 1280 (MCL 380.1204a and 380.1280),
section 1204a as amended by 1996 PA 159 and section 1280 as amended
by 2006 PA 123.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1204a. (1) In addition to the requirements specified in
2 section 1280 for accreditation under that section, if the board of
3 a school district wants all of its schools to be accredited under
4 section 1280, the board shall prepare and submit to the state board
5 not later than September 1 each year, and shall provide that each
6 school in the school district distributes to the public at an open

1 meeting not later than October 15 each year, an annual educational
2 report. The annual educational report shall include, but is not
3 limited to, all of the following information for each public school
4 in the school district:

5 (a) The accreditation status of each school within the school
6 district, the process by which pupils are assigned to particular
7 schools, and a description of each specialized school.

8 (b) The status of the 3- to 5-year school improvement plan as
9 described in section 1277 for each school within the school
10 district.

11 (c) A copy of the core academic curriculum and a description
12 of its implementation, including how pupils are ensured enrollment
13 in those courses or subjects necessary for them to receive adequate
14 instruction in all of the core academic curriculum, and the
15 variances and explanation for the variances from the model core
16 academic curriculum developed by the state board pursuant to
17 section 1278(2).

18 (d) A report for each school of aggregate student achievement
19 based upon the results of any locally-administered student
20 competency tests, statewide assessment tests, or nationally normed
21 achievement tests that were given to pupils attending school in the
22 school district.

23 (e) For the year in which the report is filed and the previous
24 school year, the district ~~pupil retention~~ **AND HIGH SCHOOL**
25 **GRADUATION** report as defined in section 6 of the state school aid
26 act of 1979, ~~being section 388.1606 of the Michigan Compiled Laws~~
27 **MCL 388.1606.**

1 (f) The number and percentage of parents, legal guardians, or
2 persons in loco parentis with pupils enrolled in the school
3 district who participate in parent-teacher conferences for pupils
4 at the elementary, middle, and secondary school level, as
5 appropriate.

6 (g) Beginning in the 1996-97 school year, if the school is a
7 high school, all of the following:

8 (i) The number and percentage of pupils enrolled in the school
9 who enrolled during the immediately preceding school year in 1 or
10 more postsecondary courses under the postsecondary enrollment
11 options act, ~~or under 1996 PA 160, MCL 388.511 TO 388.524, AND~~
12 section 21b of the state school aid act of 1979, ~~being section~~
13 ~~388.1621b of the Michigan Compiled Laws~~ **MCL 388.1621B.**

14 (ii) The number of college level equivalent courses offered to
15 pupils enrolled in the school, in the school district, and in
16 consortia or cooperative programs available to pupils of the school
17 district.

18 (iii) The number and percentage of pupils enrolled in the school
19 who were enrolled in at least 1 college level equivalent course
20 during the immediately preceding school year, disaggregated by
21 grade level.

22 (iv) The number and percentage of pupils described in
23 subparagraph (iii) who took a college level equivalent credit
24 examination.

25 (v) The number and percentage of pupils described in
26 subparagraph (iv) who achieved a score on a college level equivalent
27 credit examination that is at or above the level recommended by the

1 testing service for college credit.

2 (h) A comparison with the immediately preceding school year of
3 the information required by subdivisions (a) through (g).

4 (2) IF A SCHOOL DISTRICT PROVIDES SERVICES TO PUPILS WHO ARE
5 CONVICTED OF A CRIME OR ARE ADJUDICATED YOUTH AND WHO ARE PLACED BY
6 A COURT IN A JUVENILE DETENTION OR OTHER FACILITY FOR MORE THAN 2
7 DAYS, THE SCHOOL DISTRICT MAY EXCLUDE THOSE PUPILS AND DATA
8 RELATING TO THOSE PUPILS FROM CALCULATIONS MADE FOR THE PURPOSES OF
9 THIS SECTION.

10 (3) ~~(2)~~At least annually, the department shall prepare and
11 submit to the legislature a report of the information described in
12 subsection (1)(g), aggregated for statewide and intermediate school
13 district totals, using the information submitted by school
14 districts.

15 (4) ~~(3)~~The state board shall prepare and make available to
16 school districts suggestions for accumulating the information
17 listed in subsection (1) and a model annual educational report for
18 school districts to consider in the implementation of this section.

19 (5) ~~(4)~~As used in this section, "college level equivalent
20 course" and "college level equivalent credit examination" mean
21 those terms as defined in ~~part 14a~~**SECTION 1471**.

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

26 (2) As used in subsection (1), and subject to subsection (6),
27 "accredited" means certified by the superintendent of public

1 instruction as having met or exceeded standards established under
2 this section for 6 areas of school operation: administration and
3 school organization, curricula, staff, school plant and facilities,
4 school and community relations, and school improvement plans and
5 student performance. The building-level evaluation used in the
6 accreditation process shall include, but is not limited to, school
7 data collection, self-study, visitation and validation,
8 determination of performance data to be used, and the development
9 of a school improvement plan.

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

25 (4) The superintendent of public instruction shall develop and
26 distribute to all public schools standards for determining that a
27 school is eligible for summary accreditation under subsection (6).

1 The standards shall be developed, reviewed, approved, and
2 distributed using the same process as prescribed in subsection (3)
3 for accreditation standards, and shall be finally distributed and
4 implemented not later than December 31, 1994.

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

24 (6) If the superintendent of public instruction determines
25 that a public school has met the standards established under
26 subsection (4) or (5) for summary accreditation, the school is
27 considered to be accredited without the necessity for a full

1 building-level evaluation under subsection (2).

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

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

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

1 (10) Subsection (9) does not preclude the department from
2 determining whether a public school or a school district has
3 achieved adequate yearly progress for the school year in which the
4 answer sheets were lost for the purposes of the no child left
5 behind act of 2001, Public Law 107-110. However, the department
6 shall ensure that a public school or the school district is not
7 penalized when determining adequate yearly progress status due to
8 the fact that the public school's MEAP answer sheets were lost by
9 the department or by a state contractor, but shall not require a
10 public school or school district to retest pupils or produce scores
11 from another test for this purpose.

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

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

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

1 (a) The superintendent of public instruction or his or her
2 designee shall appoint at the expense of the affected school
3 district an administrator of the school until the school becomes
4 accredited.

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

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

14 (d) The school shall be closed.

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

23 (15) Beginning with the 2008-2009 school year, a high school
24 shall not be accredited by the department unless the department
25 determines that the high school is providing or has otherwise
26 ensured that all pupils have access to all of the elements of the
27 curriculum required under sections 1278a and 1278b. If it is

1 necessary for the superintendent of public instruction to revise
2 accreditation or summary accreditation standards established under
3 subsection (3) or (4) to comply with the changes made to this
4 section by the amendatory act that added this subsection, the
5 revised standards shall be developed, reviewed, approved, and
6 distributed using the same process as prescribed in subsection (3).

7 (16) IF A SCHOOL DISTRICT PROVIDES SERVICES TO PUPILS WHO ARE
8 CONVICTED OF A CRIME OR ARE ADJUDICATED YOUTH AND WHO ARE PLACED BY
9 A COURT IN A JUVENILE DETENTION OR OTHER FACILITY FOR MORE THAN 2
10 DAYS, THE SCHOOL DISTRICT MAY EXCLUDE THOSE PUPILS AND DATA
11 RELATING TO THOSE PUPILS FROM CALCULATIONS MADE FOR THE PURPOSES OF
12 THIS SECTION.