

SENATE BILL No. 730

September 24, 2003, Introduced by Senators CLARK-COLEMAN, BASHAM, SCHAUER, JACOBS, CHERRY, SWITALSKI, BRATER, CLARKE, PRUSI, SCOTT, OLSHOVE, BARCIA, EMERSON, JELINEK and GOSCHKA and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1279 and 1279c (MCL 380.1279 and 380.1279c), section 1279 as amended by 1997 PA 175 and section 1279c as amended by 1995 PA 289.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1279. (1) The board of a school district or public
2 school academy shall administer state assessments to high school
3 pupils in the subject areas of communications skills,
4 mathematics, science, and ~~—, beginning with pupils scheduled to~~
5 ~~graduate in 2000,—~~ social studies. The board shall include on
6 the pupil's high school transcript all of the following:

7 (a) For each high school graduate who has completed a subject
8 area assessment under this section, the pupil's scaled score on
9 the assessment.

1 (b) If the pupil's scaled score on a subject area assessment
2 falls within the range required under subsection (2) for a
3 category established under subsection (2), an indication that the
4 pupil has achieved state endorsement for that subject area.

5 (c) The number of school days the pupil was in attendance at
6 school each school year during high school and the total number
7 of school days in session for each of those school years.

8 (2) The department shall develop scaled scores for reporting
9 subject area assessment results for each of the subject areas
10 under this section. Subject to approval by the state board, the
11 superintendent of public instruction shall establish 3 categories
12 for each subject area indicating basic competency, above average,
13 and outstanding, and shall establish the scaled score range
14 required for each category. The department shall design and
15 distribute to school districts, intermediate school districts,
16 public school academies, and nonpublic schools a simple and
17 concise document that describes these categories in each subject
18 area and indicates the scaled score ranges for each category in
19 each subject area. A school district or public school academy
20 may award a high school diploma to a pupil who successfully
21 completes local school district or public school academy
22 requirements established in accordance with state law for high
23 school graduation, regardless of whether the pupil is eligible
24 for any state endorsement.

25 (3) The assessments administered for the purposes of this
26 section shall be administered to pupils during the last 30 school
27 days of grade 11. The department shall ensure that the

1 assessments are scored and the scores are returned to pupils,
2 their parents or legal guardians, and school districts or public
3 school academies not later than the beginning of the pupil's
4 first semester of grade 12. ~~Not later than fall 1999, the~~ **The**
5 department shall arrange for those portions of a pupil's
6 assessment that cannot be scored mechanically to be scored in
7 Michigan by persons who are Michigan teachers, retired Michigan
8 teachers, or Michigan school administrators and who have been
9 trained in scoring the assessments. The returned scores shall
10 indicate the pupil's scaled score for each subject area
11 assessment, the range of scaled scores for each subject area, and
12 the range of scaled scores required for each category established
13 under subsection (2). In reporting the scores to pupils,
14 parents, and schools, the department shall provide specific,
15 meaningful, and timely feedback on the pupil's performance on the
16 assessment.

17 (4) For each pupil who does not achieve state endorsement in
18 1 or more subject areas, the board of the school district or
19 public school academy in which the pupil is enrolled shall
20 provide that there be at least 1 meeting attended by at least the
21 pupil and a member of the school district's or public school
22 academy's staff or a local or intermediate school district
23 consultant who is proficient in the measurement and evaluation of
24 pupils. The school district or public school academy may provide
25 the meeting as a group meeting for pupils in similar
26 circumstances. If the pupil is a minor, the school district or
27 public school academy shall invite and encourage the pupil's

1 parent, legal guardian, or person in loco parentis to attend the
2 meeting and shall mail a notice of the meeting to the pupil's
3 parent, legal guardian, or person in loco parentis. The purpose
4 of this meeting and any subsequent meeting under this subsection
5 shall be to determine an educational program for the pupil
6 designed to have the pupil achieve state endorsement in each
7 subject area in which he or she did not achieve state
8 endorsement. In addition, a school district or public school
9 academy may provide for subsequent meetings with the pupil
10 conducted by a high school counselor or teacher designated by the
11 pupil's high school principal, and shall invite and encourage the
12 pupil's parent, legal guardian, or person in loco parentis to
13 attend the subsequent meetings. The school district or public
14 school academy shall provide special programs for the pupil or
15 develop a program using the educational programs regularly
16 provided by the district unless the board of the school district
17 or public school academy decides otherwise and publishes and
18 explains its decision in a public justification report.

19 (5) A pupil who wants to repeat an assessment administered
20 under this section may repeat the assessment, without charge to
21 the pupil, in the next school year or after graduation. An
22 individual may repeat an assessment at any time the school
23 district or public school academy administers an applicable
24 assessment instrument or during a retesting period under
25 subsection (7).

26 (6) The department shall ensure that the length of the
27 assessments used for the purposes of this section and the

1 combined total time necessary to administer all of the
2 assessments, including social studies, are the shortest possible
3 that will still maintain the degree of reliability and validity
4 of the assessment results determined necessary by the
5 department. The department shall ensure that the maximum total
6 combined length of time that schools are required to set aside
7 for administration of all of the assessments used for the
8 purposes of this section, including social studies, does not
9 exceed 8 hours. However, this subsection does not limit the
10 amount of time that individuals may have to complete the
11 assessments.

12 (7) The department shall establish, schedule, and arrange
13 periodic retesting periods throughout the year for individuals
14 who desire to repeat an assessment under this section. The
15 department shall coordinate the arrangements for administering
16 the repeat assessments and shall ensure that the retesting is
17 made available at least within each intermediate school district
18 and, to the extent possible, within each school district.

19 (8) A school district or public school academy shall provide
20 accommodations to a pupil with disabilities for the assessments
21 required under this section, as provided under section 504 of
22 title V of the rehabilitation act of 1973, Public Law 93-112, 29
23 U.S.C. 794; subtitle A of title II of the Americans with
24 disabilities act of 1990, Public Law 101-336, 42 U.S.C. 12131 to
25 12134; and the implementing regulations for those statutes.

26 (9) For the purposes of this section, the state board shall
27 develop or select and approve assessment instruments to measure

1 pupil performance in communications skills, mathematics, social
2 studies, and science. The assessment instruments shall be based
3 on the state board model core academic content standards
4 objectives.

5 (10) All assessment instruments developed or selected and
6 approved by the state under any statute or rule for a purpose
7 related to K to 12 education shall be objective-oriented and
8 consistent with the state board model core academic content
9 standards objectives.

10 (11) A person who has graduated from high school after 1996
11 and who has not previously taken an assessment under this section
12 may take an assessment used for the purposes of this section,
13 without charge to the person, at the school district from which
14 he or she graduated from high school at any time that school
15 district administers the assessment or during a retesting period
16 scheduled under subsection (7) and have his or her scaled score
17 on the assessment included on his or her high school transcript.
18 If the person's scaled score on a subject area assessment falls
19 within the range required under subsection (2) for a category
20 established under subsection (2), the school district shall also
21 indicate on the person's high school transcript that the person
22 has achieved state endorsement for that subject area.

23 (12) Not later than July 1 of each year, ~~until 2000,~~ the
24 department shall submit a comprehensive report to the legislature
25 on the status of the assessment program under this section. The
26 report shall include at least all of the following:

27 (a) The annual pupil assessment data.

1 (b) A description of the feedback provided to pupils,
2 parents, and schools.

3 (c) A description of any significant alterations made in the
4 program by the department or state board during the period
5 covered by the report.

6 (d) Any recommendations by the department or state board for
7 legislative changes to the program.

8 (e) An update of the reports of the assessment advisory
9 committees of the state board.

10 ~~(13) Pupils scheduled to graduate in 1998 who took the~~
11 ~~assessments used for the purposes of this section during the~~
12 ~~1996-97 school year may repeat 1 or more of the assessments~~
13 ~~during the 1997-98 school year. The department, in cooperation~~
14 ~~with school districts and public school academies, shall make~~
15 ~~arrangements for repeat assessments to be available for these~~
16 ~~pupils in each school district that operates a high school during~~
17 ~~the 1997-98 school year in time for these pupils to repeat the~~
18 ~~assessments before graduation. The repeat assessments may be~~
19 ~~administered at times other than regular school hours.~~

20 (13) ~~(14)~~ A child who is a student in a nonpublic school or
21 home school may take an assessment under this section. To take
22 an assessment, a child who is a student in a home school shall
23 contact the school district in which the child resides, and that
24 school district shall administer the assessment, or the child may
25 take the assessment at a nonpublic school if allowed by the
26 nonpublic school. Upon request from a nonpublic school, the
27 department shall supply assessments and the nonpublic school may

1 administer the assessment.

2 **(14)** ~~—(15)—~~ The purpose of the assessment under this section
3 is to assess pupil performance in mathematics, science, social
4 studies, and communication arts for the purpose of improving
5 academic achievement and establishing a statewide standard of
6 competency. The assessment under this section provides a common
7 measure of data that will contribute to the improvement of
8 Michigan schools' curriculum and instruction by encouraging
9 alignment with Michigan's curriculum framework standards. These
10 standards are based upon the expectations of what pupils should
11 know and be able to do by the end of grade 11.

12 **(15)** ~~—(16)—~~ Not later than 90 days after the effective date
13 of this subsection, the state board shall appoint an 11-member
14 assessment administration advisory committee to advise the state
15 board on Michigan education assessment program (MEAP) tests and
16 on the assessments used for state endorsements under this
17 section. This advisory committee shall be composed of
18 representatives of school districts, intermediate school
19 districts, school administrators, teachers, and parents, with the
20 appointments reflecting the geographic and population diversity
21 of school districts in this state. The representatives of school
22 districts and intermediate school districts shall be persons who
23 are expert in testing or test administration. This advisory
24 committee shall evaluate these tests and assessments and make
25 recommendations to the state board and department on issues
26 related to administration, scoring, and reporting and use of
27 results of these tests and assessments, including, but not

1 limited to, length of the tests and assessments; the time of the
2 testing period during the school year; feedback provided to
3 pupils, parents, and schools; accurate and relevant reporting of
4 results to the general public; the selection of a retesting
5 period and procedures and arrangements for repeating tests or
6 assessments; local scoring and other general issues regarding
7 scoring of tests and assessments; categories of scoring on the
8 MEAP tests and categories of state endorsement under this
9 section; and professional development for teachers to assist in
10 preparing pupils to have the necessary skills and knowledge to
11 succeed on the tests and assessments.

12 (16) ~~(17)~~ As used in this section:

13 (a) "Communications skills" means reading and writing.

14 (b) "Social studies" means geography, history, economics, and
15 American government.

16 Sec. 1279c. The state board, **the department**, the board of
17 each school district, and each public school academy shall ensure
18 that the Michigan educational assessment program (MEAP) tests are
19 not used to measure pupils' values or attitudes.

20 Enacting section 1. This amendatory act is intended to
21 return to the superintendent of public instruction, the
22 department of education, and the state board of education certain
23 functions relating to state assessments transferred to the
24 department of treasury under Executive Reorganization Order
25 No. 1999-7, MCL 388.995.

26 Enacting section 2. This amendatory act does not take
27 effect unless all of the following bills of the 92nd Legislature

1 are enacted into law:

2 (a) Senate Bill No. 729.

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4 (b) Senate Bill No. 731.

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6 (c) Senate Bill No. 732.

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