

SENATE BILL No. 846

September 21, 2009, Introduced by Senator SWITALSKI 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 sections 1 and 2 (MCL 388.1081 and 388.1082), section 2 as amended by 2005 PA 31.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. A statewide program of assessment of educational
2 progress and remedial assistance in the basic skills of students in
3 reading, mathematics, language arts ~~and/or~~ **AND, SUBJECT TO SECTION**
4 **2(6)**, other general subject areas, is established in the department
5 of education. ~~which~~ **THIS** program shall **DO ALL OF THE FOLLOWING:**

6 (a) Establish meaningful achievement goals in the basic skills
7 for students, and identify those students with the greatest
8 educational need in these skills.

1 (b) Provide the state with the information needed to allocate
2 state funds and professional services in a manner best calculated
3 to equalize educational opportunities for students to achieve
4 competence in ~~such~~ **THESE** basic skills.

5 (c) Provide school systems with strong incentives to introduce
6 educational programs to improve the education of students in ~~such~~
7 **THESE** basic skills and model programs to raise the level of
8 achievement of students.

9 (d) Develop a system for educational self-renewal that would
10 continuously evaluate the programs and by this means help each
11 school to discover and introduce program changes that are most
12 likely to improve the quality of education.

13 (e) Provide the public periodically with information
14 concerning the progress of the state system of education. ~~Such~~
15 ~~programs shall extend current department of education efforts to~~
16 ~~conduct periodic and comprehensive assessment of educational~~
17 ~~progress.~~

18 Sec. 2. (1) The statewide assessment program of educational
19 progress shall cover all students annually in at least 2 elementary
20 and middle school grade levels in public schools. If the federal
21 government requires assessments at additional grade levels under
22 the no child left behind act of 2001, Public Law 107-110, the
23 superintendent of public instruction shall ensure that this state
24 complies with those requirements.

25 (2) The superintendent of public instruction shall develop and
26 conduct the assessment program and may utilize the assistance of
27 appropriate testing organizations or testing specialists. Beginning

1 with assessments conducted in the 2005-2006 school year, all of the
2 following apply to the assessment program:

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

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

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

25 (d) 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 grade level content

1 expectations in all 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. If the superintendent of public
8 instruction determines that a question is not factually accurate
9 and should be removed from an assessment instrument, the state
10 board and the superintendent shall ensure that the question is
11 removed from the assessment instrument.

12 (3) The **ASSESSMENT** program shall assess competencies in the
13 basic skills and collect and utilize other relevant information
14 essential to the assessment program.

15 (4) Based on information from the **ASSESSMENT** program, the
16 public schools shall identify students who have extraordinary need
17 for assistance to improve their competence in the basic skills and
18 shall identify students who have demonstrated extraordinary
19 competence in multiple subject areas who should be recommended for
20 advancement.

21 (5) Information from the **ASSESSMENT** program shall be given to
22 each school as soon as possible to assist it in its efforts to
23 improve the achievement of students in the basic skills.

24 (6) **IF THE ASSESSMENT PROGRAM PROVIDES FOR ASSESSMENTS FOR**
25 **STUDENTS IN GRADE 6, THE ASSESSMENTS FOR GRADE 6 SHALL NOT INCLUDE**
26 **A SOCIAL STUDIES COMPONENT.**