

SENATE BILL NO. 264

March 18, 2021, Introduced by Senator THEIS and referred to the Committee on Education and Career Readiness.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding sections 1279k and 1279l.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 1279k. (1) The statewide summative assessment improvement**
2 **advisory commission is created.**

3 **(2) The commission shall consist of the following 7 members,**
4 **appointed as follows:**

1 (a) Three members appointed by the speaker of the house of
2 representatives. Two of the members appointed under this
3 subdivision must have experience as psychometricians and 1 of the
4 members appointed under this subdivision must have experience
5 serving as a professional benchmark assessor.

6 (b) Three members appointed by the senate majority leader. One
7 of the members appointed under this subdivision must have
8 experience as a psychometrician and 2 of the members appointed
9 under this subdivision must have experience serving as professional
10 benchmark assessors.

11 (c) One member appointed by the governor. The member appointed
12 under this subdivision must have experience in working on matters
13 related to state summative assessments.

14 (3) The members first appointed to the commission must be
15 appointed within 30 days after the effective date of the amendatory
16 act that added this section.

17 (4) If a vacancy occurs on the commission, appointments for
18 the unexpired term must be made in the same manner as the original
19 appointment.

20 (5) The governor may remove a member of the commission for
21 incompetence, dereliction of duty, malfeasance, misfeasance, or
22 nonfeasance in office, or any other good cause.

23 (6) The first meeting of the commission must be called by the
24 governor. At the first meeting, the commission shall elect from
25 among its members a chairperson and other officers as it considers
26 necessary or appropriate. After the first meeting, the commission
27 shall meet at least quarterly, or more frequently at the call of
28 the chairperson or if requested by a majority of the members.

29 (7) A majority of the members of the commission constitutes a

1 quorum for the transaction of business at a meeting of the
2 commission. A majority of the members present and serving are
3 required for official action of the commission.

4 (8) The business that the commission may perform must be
5 conducted at a public meeting of the commission held in compliance
6 with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

7 (9) A writing prepared, owned, used, in the possession of, or
8 retained by the commission in the performance of an official
9 function is subject to the freedom of information act, 1976 PA 442,
10 MCL 15.231 to 15.246.

11 (10) Members of the commission shall serve without
12 compensation. However, members of the commission may be reimbursed
13 for their actual and necessary expenses incurred in the performance
14 of their official duties as members of the commission.

15 (11) By not later than July 15, 2021, the commission shall
16 develop a recommendation for a request for proposal process to be
17 implemented by an intermediate school district in selecting a
18 statewide summative assessment for English language arts and
19 mathematics for pupils in grades 3 to 7 to replace this state's
20 usage of the Michigan student test of educational progress (M-
21 STEP). By not later than July 15, 2021, the commission shall also
22 issue guidelines concerning the implementation of a statewide
23 summative assessment selected through the request for proposal
24 process described in the immediately preceding sentence.

25 (12) By not later than August 1, 2021, the commission shall,
26 in consultation with the chairs of the house and senate standing
27 committees responsible for education legislation and SAS EVAAS,
28 issue guidelines concerning the form and manner in which CEPI shall
29 submit a report under section 1204b(7). These guidelines must

1 specify the information that must be provided in the report under
2 section 1204b(7) and how the information must be disaggregated.

3 (13) The commission is dissolved and shall cease operations on
4 September 30, 2022.

5 (14) As used in this section, "commission" means the statewide
6 summative assessment improvement advisory commission created in
7 subsection (1).

8 Sec. 1279~~l~~. (1) By not later than August 1, 2021, a qualifying
9 intermediate school district shall issue a request for proposals,
10 in compliance with the recommendation for a request for proposal
11 process developed by the commission, for selection of a statewide
12 summative assessment for English language arts and mathematics for
13 pupils in grades 3 to 7.

14 (2) By not later than November 15, 2021, the qualifying
15 intermediate school district described in subsection (1) shall
16 select a provider for the statewide summative assessment for
17 English language arts and mathematics for pupils in grades 3 to 7.
18 The provider selected under this subsection must be able to provide
19 a statewide summative assessment that meets at least all of the
20 following:

21 (a) Is designed for administration to pupils in at least
22 grades 3 to 7.

23 (b) Is designed to test for proficiency in English language
24 arts and mathematics.

25 (c) Meets all applicable federal requirements concerning
26 assessments.

27 (d) Includes a fall and winter benchmark assessment that is
28 capable of measuring student growth from fall to spring within a
29 school year.

1 (3) The qualifying intermediate school district described in
2 subsection (1) shall serve as the fiduciary agent concerning
3 funding related to the statewide summative assessment described in
4 subsection (2).

5 (4) Subject to state and federal privacy laws and laws
6 concerning the collection of assessment data, the qualifying
7 intermediate school district described in subsection (1) shall
8 coordinate with the department, CEPI, and other state agencies or
9 departments, as needed, in the gathering of assessment results for
10 the statewide summative assessment described in subsection (2).

11 (5) Notwithstanding any provision of this act to the contrary,
12 and except as otherwise provided in this subsection, beginning with
13 the administration of the statewide summative assessments for
14 English language arts and mathematics for pupils in grades 3 to 7
15 in the spring of 2022, as provided for under section 104c of the
16 state school aid act of 1979, MCL 388.1704c, the statewide
17 summative assessment described in subsection (2) provided by a
18 selected provider under subsection (2) must replace usage of the
19 Michigan student test of educational progress (M-STEP) for testing
20 English language arts and mathematics for pupils in grades 3 to 7
21 and must be the new statewide summative assessment utilized for
22 English language arts and mathematics for pupils in grades 3 to 7.
23 For the 2021-2022 school year, a school district, intermediate
24 school district, or public school academy may administer a
25 benchmark assessment described in section 104 instead of the
26 benchmark assessments included in the statewide summative
27 assessment described in subsection (2).

28 (6) Notwithstanding any provision of this act to the contrary,
29 on or after January 1, 2022, any reference to the Michigan student

1 test of educational progress (M-STEP) for English language arts and
2 mathematics for pupils in grades 3 to 7 in this act is replaced
3 with the statewide summative assessment described in subsection (2)
4 selected to be provided by a provider described in subsection (2).

5 (7) As used in this section:

6 (a) "CEPI" means the center for educational performance and
7 information created in section 94a of the state school aid act of
8 1979, MCL 388.1694a.

9 (b) "Qualifying intermediate school district" means an
10 intermediate school district for which the total combined pupil
11 membership of its constituent districts equals an amount greater
12 than 40,000 and less than 50,000.

13 Enacting section 1. This amendatory act does not take effect
14 unless all of the following bills of the 101st Legislature are
15 enacted into law:

16 (a) Senate Bill No. 56.

17 (b) Senate Bill No. 57.

18 (c) Senate Bill No. 260.

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20 (d) Senate Bill No. 267.

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22 (e) Senate Bill No. 268.

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24 (f) Senate Bill No. 261.

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26 (g) Senate Bill No. 262.

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28 (h) Senate Bill No. 263.

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1 (i) Senate Bill No. 266.

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3 (j) Senate Bill No. 265.

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