

SENATE BILL NO. 1041

July 23, 2020, Introduced by Senators GEISS, BAYER, POLEHANKI, WOJNO, BRINKS, ALEXANDER, MCCANN, MCMORROW, CHANG, BULLOCK, IRWIN, HERTEL, MOSS, MCBROOM, ANANICH and SANTANA and referred to the Committee on Education and Career Readiness.

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending section 104c (MCL 388.1704c), as amended by 2019 PA 58,
and by adding section 104g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 104c. (1) ~~In~~**Except as otherwise provided in this**
2 **subsection, in** order to receive state aid under this article, a
3 district ~~shall~~**must** administer the state assessments described in
4 this section. **However, subject to federal law, a district is not**

1 required to administer the state assessments described in this
2 section in the 2020-2021 school year to receive state aid under
3 this article.

4 (2) For the purposes of this section, the department shall
5 develop and administer the Michigan student test of educational
6 progress (M-STEP) assessments in English language arts and
7 mathematics. These assessments ~~shall~~**must** be aligned to state
8 standards.

9 (3) For the purposes of this section, the department shall
10 implement a summative assessment system that is proven to be valid
11 and reliable for administration to pupils as provided under this
12 subsection. The summative assessment system must meet all of the
13 following requirements:

14 (a) The summative assessment system must measure student
15 proficiency on the current state standards, must measure student
16 growth for consecutive grade levels in which students are assessed
17 in the same subject area in both grade levels, and must be capable
18 of measuring individual student performance.

19 (b) The summative assessments for English language arts and
20 mathematics must be administered to all public school pupils in
21 grades 3 to 11, including those pupils as required by the federal
22 individuals with disabilities education act, Public Law 108-446,
23 and by title I of the federal every student succeeds act (ESSA),
24 Public Law 114-95.

25 (c) The summative assessments for science must be administered
26 to all public school pupils in at least grades 5 and 8, including
27 those pupils as required by the federal individuals with
28 disabilities education act, Public Law 108-446, and by title I of
29 the federal every student succeeds act (ESSA), Public Law 114-95.

1 (d) The summative assessments for social studies must be
2 administered to all public school pupils in at least grades 5 and
3 8, including those pupils as required by the federal individuals
4 with disabilities education act, Public Law 108-446, and by title I
5 of the federal every student succeeds act (ESSA), Public Law 114-
6 95.

7 (e) The content of the summative assessments must be aligned
8 to state standards.

9 (f) The pool of questions for the summative assessments must
10 be subject to a transparent review process for quality, bias, and
11 sensitive issues involving educator review and comment. The
12 department shall post samples from tests or retired tests featuring
13 questions from this pool for review by the public.

14 (g) The summative assessment system must ensure that students,
15 parents, and teachers are provided with reports that convey
16 individual student proficiency and growth on the assessment and
17 that convey individual student domain-level performance in each
18 subject area, including representative questions, and individual
19 student performance in meeting state standards.

20 (h) The summative assessment system must be capable of
21 providing, and the department shall ensure that students, parents,
22 teachers, administrators, and community members are provided with,
23 reports that convey aggregate student proficiency and growth data
24 by teacher, grade, school, and district.

25 (i) The summative assessment system must ensure the capability
26 of reporting the available data to support educator evaluations.

27 (j) The summative assessment system must ensure that the
28 reports provided to districts containing individual student data
29 are available within 60 days after completion of the assessments.

1 (k) The summative assessment system must ensure that access to
2 individually identifiable student data meets all of the following:

3 (i) Is in compliance with 20 USC 1232g, commonly referred to as
4 the family educational rights and privacy act of 1974.

5 (ii) Except as may be provided for in an agreement with a
6 vendor to provide assessment services, as necessary to support
7 educator evaluations ~~pursuant to~~ **under** subdivision (i), or for
8 research or program evaluation purposes, is available only to the
9 student; to the student's parent or legal guardian; and to a school
10 administrator or teacher, to the extent that he or she has a
11 legitimate educational interest.

12 (l) The summative assessment system must ensure that the
13 assessments are pilot tested before statewide implementation.

14 (m) The summative assessment system must ensure that
15 assessments are designed so that the maximum total combined length
16 of time that schools are required to set aside for a pupil to
17 answer all test questions on all assessments that are part of the
18 system for the pupil's grade level does not exceed that maximum
19 total combined length of time for the previous statewide assessment
20 system or 9 hours, whichever is less. This subdivision does not
21 limit the amount of time a district may allow a pupil to complete a
22 test.

23 (n) The total cost of executing the summative assessment
24 system statewide each year, including, but not limited to, the cost
25 of contracts for administration, scoring, and reporting, must not
26 exceed an amount equal to 2 times the cost of executing the
27 previous statewide assessment after adjustment for inflation.

28 (o) ~~Beginning with the 2017-2018 school year, the~~ **The**
29 summative assessment system must not require more than 3 hours in

1 duration, on average, for an individual pupil to complete the
2 combined administration of the math and English language arts
3 portions of the assessment for any 1 grade level.

4 (p) The summative assessments for English language arts and
5 mathematics for pupils in grades 8 to 10 must be aligned to the
6 college entrance test portion of the Michigan merit examination
7 required under section 104b.

8 (4) The department shall offer benchmark assessments in the
9 fall and spring of each school year to measure English language
10 arts and mathematics in each of grades K to 2. Full implementation
11 must occur not later than the 2019-2020 school year. These
12 assessments are necessary to determine a pupil's proficiency level
13 before grade 3 and must meet the requirements under section
14 104d(4).

15 (5) This section does not prohibit districts from adopting
16 interim assessments.

17 (6) As used in this section, "English language arts" means
18 that term as defined in section 104b.

19 **Sec. 104g. Subject to federal law, the department shall not**
20 **require that a district administer the preliminary SAT (PSAT) to**
21 **pupils in grade 8, 9, or 10 in the 2020-2021 school year and,**
22 **subject to other requirements under this article for receipt of**
23 **state aid under this article, a district remains eligible to**
24 **receive state aid under this article if it does not administer the**
25 **preliminary SAT (PSAT) to pupils in grade 8, 9, or 10 in the 2020-**
26 **2021 school year.**