



House Office Building, 9 South  
Lansing, Michigan 48909  
Phone: 517/373-6466

## ELEMENTARY TESTING & SUMMER SCHOOL; PRINCIPAL'S BILL OF RIGHTS & RESPONSIBILITIES; VIRTUAL HIGH SCHOOL

**House Bill 5802**  
**Sponsor: Rep. Terry Geiger**  
**Committee: Education**

**Complete to 5-17-00**

### A SUMMARY OF HOUSE BILL 5802 AS INTRODUCED 5-17-00

House Bill 5802 would amend the Revised School Code to require elementary school testing in grades 1 to 5; to specify the work responsibilities and contractual rights of school principals; and, to describe the goals, courses, and enrollment options for the virtual high school which would be operated by the Michigan virtual university at the beginning of the 2000-2001 school year.

Elementary school testing. House Bill 5802 would require that the board of a school district, or the board of directors of a public school academy that operates any of grades 1 to 5, administer at least one of the following assessment each school year to all students in grades 1 to 5: a) the metropolitan achievement test; b) the Iowa test of basic skills; c) the Stanford achievement test; d) the California achievement test; or, e) another similar assessment approved by the superintendent of public instruction at the request of the school district or public school academy. House Bill 5802 also specifies that if a school is designated for participation in the National Assessment of Education Progress (NAEP) program, the school would be required to participate as designated. An elementary school that did not comply with these requirements would not be accredited.

House Bill 5802 would require that in order to comply with section 1282(2) of the code (which concerns special assistance to students with reading disorders or difficulty on standardized tests) a school district would have to offer a pupil in grade 4 who failed by the end of that school year to meet standards for basic literacy skills the opportunity to attend summer school before grade 5, in order to study language arts. The bill specifies that the basic literacy standards for all students in grade 4 would be established and published by the superintendent of public instruction. For the purpose of this provision, a pupil's literary skills would be measured by either the grade 4 Michigan education assessment program (MEAP) test, the Michigan literacy profile program, or another assessment adopted by the school district for this purpose, and approved by the superintendent of public instruction.

Principal's responsibilities and rights. Currently the board of a school district or intermediate school district may employ assistant superintendents, principals, assistant principals, guidance directors, and other administrators who do not assume tenure. Under the law, that employment is by written contract for a term of employment not to exceed three years. If written notice of nonrenewal of the contract is not given at least 60 days before the termination date of the contract, it is renewed for an additional one-year period.

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House Bill 5802 would retain those provisions but also would require that the term of the employment contract for a school principal be at least two years, and that it not exceed three years. Further, the board would be required to prescribe the duties of a school principal, subject to a new subdivision of the law proposed by the bill. In addition and under the bill, if written notice of nonrenewal of a school principal's contract were not given at least 90 days before the contract's termination date, the contract would be renewed for an additional one-year period.

Under a new subdivision of the law proposed by the bill, the board of a school district, local act school district, or intermediate school district, or the board of directors of a public school academy, would be required to ensure that each school principal it employs had at least all of the following powers and duties:

a) the right to hire and assign duties to all staff employed at or assigned to the school. This would include but would not be limited to, the right to refuse to have a particular staff member assigned to that school; however, this would not apply to staff assigned on a regular basis to more than one school;

b) the right to establish at the school a method of compensation based on job performance and job accomplishments, and to establish other incentives to reward staff at the school for high pupil achievement;

c) the right to submit a proposed budget for the school to the board or board of directors at a public meeting held before the beginning of annual budget deliberations;

d) the right to control the expenditure of discretionary funds within the school's budget;

e) the right to review and to modify or reject a school improvement plan developed for the school under section 1277 (which concerns the criteria that are used to develop and evaluate school improvement plans) or under any other authority; and,

f) the right to be compensated according to his or her job performance, and to earn incentives for high pupil achievement.

House Bill 5802 also specifies that until the expiration of a collective bargaining agreement in effect, the applicability of the section would be subject to that collective bargaining agreement.

Currently the law requires that if the board of a school district wants all of the schools of the school district to be accredited, the board must adopt and implement, not later than September 1 of each year, a three- to five-year school improvement plan, and a continuing school improvement process for each school within the school district. House Bill 5802 would retain this requirement and the criteria concerning the components of the plan. However, the bill would require that before a school improvement plan for a school was finalized, it be submitted to the school principal for his or her review, modification, or rejection.

Further, under the law each intermediate school board must adopt a three- to five-year school improvement plan that includes, among other things, a) methods to assist school districts in

improving pupils' academic learning; b) assurance that all pupils have reasonable access to all programs offered by the intermediate school district, including, but not limited to, transportation if necessary; c) a plan for professional development that supports academic learning; and, d) methods to assist school districts in integrating applied academics and career and employability skills into all curricular areas. These and other components of the ISD school improvement plan would be retained under the bill, but the bill would require that these services also be made available to public school academies.

Michigan virtual high school. The bill specifies that not later than the beginning of the 2000-2001 school year, the Michigan virtual university would develop, implement, and operate the Michigan virtual high school. The virtual high school would have the following goals: a) to significantly expand curricular offerings for high schools across the state through agreements with school districts or licenses from other recognized providers; b) to create a statewide instructional model using interactive multimedia Internet-based tools for distributed learning at the high school level; c) to provide pupils with opportunities to develop skills and competencies through on-line learning; d) to offer high school teachers opportunities to learn new skills and strategies for developing and delivering instructional services; e) to accelerate Michigan's ability to respond to current and emerging educational demands; f) to grant high school diplomas through a dual enrollment method with school districts or postsecondary institutions; and, g) to act as a broker for college level equivalent courses, as defined in section 1471, and dual enrollment courses from postsecondary education institutions. (Section 1471 of the code defines the term "college level equivalent course" to mean a course offered in high school, for which a pupil receives high school credit, that is taught at a postsecondary instruction level and is designed to prepare a pupil for a college level equivalent credit examination in a particular subject area.)

Under the bill, the Michigan virtual high school course offerings would include but not be limited to all of the following:

- information technology courses;
- college level equivalent courses, as defined in section 1471;
- courses and dual enrollment opportunities designed for college-bound juniors and seniors;
- at-risk programs and services;
- general education development test preparation courses for adjudicated youth;
- special interest courses; and
- professional development programs and services for teachers.

House Bill 5802 requires the Michigan virtual university to fund the Michigan virtual high school from appropriations made for this purpose, and also to use funds received from other sources. The bill further requires that the Department of Education provide technical assistance, as requested by the Michigan virtual university.

Currently under the law, the board of a school district or public school academy, or the governing board of a nonpublic school must consider providing college level equivalent courses either directly, through an ISD program, or by agreement in a consortium or cooperative program. House Bill 5802 would retain this provision. Further and under the bill, if a public school pupil completed a college level equivalent course that was offered over the Internet by a school district, a regionally accredited college or university, or the Michigan virtual high school, the school district or public school academy in which the pupil was enrolled would be required to grant appropriate high school credit for completion of the course, count that credit toward the school's graduation and subject area requirements, and reimburse the pupil for the cost of tuition and textbooks for the course, if any.

Definitions. House Bill 5802 would modify the definition of "public school" to specify that the term "public school" also would include the Michigan virtual high school. In addition, the bill would modify the definition of the term "membership" to mean the number of full-time equivalent pupils in a public school as determined by the number of pupils registered for attendance plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent of public instruction. Currently under the law, those rules are promulgated by the State Board of Education.

MCL 380.5 et al.

Analyst: J. Hunault

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.