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BILL ANALYSIS

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Senate Bill 787 (Substitute S-2)
Sponsor: Senator Bill Hardiman
Committee: Education

Date Completed: 10-30-03

CONTENT

The bill would amend the Revised School Code to prohibit the Michigan Department of Education (MDE) from assigning an accreditation score or school report card grade for a subject area to a public school, and require the MDE to request a Federal waiver for the purpose of adequate yearly progress determination, if all or some of the school's Michigan Educational Assessment Program (MEAP) answer sheets had been lost by the MDE or a State contractor.

Under the Code, a school board must ensure that each public school in its district is accredited, or the district will be subject to certain measures. The standards for accreditation must include, but may not be based solely on, pupil performance on MEAP tests. Further, the standards must include multiple-year changes in pupil performance on the MEAP.

The bill provides that, if all or some of a public school's MEAP answer sheets had been lost by the Department or by a State contractor, and if the school could verify that the answer sheets were collected from pupils and forwarded to the MDE or the contractor, then the MDE could not assign an accreditation score or school report card grade to the public school for that subject area for the corresponding year for the purposes of determining State accreditation. The MDE could not assign an accreditation score or school report card grade for that subject area until the results of all tests for the next year were available.

The bill states that these provisions would not preclude the MDE from determining whether a public school or school district had achieved adequate yearly progress (AYP) under the Federal No Child Left Behind Act; however, the Department would have to make every effort possible to work with the U.S. Department of Education to ensure that a public school or the school district was not penalized when AYP status was determined, because the MDE or a State contractor had lost the school's MEAP answer sheets.

If the MDE determined that a public school or school district would fail to achieve AYP due to the lost answer sheets, the required efforts would have to include at least requesting a waiver from a determination of AYP for the public school and for the school district for the applicable year. When requesting a waiver, the MDE would have to report that the reason for the request was the loss of answer sheets, and would have to refer to Section 1116(b)(2) of the No Child Left Behind Act (which gives a school an opportunity to review the academic assessment data on which its AYP status is based, before it is identified as needing improvement).

MCL 380.1280

Legislative Analyst: Claire Layman

FISCAL IMPACT

State: The Michigan Department of Education could see minimal increased costs associated

with requesting and processing waivers required under this bill if the State or a State contractor were to misplace MEAP exams.

Local: Since districts that fail to meet AYP under the No Child Left Behind Act must provide certain activities or alternatives (e.g., tutoring, vouchers), a district that otherwise would be labeled as failing to meet AYP due to the misplacement of exams could see savings from this legislation. However, it is impracticable to determine potential cost savings due to the unknown factors of actual future misplacement of exams by the State, how such lost exams would affect the determination of AYP, and the costs of activities a district labeled as failing to meet AYP would be required to provide if it did not receive a waiver.

Fiscal Analyst: Kathryn Summers-Coty