

THE REVISED SCHOOL CODE (EXCERPT)
Act 451 of 1976

***** 380.1280g.added THIS ADDED SECTION IS EFFECTIVE MARCH 29, 2019 *****

380.1280g.added Statewide system of accountability measurements; implementation and administration; listing of schools; alternative education campus summary status; letter grades and rankings; peer review panel; status report.

Sec. 1280g. (1) Not later than August 1, 2019, the department shall develop a statewide system of accountability measurements to improve the national educational ranking of this state. All of the following apply to the statewide system of accountability measurements:

(a) Not later than September 1, 2019, and not later than September 1 of each subsequent year, the department shall assign a letter grade of A, B, C, D, or F for each of the following indicators for each public school:

(i) Pupil proficiency in mathematics and English language arts, as measured by the percentage of all pupils who achieve proficiency on the applicable state assessment, as determined by the department.

(ii) Pupils who achieve adequate growth in mathematics and English language arts on the applicable state assessment. The measure of adequate growth under this subdivision may incorporate reporting of pupil growth measures, as reported by the model value-added growth and projection analytics system implemented by the department, and shall be based on any of the following, as determined by the department:

(A) Pupil growth measured from fall to spring of the same school year or from the spring of one school year to the spring of the next school year, as appropriate based on the timing of applicable state assessments.

(B) Pupils who scored proficient on the immediately preceding applicable state assessment and who at least maintained a score of proficient on the most recent applicable state assessment.

(C) Pupils who scored less than proficient on the immediately preceding applicable state assessment and who demonstrate growth sufficient to reach proficiency in 3 school years.

(iii) Pupils who are English language learners and who achieve adequate growth toward proficiency in the English language, as determined by the department and as required under the every student succeeds act, Public Law 114-95.

(iv) The graduation rate of pupils enrolled in high school, as applicable and as defined by and reported to CEPI.

(v) The academic performance of the public school's pupils on the applicable state assessment compared to pupil performance on the applicable state assessment for all public schools serving a similar pupil population. The department shall determine similar pupil population using demographic factors that the commission considers to have a strong correlation to academic achievement.

(b) Not later than September 1, 2019, and not later than September 1 of each subsequent year, the department shall assign a ranking of significantly above average, above average, average, below average, or significantly below average to each public school for each of the following indicators:

(i) The rate of pupils who are chronically absent as defined by and reported to CEPI.

(ii) The participation rate for each applicable state assessment, based on pupils who are assigned to take each applicable state assessment. For purposes of this subparagraph, the department shall not consider a pupil who meets both of the following:

(A) Is eligible for special education programs and services according to statute or rule or is a child with disabilities, as defined under the individuals with disabilities education act, Public Law 108-446.

(B) Is not required to participate in a state assessment.

(iii) Pupil subgroup performance compared to pupils in the same subgroup statewide, as required under the every student succeeds act, Public Law 114-95.

(c) Letter grades and rankings under subdivisions (a) and (b) shall be reported in a form and manner prescribed by the department.

(d) The department shall develop standards for identifying public schools as falling into categories of performance and adequate achievement. The standards developed under this subdivision must meet all of the following:

(i) The department shall develop standards for identifying the lowest achieving public schools as comprehensive support and improvement schools, as required under the every student succeeds act, Public Law 114-95. Subject to subdivision (ii), a public school that meets any of the following shall be identified as a comprehensive support and improvement school:

(A) Is a high school that graduates less than 2/3 of its pupils.

(B) Receives the lowest grade on all of the indicators under subdivision (a)(i), (ii), and (v).

(C) Meets any other criteria for a comprehensive support and improvement school under the every student succeeds act, Public Law 114-95, as determined by the department.

(ii) The number of public schools in this state identified as comprehensive support and improvement schools shall not exceed a number equal to 5% of all public schools in this state.

(iii) The department shall develop standards for identifying high achieving public schools as reward schools. A public school that meets any of the following shall be identified as a reward school:

(A) Is a high school that graduates at least 99% of its pupils.

(B) Receives the highest grade on any of the indicators under subdivision (a)(i), (ii), or (v).

(C) Meets any other criteria for identification as a reward school, as determined by the department.

(iv) The department shall also develop standards for all of the following:

(A) Identifying public schools in which 1 or more groups of pupils are consistently underperforming as targeted support and improvement schools, as described in the every student succeeds act, Public Law 114-95.

(B) Identifying public schools in which the performance of 1 or more groups of pupils would place those pupils in the bottom 5% of Title I schools, as described in the every student succeeds act, Public Law 114-95.

(C) Identifying public schools in any other categorization required under the every student succeeds act, Public Law 114-95, as determined by the department.

(e) The department shall monitor the effectiveness of the statewide system of accountability measurements developed under this subsection and shall make changes to the system as the department determines necessary to make the system more effective and to ensure compliance with the requirements under this section. As part of this monitoring process, the department shall develop and implement processes for receiving and considering input from the public and the educational community.

(f) Not later than December 1, 2019, the department shall develop accountability measures to impose on public schools that have been identified as comprehensive support and improvement schools under this section. For the purposes of the accountability measures developed under this section, a public school that was included on the list of the lowest achieving 5% of public schools in this state under section 1280c(1) is considered to have been identified as a comprehensive support and improvement school for that school year.

(g) Not later than July 1, 2020, the department shall implement the accountability measures developed under subdivision (f).

(2) Beginning in the 2019-2020 school year, the department shall implement and administer the statewide system of accountability measurements under subsection (1).

(3) Not later than September 1, 2019, and not later than September 1 every 3 years thereafter, the superintendent of public instruction shall publish a list of the public schools in this state that the department has identified as comprehensive support and improvement schools under this section for that school year, and a list of the public schools that the department has identified as reward schools under this section for that school year. A public school identified as a comprehensive support and improvement school under this section is considered to be among the lowest achieving public schools in this state.

(4) The department shall designate a public school as an alternative education campus and shall not assign grades or rankings under subsection (1) for the public school if the public school meets at least 1 of the following:

(a) Is a center program.

(b) Is a strict discipline academy established under sections 1311b to 1311m.

(c) Is a program for adjudicated youth.

(d) Serves any other specialized pupil population with special needs, as determined by the department.

(5) Beginning September 1, 2019, and not later than September 1 of each subsequent year, the department shall issue a summary status for each public school designated as an alternative education campus under subsection (4). The summary status shall indicate whether the public school is in compliance with applicable law and whether pupils enrolled in the public school are making meaningful, measurable academic progress toward educational goals established by the governing body of the public school and approved by the superintendent of public instruction.

(6) The accountability system developed under this section replaces the accountability system under section 390.

(7) Not later than August 1, 2019, the department shall submit its proposed standards for determining letter grades and rankings under this section to a peer review panel consisting of 5 individuals with expertise in school accountability systems. Not later than August 15, 2019, the peer review panel shall submit its findings to the department and to the standing committees of the senate and house of representatives having jurisdiction over education legislation. The peer review panel must consist of the following 5 members:

(a) Three members appointed by the governor.

(b) One member appointed by the senate majority leader.

(c) One member appointed by the speaker of the house of representatives.

(8) At least annually, the department shall present to the standing committees of the senate and house of representatives having jurisdiction over education legislation, in the form and manner prescribed by those committees, a status update on the statewide system of accountability measurements under this section.

(9) As used in this section:

(a) "Center program" means that term as defined in section 6 of the state school aid act of 1979, MCL 388.1606.

(b) "CEPI" means the center for educational performance and information created in section 94a of the state school aid act of 1979, MCL 388.1694a.

History: Add. 2018, Act 601, Eff. Mar. 29, 2019.

Popular name: Act 451

Compiler's note: In subsection (1)(a)(v), the reference to "the commission" evidently should read "the department."