

HOUSE BILL No. 4705

June 7, 2011, Introduced by Reps. Genetski, LeBlanc, Liss, Hammel, Opsommer, Outman, Nesbitt, Lori, Franz, Rogers, Wayne Schmidt, Jackson, Durhal, Talabi, Hughes, Callton, Damrow, Muxlow, Daley, Hovey-Wright, Kandrevas, Kurtz, Tyler, Cotter, Kowall, Denby, Foster, Price, LaFontaine, Somerville, Lund, Glardon, Pettalia, Forlini, Jenkins, Gilbert, Yonker, MacGregor, Lyons, Rendon, Huuki, Bauer and Hooker 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
7 meeting not later than October 15 each year, an annual educational

1 report. The annual educational report shall include, but is not
2 limited to, all of the following information for each public school
3 in the school district:

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

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

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

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

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

27 (f) The number and percentage of parents, legal guardians, or

1 persons in loco parentis with pupils enrolled in the school
2 district who participate in parent-teacher conferences for pupils
3 at the elementary, middle, and secondary school level, as
4 appropriate.

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

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

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

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

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

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

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

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

9 (3) ~~(2)~~—At least annually, the department shall prepare and
10 submit to the legislature a report of the information described in
11 subsection (1)(g), aggregated for statewide and intermediate school
12 district totals, using the information submitted by school
13 districts.

14 (4) ~~(3)~~—The state board shall prepare and make available to
15 school districts suggestions for accumulating the information
16 listed in subsection (1) and a model annual educational report for
17 school districts to consider in the implementation of this section.

18 (5) ~~(4)~~—As used in this section, "college level equivalent
19 course" and "college level equivalent credit examination" mean
20 those terms as defined in ~~part 14a~~ **SECTION 1471**.

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

25 (2) As used in subsection (1), and subject to subsection (6),
26 "accredited" means certified by the superintendent of public
27 instruction as having met or exceeded standards established under

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

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

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

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

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

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

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

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

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

27 (10) Subsection (9) does not preclude the department from

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

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

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

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

(a) The superintendent of public instruction or his or her

1 designee shall appoint at the expense of the affected school
2 district an administrator of the school until the school becomes
3 accredited.

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

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

13 (d) The school shall be closed.

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

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

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

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