



Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

EDUCATION REFORM PACKAGE

House Bill 4366 (Substitute H-1)
House Bill 5121 (Substitute H-2)
House Bill 5124 as passed by the House
Sponsor: Rep. William R. Bryant, Jr.

House Bill 5122 (Substitute H-1)
Sponsor: Rep. Leon Stille

House Bill 5125 as introduced
Sponsor: Rep. Jack Horton

House Bill 5190 (Substitute H-1)
Sponsor: Rep. Sharon Gire

Committee: Education
First Analysis (11-30-93)

House Bills 4366, 5121-5122, 5124-5125, and 5190 (11-30-93)

THE APPARENT PROBLEM:

On August 31, 1993, Governor Engler signed into law Senate Bill 1 (Public Act 145 of 1993), which essentially eliminated all school operating property taxes as of December 31, 1993. That act leaves a hole of nearly \$7 billion in the budgets of Michigan's public schools for the 1994-95 school year. Since then, efforts have been underway to find a new system of financing schools. At the same time, many people believe that the current crisis in funding presents an excellent opportunity to restructure, or reform, or, at least, improve public education, and some are adamant that no new financing system should be put in place until significant legislation has been formulated that would profoundly affect how schools are organized, as well as what and how schools teach and students learn. For the past ten years (roughly since the well-publicized Nation at Risk report with its famous image of "a rising tide of mediocrity" eroding our educational foundations), public attention has been focused on the alleged inadequacies of the nation's public schools and there have been repeated demands for higher student achievement and more public accountability in education. Business and education leaders complain that many of our schools are not preparing their students for the world of work or for other challenges of modern society and that new spending on schools or new ways of collecting and distributing revenue for schools should be coupled

with efforts to improve the performance of schools and students and hold schools accountable for measurable improvements in quality. Michigan, like other states, has taken steps to improve public education, notably through the passage of legislation (known as Public Act 25) that focuses on school improvement plans and an ongoing improvement process involving the community, core curriculums, annual education reports, and state accreditation. Activity under this legislation has barely begun. Despite this, and despite polls that indicate that people tend to be largely satisfied with their own local public schools (although not the system as a whole), discussion of public education still routinely involves reports of "widespread dissatisfaction" and calls for the need to give Michigan students a "world-class education." Governor Engler cited "our generally disappointing results in public elementary and secondary education" in announcing his nine-point education reform agenda in October.

However, the issues of how schools should be organized and how they should function, as well as what students need to know and how they should acquire that knowledge, are as contested as that of how they should be funded, and that issue has plagued policy makers for more than two decades. How many school districts should there be? Should students be compelled to attend neighborhood schools? If not, should parents be allowed only to

choose a school within the district in which they live or any public school anywhere? Or, should vouchers be provided that allow for an even wider choice, including perhaps private schools and religious schools? Should the improvement of schools be achieved principally through the adoption of a statewide curriculum and statewide student evaluation? Or should schools be forced to compete, through parental choice, on the theory that schools then would have to improve if they wanted to prosper or even survive? Would it be more effective to leave the current system in place and improve schools building by building with the involvement of all elements of the community? There are many other issues, as well. Who should be allowed to teach? What should the curriculum emphasize? How long should the school year and school day be? And who should decide? Even this simplistic rendering of the issues offers some indication of the difficulty of reaching consensus. A bipartisan group of legislators in the House with institutional responsibility for education issues has put forth a new set of proposals.

THE CONTENT OF THE BILLS:

House Bill 5121 would amend the School Code (MCL 380.5 et al.) in the following ways.

Primacy of School Code. The School Code would be designated as the primary law governing education policy issues for the public schools. Where there was an inconsistency between the code and the state school aid act, the code would supersede.

Waivers of Requirements. The state board of education could grant a requesting school district a waiver for up to three years of the duty to comply with some state statutes and rules under certain conditions. The district would have to demonstrate to the satisfaction of the state board that a) a public school academy was operating in the district that was not subject to the statute or rule or b) that a waiver was needed for purposes of a valid innovation research study grounded in existing research and appearing to offer a reasonable chance of improved learning or improved cost efficiency without a diminution of learning. There could be no waiver of requirements dealing with health and safety, civil rights, reporting and testing, or special education. Nor could there be a waiver of school improvement requirements of Public Act 25, the Open Meetings Act, the Freedom of Information

Act, the Public School Employees Retirement Act, and certain specified other acts.

Learning Styles. Each school district would be required to recognize and meet the educational needs for different learning environments required by a diverse pupil population.

At Risk Students. Each school district would be required, beginning in 1994, to provide special assistance to each student disadvantaged by poverty, at risk of falling seriously behind others of the same age level, or in danger of being expelled or of not advancing in grade level with students of the same age. A district would have to avoid removing such a student from his or her core curriculum or other regular classroom courses in order to provide special assistance.

Dual Credit. Any state public university or the local community college would be allowed to offer and conduct at school district facilities any of its courses for which a student could receive both high school and college credit. This would be subject only to availability of space, payment of reasonable rent, and adherence to the instruction schedules of the public school facility. A district could not unreasonably refuse to give high school credit for a course offered by a university or community college. (If a school district was not in a community college district, any community college could offer courses there.)

Race and Gender Information. Beginning in the 1994-95 school year, a school board would be required to ensure that information assembled for its annual educational report was disaggregated by gender and race and provided to those participating in the school improvement plan, and that issues raised by the information be addressed as part of the planning, development, implementation, evaluation, and updating of the school improvement plan of each school. If an issue was not addressed, the board would have to provide an explanation to the community. Such an explanation could be included in a school's annual educational report. The department would have to provide technical assistance regarding gender and race data and issues if requested by a school or by a local or intermediate school district.

Nongraded Primary Schools. School districts would have to consider adopting, consistent with their core curriculum, early elementary school program

initiatives establishing nongraded, continuous progress programs for grades one through four that made use of individualized planning, maintained comprehensive portfolios and narrative reports of learning progress for all students, and emphasized collegiality and collaboration among teachers, parents, and students, all over multiple-year periods.

Academic Performance Standards. By December 31, 1995, the state board would have to recommend pupil performance standards to measure achievement of the outcomes specified in the state board model core curriculum. The performance standards would at least include standards for mathematics, science, and communications arts, and be consistent with the subject matter alignment under the state model core curriculum. The state board would have the assistance of an Academic Performance Standards Committee, which it would appoint. The committee would be made up of school board members, building-level school administrators, teachers, students, parents, business and labor representatives, and representatives of the general public. The committee would, in addition, to helping formulate performance standards, monitor and evaluate Public Act 25 school improvement activities of local and intermediate school districts, the state board, and the education department and periodically make recommendations to the state board on ways to improve those activities.

Beginning July 1, 1996, school districts would have to consider the pupil performance standards as an essential basis for assessing the subject matter competency of students and for promoting students to another level. Beginning July 1, 1997, school boards would have to establish performance standards. The standards could vary from the state-recommended standards, in order to make them consistent with a district's core curriculum.

(The state board, with the assistance of the standards committee, would have to periodically review and re-evaluate the performance standards and could revise them or recommend additional standards.)

State-Endorsed Diplomas. Requirements that currently are found in the State School Aid Act regarding state endorsements for the high school diplomas of those graduating in 1994 and thereafter would be imported into the School Code. Current provisions anticipate endorsements in

communications arts, mathematics, and science. The bill would add an endorsement for social studies beginning with those graduating in 1999. The bill also would require the state board to establish a novice level score for the endorsement test so that student transcripts could note that such a score had been achieved (although an endorsement had not been). Also, beginning in 1995, anyone could take an endorsement test by paying a fee and have a diploma endorsed if he or she achieved the initial mastery level.

Opportunity for Endorsed Diploma. Districts would also, as part of their core curriculum planning, have to ensure that students have a realistic opportunity to learn all subjects and courses required by the core curriculum in order to give all students a "good and fair opportunity" to attain a state-endorsed diploma.

The state board of education, to the extent practicable, could adopt or develop outcome-based high standards for knowledge and life skills, and core curriculum, for special education students for whom it may not be realistic or desirable to expect achievement of novice level or initial mastery of the recommended core curriculum outcomes or of a high school diploma.

Student Assessment. All assessment instruments developed or selected and approved by the state under any statute or rule for a purpose related to K-12 education would have to be outcomes-based and consistent with the state board's model core curriculum.

Further, a school district would have to ensure that the normal method for assessment of students made use of a variety of criteria-based strategies, including at least written and oral examinations, including the use of alternative questions; demonstrations; writing exercises; individual and group projects; performances; and portfolios and samples of best work. (Portfolios could only contain material entered by or with the consent of the student.) Grades for an assessment or course could not be based on a curve or distribution of assessment results or otherwise be determined in a manner unrelated to the achievement of relevant objective criteria.

Credit for mastery. A school board would have to grant high school credit in a course for any student who exhibited a reasonable level of mastery of a

subject by attaining a grade of at least C+ in a final exam in the course or, if there was no final exam, by exhibiting that mastery through other specified means (e.g., a paper, presentation, performance, portfolio, etc.). To this end, any high school student could take any final exam in any course. Credit would be based on a "pass" grade and not be included in computation of a grade point average. It would be up to the school board whether such credit counted toward graduation, but credit earned this way would count toward fulfillment of subject area requirements and toward course sequence requirements. Having once earned credit in this way, a student could not then take a lower level course.

Carnegie Units. A local school board would be prohibited from using Carnegie units beginning July 1, 1997, "since Carnegie units are not related to outcomes." (A Carnegie unit is understood to be a way of measuring an instructional program with each unit equal to 45 minutes for 90 days.)

School Year. The school year would be lengthened over time, beginning in 1995-96, so that by the 2009-2010 school year, it would be 210 days and 1,155 hours. This would be an increase of 2 days and 11 hours per year from the current 180-day school year. The hour requirement would be increased to 990 from 900 as of next year. A local school district could apply to the state board for a waiver of school day-school year requirements.

Educational warranty certificates. A school district would be required to carry out an assessment of an individual's proficiency in any basic skills area at the request of the individual's employer, if the individual had received a nonendorsed high school diploma from the district within the previous two years. If, based on the assessment, the employer determined the employee to be deficient in one or more areas, the employer and individual could apply to the school district and receive an educational warranty certificate entitling the individual to receive remedial instruction in those areas for 12 months at no cost (as long as the individual remained with the same employer). A local district would notify the Department of Education when it issued a warranty certificate. The department, beginning in 1995, would report to the legislature annually by June 30 on the issuing of warranties, including a listing by district of the number issued, a listing by district of the number of individuals who have received

remedial instruction, and a recommendation on whether to continue the program.

Professional Development. The legislature would be required to annually appropriate funds to support "focused professional development and education in support of systemic education reform." The funds would be divided in equal amounts between the Department of Education, intermediate school districts, and local school districts. The funds would be used for professional development programs for administrators and teachers; a biennial education policy leadership institute; a statewide academy for school leadership as established by the state board; community leadership development; the promotion of high educational standards; and sabbatical leaves for master teachers to aid in professional development efforts. In order to receive funding, a local or intermediate district would have to submit an annual professional development plan for state board approval.

Teacher Training. The State Board of Education would be required to develop and advocate to state universities for their adoption an expedited "fast track" teacher preparation program to be available to individuals who had outstanding academic credentials, who were exceptionally gifted performers or artists, or who were outstanding professionals expert in their fields.

New Teacher Mentoring. For the first three years of employment, a classroom teacher would be assigned to one or more master teachers, college professors, or retired master teachers who would act as mentors. During that period, the teacher would also receive intensive professional development as part of the induction into teaching, based on a professional development plan that included classroom management and instructional delivery. The professional development would have to consist of at least 15 days of professional development, the experiencing of effective practices in university-linked professional development schools, and regional seminars conducted by master teachers and other mentors.

Student Teacher Requirements. Beginning July 1, 1995, an individual who was to engage in student teaching would first have to demonstrate (or the college or university would have to demonstrate) that the teacher preparation program required high academic achievement; demonstration of successful group work with children as a condition for

admission to the teacher preparation curriculum; knowledge of research-based teaching; and working knowledge of modern technology and use of computers.

Administrator's certificates. Beginning September 1, 1994, an individual seeking an initial administrator's certificate for administering instructional programs and an initial endorsement as a building administrator would have to provide evidence that he or she had successfully completed postgraduate coursework or training in budgeting and financial management, curriculum, and personnel evaluation, as specified by state board rule. (This would also apply to renewals where the requirements were not met for initial certification or endorsement.)

Summary Accreditation. The Department of Education would be required to develop and distribute to all public schools standards for determining that a school was eligible for summary accreditation. The standards would have to include, but would not be limited to, assessment of the school's success in meeting the objectives established in its school improvement plan. The standards would be developed, reviewed, approved, and distributed using the same process as currently exists for accreditation standards, and would have to be finally distributed and implemented no later than September 1, 1994. (The bill would specify that if a district wanted all of its schools accredited it would have to comply with the annual education report, core curriculum, and school planning process requirements currently tied to "quality program" funding.)

If a school met the summary accreditation standards, a school would be considered accredited without the need for a full building-level evaluation. The department would make this determination based on annual education reports and other information submitted by a school. If a school had not met the standards but was determined to be making progress, based either on written information or a full building-level evaluation, it would be in interim status and would be subject to a full building-level evaluation. A school that was neither accredited nor in interim status would be unaccredited and subject to measures already in the code, as well as one additional measure. Currently, a school unaccredited for three years would be subject to: the appointment of an administrator by the superintendent of public instruction until it

became accredited; the ability of parents or guardians to send their children to any accredited school in the district; or closing. Added would be aligning of the school with an existing research-based school improvement model or affiliating the school with a college or university for assistance. The new measures would require state board approval.

School Improvement Plans. The three-to-five year school improvement plan each school is already required to develop would have to address the development and utilization of community resources and volunteers, the role of adult and community education, and the use of libraries and community colleges.

Breakfast Programs. A school district that did not want to offer a breakfast program would have to publish a public justification report explaining its decision after holding a public hearing on the issue. (A district need not operate a program if no more than 20 percent of its lunches served in the previous year were free or reduced price lunches.)

The Department of Education would be required to designate a reimbursable cost per breakfast based on the cost of a breakfast "served by an efficiently operated breakfast program." A district would get its actual costs or the department-determined costs, whichever were lowest. The department would also, to the extent permitted by federal law, encourage innovative models of breakfast distribution designed to maximize student participation.

Michigan Information Network. The Department of Management and Budget would be required, no later than June 30, 1995, to prepare a state plan for the creation of a Michigan information network linking each local and intermediate school district, community college, and state public university, and each state, local, or regional library on an equal basis by fiber optic or coaxial cable or other comparable system allowing a world-class statewide interactive video and data access and exchange system.

House Bill 5122 would create the Michigan Regional Education and Service Organization Network Commission to develop a plan for reorganizing the various regional service districts, intermediate school districts and community college districts that deliver regional educational services in the state. The purpose of the plan would be to

ensure the most cost-effective delivery of services to the citizens of the state. The commission would have to consider the most cost-effective manner to deliver equitable regional educational services; clearly identify specific functions that each entity would perform in an integrated delivery of services; identify the geographic boundaries of regional service districts, intermediate school districts and community college districts; identify functions that should be performed by the private sector; and consider existing services and funding, together with consumer satisfaction and the potential disruption that could result from reorganization.

Commission membership, operation. The commission would have seven members, three appointed by the governor and one each appointed by the four legislative leaders. Appointments would have to be made within 30 days after the bill took effect, and would have to be geographically representative of the citizens of the state. The commission would have to have its first meeting within 10 days after all the appointments had been made and confirmed.

Preliminary report. The commission would have to report to the legislature and the governor no later than three months after its first meeting. The report would contain the commission's findings and recommendations on reorganizing intermediate school districts, community college districts, and regional service districts, including a reorganization plan and a schedule for implementation, taking into consideration the duration of existing collective bargaining agreements and the need for holding new elections for elected officials affected by the plan.

Final report, implementation of plan. After submitting its plan, the commission would hold public hearings across the state to provide information to citizens, answer questions, and hear testimony on reorganization. After completion of the public hearings, and no later than six months after its first meeting, the commission would revise its findings and recommendations as necessary, and publish a final report and reorganization plan, submitting a copy to the legislature and the governor.

House Bill 5124 would add a new Part 6a to the School Code (MCL 380.1 et al.) to provide the structure for and process of establishing public school academies. Public school academies could

be established by teachers and public educational agencies; could include any grades from early childhood education up to grade 12 or any combination of grades, as well as adult education programs; would have to meet certain educational requirements but could apply for a waiver to be exempted from specific requirements of the School Code; and could receive state school aid for their operations.

Establishing a public school academy. Under House Bill 5124, a school district, community college, state university, or one or more certified teachers could form a nonprofit public school academy corporation under the Nonprofit Corporation Act and apply for a charter to operate a public school academy. A public school academy corporation could not be organized by or affiliated with a church or other religious organization. Applications for charters could be made to local or intermediate school boards, community colleges or state public universities. (Local and intermediate school districts and community colleges could issue charters for public school academies operating only within their jurisdictions; a community college would be limited to chartering only one public school academy.) A group of teachers could apply to convert their school to a public school academy (see below). Chartering bodies would have to report to the state board of education on charters granted, and provide a copy of each charter to the board.

An application for a charter would have to contain, among other information, the proposed bylaws of the school, including:

- Provisions specifying the governance structure of the school.
- The school's educational goals.
- The curriculum to be offered.
- Methods of pupil assessment to be used (to the extent applicable, academic achievements would have to be assessed using the Michigan educational assessment program (MEAP) test or a test for a state-endorsed diploma, and any nationally normed test of academic achievement or basic skills; an academy could not use a test that assesses pupils' values, attitudes, or beliefs).
- The admission policy of the school.

--The school calendar and school day schedule.

--The age or grade of students to be enrolled.

In addition, the application would include descriptions of staff responsibilities and the role of parents, the anticipated relationship between the public school academy and the local and intermediate school district in which it would be located, how the academy would meet the requirements of certain parts of the School Code (see below), an assurance that the public school academy would comply with all state and federal laws applicable to public schools concerning church-state relations, and certain other requirements for conversion public school academies.

Granting a charter; charter language. A chartering body could grant a charter to an applicant if the applicant and the proposed public school academy met the requirements of the bill, and if it determined that issuance of a charter would further the educational goals of the state. Chartering bodies would not be required to grant charters (except that charters for conversion public school academies would have to be granted if the teachers applying for the charter met the bill's requirements). Charters would be granted on a competitive basis, taking into consideration the resources available for the proposed public school academy, the population to be served, and the educational outcomes to be achieved. When the chartering body was not a local school district, the individual wealth of incorporators or families of probable students could not be considered.

A chartering body would have responsibility for general oversight of the operations of a public school academy to which it granted a charter. A charter granted to organize and operate a public school academy would be a contract between the school and the chartering body, and would have to include such matters as the educational outcomes and standards for which the school would be accountable, the methods of assessing student achievement, the method of monitoring the school's compliance with the requirements of the bill and its performance in meeting its educational goals, a process for amending the charter, the bylaws and other documentation required in the application, and procedures and grounds for revoking a charter. A charter would be valid for seven years, and would be renewable if the chartering body determined that the school had been successful in meeting its

educational goals and complying with the requirements for public school academies.

Revocation of a charter. A charter could be revoked by the chartering body for failure to abide by and substantially meet the educational goals set forth in the charter, or for failure to maintain health and safety standards or to meet generally accepted accounting principles, or for any other grounds for revocation that were specified in the charter.

Conversion public school academies. An existing public school building could be converted to a public school academy. One certified teacher or a group of teachers employed by a school could form a nonprofit public school academy corporation and apply for a charter. The application would have to be approved by a vote of at least 75 percent of the certified teachers working in the school within the 60 day-period before the application was submitted. In addition, the application would have to be supported by at least 75 percent of affected parents who were present at a public meeting on the issue. The meeting would be subject to the public notice requirements in effect for school board meetings, and the meeting would have to be held within the 60 day-period before the application was submitted.

A conversion public school academy would have to offer at least the same grades, or nongraded education appropriate for the same ages and education levels, as offered by the school immediately before the conversion. The conversion school could also provide additional grades and further educational offerings.

If an existing public school was converted to a public school academy, the school district would be required to allow the public school academy corporation to convert the school building for use as a public school academy. The district and the public school academy would enter into a lease agreement charging a reasonable rent for use of the facilities, and specifying which party had financial liability for utilities, maintenance, improvements, and other costs. If the parties could not agree to a reasonable rent within 90 days after the teacher and parent votes for the conversion, each party would choose an appraiser, who together would choose a third appraiser, and the three would determine a reasonable rent by majority vote. The determination of the appraisers would be final and binding on the parties. The district and the public

school academy could obtain general liability insurance cooperatively.

Chartered educational clinics. A local school district could grant a charter to an "eligible entity" for a chartered educational clinic, using the same application requirements and procedures as for a public academy school. A chartered educational clinic would be defined as a specialty public school academy, serving public school students who were in educational difficulty or were at risk of falling seriously behind their peers, of failing to pass to the next grade level, of dropping out, or of being expelled. Students would be provided up to three hours per week of special assistance outside of their normal school day, and only on the "written prescription" of the principal of their schools.

Admission policy. A public school academy could not discriminate in its pupil admissions policy on the basis of intellectual or athletic ability, measures of achievement or aptitude, status as a handicapper, or any other basis that would be illegal if used by a school district. However, a public school academy could limit enrollment to particular age or grade levels, or on any other basis that would be legal if used by a school district, and, it could require a parent or legal guardian to provide reasonable volunteer services for the academy.

Enrollment in public school academies would be open to all Michigan students who met the admissions policy, and would be closed to nonresidents of the state (except foreign exchange students). If there were more applicants than a school could accept, admission would be by random selection. However, a public school academy could give priority to a sibling of a student already enrolled, and a conversion public school academy could give priority to the following groups of students, in this order: students who were enrolled in the school immediately prior to its conversion, siblings of students enrolled in the academy, students residing within the attendance area of the conversion public school academy, and students residing in the local school district in which the academy was located.

Funding. Public school academies could not charge tuition, but would be eligible to receive state school aid for each pupil, according to the state school aid act. However, the foundation allowance per pupil for a public school academy could not exceed the foundation allowance paid to the local school

district in which the academy was located. In addition, a public school academy would be eligible for categorical aid under the school aid act, and could apply for federal funding and accept donations. Students enrolled in public school academies could not be counted in membership (for purposes of receiving state school aid) by the local school district, except those enrolled in chartered educational clinics.

Chartered educational clinics could receive state school aid for each full-time equated pupil, based on a proportional amount of the per pupil funding due to a public school academy located in the same school district as the clinic.

Employees. A public school academy could employ or contract with personnel as necessary for the operation of the school, and set their duties and compensation. A public school academy would have the same rights and responsibilities regarding personnel contracts as a school district. A school district would be required to grant a leave of absence to a district employee who wanted to teach in a public school academy, unless the superintendent of the school district determined that granting the leave of absence would not be in the best educational interest of children in the district or in the state.

Legal requirements, exemptions. Public school academies would generally be subject to the same statutory requirements as local school districts. However, a public school academy's governing board could request, and the state board of education could grant, a waiver from specific state statutes or rules under certain conditions. A waiver would be for a period of up to three years, and could be granted only if the academy board demonstrated a need for an exemption for purposes of a valid innovation research study that was grounded in existing research and appeared to offer a reasonable chance of improved learning or an improvement in cost efficiency without a diminution of learning.

The following statutes and rules could not be waived:

-- The requirements of Public Act 25 of 1990 (contained in the School Code), including the preparation of an annual educational report, the adoption and implementation of 3- to 5-year school improvement plans, the use of a core curriculum,

and meeting state board-approved standards for school accreditation.

-- The requirement in the School Code to obtain criminal history checks on applicants for teaching and administrative positions.

-- The requirements to employ only certified teachers and administrators.

-- Sections of the School Code concerning: instruction about communicable diseases; selection of social studies instructional materials; public meeting requirements; public records; financial reports; use of public funds for sectarian schools; teacher contracts; substitute teachers; grade changes; state board of education requirements of school boards; and corporal punishment.

-- Health and safety requirements.

-- Civil rights requirements.

-- Reporting and testing requirements.

-- Special education requirements. (The bill would specify that public school academies would have to perform the same functions and duties as school districts in providing special education services to handicapped students.)

-- Generally accepted accounting principles.

-- The Open Meetings Act and the Freedom of Information Act.

-- The public employee relations act.

-- The Public School Employee Retirement Act.

Tie-bar. House Bill 5124 is tie-barred to House Bills 5125 and 4366.

House Bill 5125 would amend the teacher tenure act (MCL 38.71) to specify that teachers on continuing tenure with a school district who took a leave of absence to teach in a public school academy would not have tenure with the academy but would retain tenure rights with the local school district during the time of employment with the academy. House Bill 5125 is tie-barred to House Bill 5124.

House Bill 4366 would amend the Public School Employees Retirement Act (MCL 38.1306 and 38.1307) to include public school academies within the provisions of the act. This means that employees of academies would be members of the retirement system. House Bill 4366 is tie-barred to House Bill 5125.

House Bill 5190 would amend the School Code (MCL 380.1277) with regard to the three- to five-year school improvement plans that school districts must submit to the state education department. Under the bill, rather than being necessary for state aid for quality programs, such plans would be necessary for continued accreditation. Intermediate school districts (ISDs) would have to submit three- to five-year school improvement plans annually commencing September 1, 1994. ISD plans and new criteria for school district plans would emphasize aims of giving students job skills. A more detailed explanation follows.

Additional elements. In addition to what is now required, a school improvement plan would have to include information on development and utilization of community resources and volunteers, the role of adult and community education, and libraries and community colleges in the learning community.

Additional state board criteria. By April 1, 1994, the state board of education would have to revise its existing criteria so that school improvement plans would do all of the following: identify the adult roles for which graduates need to be prepared, along with the necessary education and skills; determine whether the existing school curriculum is providing those necessary skills and identify any changes needed; develop alternative assessment measures that will "provide authentic assessment of pupils' achievements, skills, and competencies"; include methods for using technology to improve learning and service delivery; and include ways to make structured on-the-job learning available in as many fields as practicable.

Intermediate school districts. By September 1, 1994, each ISD would have to implement its first three- to five-year ISD improvement plan, which would have to be annually submitted to the state education department. Provisions for participation from educational professionals and the community, and for assistance from the state education department, would parallel those in effect for local school district improvement plans.

An ISD improvement plan would have to include at least all of the following: a plan for addressing classroom needs and improvements without regard to school district boundaries; assurance that all pupils have reasonable access to all ISD programs including transportation, if necessary; a professional development plan for teachers within the ISD; methods to help school districts integrate "applied academics and career and employability skills" into all curricular areas; ways to make structured on-the-job learning available in as many fields as practicable; coordination of services with other agencies; long-range cost containment measures, including through the use of cooperative programs or interdistrict cooperation; specific recommendations on consolidation or improved interdistrict cooperation or both, along with possible sources of revenue; and identification of the role of the ISD in providing services or assistance to local districts.

Note: The House education reform plan also includes House Bill 5126, which would create in statute the Tuition Incentive Program (TIP), an existing program that provides certain low income people with community college or trade school tuition assistance. The program's enabling language has been contained in the higher education budget and is administered by the Department of Social Services. House Bill 5126 is currently pending in the House committee on Higher Education.

FISCAL IMPLICATIONS:

Fiscal information is not available.

ARGUMENTS:

For:

These proposals represent a bipartisan compromise on improving the quality of Michigan's schools. They seek to foster more innovation, both through public school academies (or charter schools) and the existing school structure by permitting the waiver of some state requirements. They offer new means of evaluating student achievement through academic performance standards and endorsed high school diplomas. They offer employers warranties so that workers can go back to school at public expense. They recognize that students have different learning styles and different educational needs and require school programs to address that. They require special assistance for children most at risk of educational failure. They emphasize mastery

of the curriculum rather than the accumulation of credits. They put additional stress on professional development to help teachers and others improve. New teachers would get "mentors." A "fast track" teacher training program would be advocated to colleges and universities to allow people of high achievement and special talents entry into the profession. The proposals would also build on and strengthen the current school improvement mechanisms.

Against:

While there are undoubtedly some useful elements to this proposal, look at what is missing. Governor Engler's proposal, for example, offered inter-district choice; allowed expanded opportunities for schools to hire people qualified to teach but without certification; required educational advisory boards and eventually building governing committees for each school; permitted more flexible charter schools to encourage greater innovation; and provided for a more expansive educational warranty program, among other things. Behind many of the governor's proposals was the principle of empowerment and the mechanism of choice. They aimed at breaking down the public school monopoly, by allowing parents greater control over where they could send their children to school. This would force schools to improve if they wanted to retain their students and the funding that would follow the students. They proposed making schools more responsive by creating school building governing teams with strong decision-making capability. They allowed schools greater power over who they could hire to teach and allowed those with an interest in teaching faster entry into the profession. These more dramatic methods of improving public schools have been ignored or diluted. For those who see meaningful educational choice as the most potent driving force for school improvement, the proposals are disappointing.

Against:

Some people are concerned that the creation of charter schools or public school academies is a first step toward providing public money to private schools, even to religious schools. This is prohibited by the state constitution and, moreover, is bad public policy. Money should not be diverted from the state's public schools in this way.

Response:

Actually, the academies or charter schools envisioned in this plan are, if anything, hamstrung by state regulations to the extent that it would be

hard for them to engage in the kind of innovation they are designed for. The state needs to encourage innovation in education, to allow talented, dedicated educators the opportunity to demonstrate how to increase student achievement.

POSITIONS:

Positions on the bills are not available.