

# SENATE BILL No. 1028

March 2, 2004, Introduced by Senator SWITALSKI and referred to the Committee on Education.

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

**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 the  
6 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.

10          (b) If the pupil's scaled score on a subject area assessment

1 falls within the range required under subsection (2) for a  
2 category established under subsection (2), an indication that the  
3 pupil has achieved state endorsement for that subject area.

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

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

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

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

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

20 (5) A pupil who wants to repeat an assessment administered  
21 under this section may repeat the assessment ~~—~~ **not more than**  
22 **once. The repeat assessment shall be** without charge to the  
23 pupil. ~~—, in the next school year or after graduation.—~~ An  
24 individual may ~~repeat an~~ **take a repeat** assessment at any time  
25 **during the next school year or after graduation when** the school  
26 district or public school academy administers an applicable  
27 assessment instrument or during a retesting period under

1 subsection (7).

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

16           (7) The ~~department~~ **superintendent of public instruction**  
17 shall establish, schedule, and arrange periodic retesting periods  
18 throughout the year for individuals who desire to repeat an  
19 assessment under this section. The ~~department~~ **superintendent**  
20 **of public instruction** shall coordinate the arrangements for  
21 administering the repeat assessments and shall ensure that the  
22 retesting is made available at least within each intermediate  
23 school district and, to the extent possible, within each school  
24 district.

25           (8) A school district or public school academy shall provide  
26 accommodations to a pupil with disabilities for the assessments  
27 required under this section, as provided under section 504 of

1 title V of the rehabilitation act of 1973, ~~Public Law 93-112,~~  
2 29 ~~U.S.C.~~ **USC** 794; subtitle A of title II of the Americans with  
3 disabilities act of 1990, ~~Public Law 101-336,~~ 42 ~~U.S.C.~~ **USC**  
4 12131 to 12134; and the implementing regulations for those  
5 statutes.

6 (9) For the purposes of this section, the ~~state board~~  
7 **superintendent of public instruction** shall develop or select and  
8 approve assessment instruments to measure pupil performance in  
9 communications skills, mathematics, social studies, and science.  
10 The assessment instruments shall be based on the state board  
11 model core academic content standards objectives **under section**  
12 **1278**.

13 (10) All assessment instruments developed or selected and  
14 approved by the state under any statute or rule for a purpose  
15 related to K to 12 education shall be objective-oriented and  
16 consistent with the state board model core academic content  
17 standards objectives **under section 1278**.

18 (11) A person who has graduated from high school after 1996  
19 and who has not previously taken an assessment under this section  
20 may take an assessment used for the purposes of this section,  
21 without charge to the person, at the school district from which  
22 he or she graduated from high school at any time that school  
23 district administers the assessment or during a retesting period  
24 scheduled under subsection (7) and have his or her scaled score  
25 on the assessment included on his or her high school transcript.  
26 If the person's scaled score on a subject area assessment falls  
27 within the range required under subsection (2) for a category

1 established under subsection (2), the school district shall also  
2 indicate on the person's high school transcript that the person  
3 has achieved state endorsement for that subject area.

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

8 ~~—— (a) The annual pupil assessment data.~~

9 ~~—— (b) A description of the feedback provided to pupils,~~  
10 ~~parents, and schools.~~

11 ~~—— (c) A description of any significant alterations made in the~~  
12 ~~program by the department or state board during the period~~  
13 ~~covered by the report.~~

14 ~~—— (d) Any recommendations by the department or state board for~~  
15 ~~legislative changes to the program.~~

16 ~~—— (e) An update of the reports of the assessment advisory~~  
17 ~~committees of the state board.~~

18 ~~—— (13) Pupils scheduled to graduate in 1998 who took the~~  
19 ~~assessments used for the purposes of this section during the~~  
20 ~~1996-97 school year may repeat 1 or more of the assessments~~  
21 ~~during the 1997-98 school year. The department, in cooperation~~  
22 ~~with school districts and public school academies, shall make~~  
23 ~~arrangements for repeat assessments to be available for these~~  
24 ~~pupils in each school district that operates a high school during~~  
25 ~~the 1997-98 school year in time for these pupils to repeat the~~  
26 ~~assessments before graduation. The repeat assessments may be~~  
27 ~~administered at times other than regular school hours.~~

1           (12) ~~—(14)—~~ A child who is a student in a nonpublic school or  
2 home school may take an assessment under this section. To take  
3 an assessment, a child who is a student in a home school shall  
4 contact the school district in which the child resides, and that  
5 school district shall administer the assessment, or the child may  
6 take the assessment at a nonpublic school if allowed by the  
7 nonpublic school. Upon request from a nonpublic school, the  
8 ~~department~~ **superintendent of public instruction** shall supply  
9 assessments and the nonpublic school may administer the  
10 assessment.

11           (13) ~~—(15)—~~ The purpose of the assessment under this section  
12 is to assess pupil performance in mathematics, science, social  
13 studies, and communication arts for the purpose of improving  
14 academic achievement and establishing a statewide standard of  
15 competency. The assessment under this section provides a common  
16 measure of data that will contribute to the improvement of  
17 Michigan schools' curriculum and instruction by encouraging  
18 alignment with Michigan's curriculum framework standards. These  
19 standards are based upon the expectations of what pupils should  
20 know and be able to do by the end of grade 11.

21           (14) ~~—(16) Not later than 90 days after the effective date of~~  
22 ~~this subsection, the state board~~ **The superintendent of public**  
23 **instruction** shall appoint an 11-member assessment administration  
24 advisory committee to advise the ~~state board~~ **superintendent of**  
25 **public instruction** on Michigan education assessment program (MEAP)  
26 tests and on the assessments used for state endorsements under  
27 this section. This advisory committee shall be composed of



1 representatives of school districts, intermediate school  
2 districts, school administrators, teachers, and parents, with the  
3 appointments reflecting the geographic and population diversity  
4 of school districts in this state. The representatives of school  
5 districts and intermediate school districts shall be persons who  
6 are expert in testing or test administration. This advisory  
7 committee shall evaluate these tests and assessments and make  
8 recommendations to the ~~state board~~ **superintendent of public**  
9 **instruction** and department on issues related to administration,  
10 scoring, and reporting and use of results of these tests and  
11 assessments, including, but not limited to, length of the tests  
12 and assessments; the time of the testing period during the school  
13 year; feedback provided to pupils, parents, and schools; accurate  
14 and relevant reporting of results to the general public; the  
15 selection of a retesting period and procedures and arrangements  
16 for repeating tests or assessments; local scoring and other  
17 general issues regarding scoring of tests and assessments;  
18 categories of scoring on the MEAP tests and categories of state  
19 endorsement under this section; and professional development for  
20 teachers to assist in preparing pupils to have the necessary  
21 skills and knowledge to succeed on the tests and assessments.

22 (15) ~~(17)~~ As used in this section:

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

24 (b) "Social studies" means geography, history, economics, and  
25 American government.