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Senate Bill 41 (Substitute S-4 as passed by the Senate)

Sponsor: Senator John J. H. Schwarz, M.D.

Committee: Education and Mental Health

Date Completed: 6-27-89

**RATIONALE**

As part of efforts to reform the educational system in the Michigan, attention has been focused on methods to improve educational programs, such as requiring school districts to offer a core curriculum, develop and implement a school improvement plan, and prepare and distribute an annual educational report. Integral to the calls for educational reform have been demands by the public for accountability and assurances that schools, indeed, are delivering a quality educational program. School accreditation is viewed as one way of providing this accountability, yet there is no State requirement that schools, whether they are high schools or elementary and middle schools, be accredited. Nearly all of Michigan's 660 public high schools have voluntarily sought and earned accreditation by the University of Michigan or the North Central Association of Colleges and Schools. Of the approximately 2,600 elementary and middle schools in the State, however, it is reported that only 64 are accredited. The State Board of Education recently approved implementation of the Michigan Accreditation Program, which was the result of a three-year pilot study that examined the accreditation of elementary, middle, and junior high schools. While voluntary efforts at accreditation are noteworthy, some people believe that educational improvement cannot come about without requiring schools to satisfy certain standards. One way to assure that these standards are being met is to require that all schools to be accredited.

**CONTENT**

The bill would amend the School Code to require:

- The accreditation of public schools by September 1, 1998.
- The Department of Education, by October 1, 1991, to develop and make available to public schools standards for accreditation.
- The Department in the 1992-93 school year to review and evaluate for accreditation the performance of one-sixth of the State's public schools.
- The Department beginning with the 1994-95 school year and each school year thereafter, to review and evaluate for accreditation the performance of one-sixth of the State's schools, plus each school that did not meet accreditation standards the preceding school year.
- Measures to be taken if accreditation stands were not met for three consecutive years.

The bill is tie-barred to Senate Bill 39, which would require local school boards to make available to all pupils attending school in the district a core curriculum based on a core curriculum that would have to be developed by the State Board of Education; Senate Bill 40,

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which would require a school board to prepare and distribute to the public and State Board an annual educational report; and, Senate Bill 43, which would require a school board to adopt and implement a school improvement plan and continuing school improvement process. The bill would take effect 30 days after enactment.

### Accreditation

The board of a school district would have to provide before September 1, 1998, that each public school in the district was accredited. "Accredited" would mean certified by the State Board of Education as having met or exceeded certain educational standards, processes, and criteria determined by the State Board as necessary for providing a "quality education" to pupils.

The State Board would be required to promulgate rules, as necessary, to implement the bill's provisions.

### Standards

By October 1, 1991, the Department would be required to develop and make available to all K to 12 public schools standards, based on accreditation rules promulgated by the State Board, to be applied to each school for accreditation purposes.

### Annual Review and Evaluation

In the 1992-93 school year, the Department would be required to review and evaluate for accreditation purposes the performance of one-sixth of the public schools in the State. Beginning in 1994-95 and each school year thereafter, the Department would be required annually to review and evaluate for accreditation purposes the performance of one-sixth of the public schools in the State, plus each school that did not meet accreditation standards the immediately preceding school year.

### Failure to Meet Standards

A school that had not met accreditation standards for three consecutive years would be subject to one or more of the following measures, as determined by the State Board:

- The school would receive technical assistance, as appropriate, from the Department, the intermediate school district to which it was constituent, a consortium of intermediate school districts, or any combination of these until the school met accreditation standards.
- The Superintendent of Public Instruction, or his or her designee, would appoint an administrator of the school until the school met the accreditation standards.
- A parent or person in loco parentis of a child who attended the school would have the right to send his or her child to any accredited public school with an appropriate grade level within the school district or, if there were no accredited public school within the school district, within the intermediate school district to which it was constituent.

### Report to Legislature

The Department would be required to evaluate the accreditation program and the status of schools accredited and would be required to submit, in June 1993 and June 1994, a report based on the evaluation to the Senate and House committees responsible for education legislation. The report would have to address the reasons each unaccredited school was not accredited and would have to recommend legislative action that would result in the accreditation of all public schools in the State.

Proposed MCL 380.1280 and 380.1280a

### FISCAL IMPACT

The bill would have an indeterminate impact on State government and local and intermediate school districts.

Under Senate Bill 41 (S-4), the costs to the State and to local school districts would derive from three broad areas: 1) the costs of developing and implementing accreditation standards for the State's approximately 3,500 public K-12 schools; 2) the costs to the Department of Education of annually reviewing and evaluating one-sixth of all schools' performances for accreditation, and to schools of submitting the information upon which these

analyses would be based; and, 3) the costs of the bill's technical assistance, interim school administrator, parental choice, and school closure provisions.

Additional costs would result from the processes defined in Senate Bill 41 (S-4) for those schools not meeting accreditation standards for three years. In each case, the magnitude of the fiscal impact would depend on the number of schools failing to attain accreditation. According to Department of Education staff, the Department of Education currently does not have staff providing the kinds of technical assistance described in the bill. In instances in which the Superintendent of Public Instruction appointed an administrator until the school met accreditation standards, it is not clear whether the Department of Education or the local school district would bear the cost. Additional staff and transportation costs could result from parents' decisions to send their children to accredited public schools within the school district or intermediate school district.

If the mandates to school districts under this bill were considered new requirements as defined by Article IX, Section 29 of the State Constitution and interpreted by judicial decisions pertaining to it, the largest portion of these new costs would devolve upon the State.

The Governor has recommended \$500,000 GF/GP for FY 1989-90 for the accreditation program. The Department's current proposal would have costs increasing to approximately \$5,000,000 per year within three years.

## **ARGUMENTS**

### **Supporting Argument**

Under a State accreditation system, every community across Michigan would be assured that its schools were meeting explicit criteria that were determined to be conducive to educational excellence. Furthermore, schools that could not meet accreditation standards would receive assistance and have an opportunity to improve. As a result, there would be greater equity of educational opportunity because students attending an accredited school and their parents would have the benefit of knowing that the school met standards that addressed areas such as school program, curriculum, staffing, support services,

operational policies, and facilities.

### **Supporting Argument**

Undergoing an accreditation process, in and of itself, is valuable for a school. Participation in the accreditation process provides opportunities for a school staff to identify the school's strengths and weaknesses, establish educational goals for that school, develop and implement a school improvement plan, and document progress toward reaching the school's educational goals. Earning accreditation provides credibility for a school's program and demonstrates the high quality of the school's staff. Finally, a school's participation in the accreditation process and being designated an accredited school provides assurance to a community that the school had met standards for education quality.

### **Supporting Argument**

The State's future depends on the development of an educational system that is excellent in quality and effective in outcome. To that end, the Senate has passed Senate Bills 39, 40, and 43, which would require a school district to: make available a core curriculum; prepare and distribute an annual educational report; and, adopt and implement a school improvement plan and continuing school improvement process, respectively. Proponents of Senate Bill 41 (S-4) contend that the bill ties together all of the school improvement bills in that an accreditation process would guarantee that a school had met standards of educational quality.

### **Opposing Argument**

Concerns have been raised about the lack of funding for the development and implementation of an accreditation program. In addition, some people in the educational community are troubled by the sanctions that could be taken against a school that did not meet accreditation standards. The bill does not address the funding of the development of accreditation standards, the funding to implement of an accreditation program, and the cost of improving school programs to meet the standards. Furthermore, it is feared that for some schools these standards could be impossible to meet because a school was isolated or had limited resources. School administrators generally are willing to improve their programs and undoubtedly would be

willing to undertake reforms voluntarily without being threatened with sanctions that only would undermine any positive spirit behind an accreditation process.

**Response:** Some people believe that sanctions add "teeth" to the educational reform proposals and would ensure that schools understood that the State is serious about educational reform. Past efforts to maintain a positive spirit within the educational community, it has been noted, only have resulted in a mediocre educational system in Michigan.

### **Opposing Argument**

As reported by the Education and Mental Health Committee, the bill provided that a school could be closed if it did not meet accreditation standards. That provision was struck from the bill prior to its passage by the Senate. If a school can't train a child, can't teach a child to read, and can't help a child to succeed, then that school should be closed so taxpayers do not have to continue to support it and children are not required to attend that school. The sanction of possible closure of a school should be restored to the bill.

**Response:** Some people believe that including the sanction of closing a school that did not meet accreditation standards actually was an attempt to force consolidation of school districts. While a number of school districts across Michigan have more than one high school, middle school, and elementary school, there are many small school districts in the State that have only one of each of these buildings. A small school district that had to close a school because it did not meet State accreditation standards could not offer a comprehensive educational program, and would have little choice but to consolidate with a neighboring school district that offered a full-range of grade levels. The issue of consolidation should be addressed separately from the issue of public school accreditation.

### **Opposing Argument**

An accreditation system that was mandated by the State could undermine Michigan's tradition of local control. Schools have demonstrated a willingness to be evaluated, as illustrated by the fact that schools have sought accreditation by the University of Michigan or the North Central Association of Colleges and Schools and approximately 450 schools volunteered to

participate in the Department of Education's Michigan Accreditation Program pilot study. Accreditation should not be mandated, but should be used as a tool for schools to conduct self-studies and reviews of their programs.

**Response:** While nearly all public high schools in the State are accredited, there still are problems in Michigan's high schools that have contributed to the erosion of Michigan's long tradition of providing a quality education. Is it any wonder that some people question the effectiveness of the voluntary accreditation program currently undertaken by high schools in the State? Furthermore, only 64 of some 2,600 elementary and middle schools in the State are accredited.

### **Opposing Argument**

If the bill were enacted, schools would face the problem of students' entering or leaving a school due to the accreditation status of the building. This independent action by a child's parent or guardian would make it difficult to plan for and manage a building or school district under these circumstances.

### **Opposing Argument**

Senate Bill 41 (S-4) would move Michigan further along the road taken by other states of increased regulation of schools in order to bring about educational reform. This bill along with other school improvement proposals would result in more harm than benefit to school districts. As school programs became more constrained in order to meet State regulations, they could lose their autonomy, vitality, and individuality. Some people in the educational community in this country, including former U.S. Education Secretary William Bennett, advocate granting teachers and principals more autonomy so they can be free to develop innovative teaching approaches. Educational reform should come from the bottom--individual schools--up to the entire system and not be mandated from the top--the State--down to the schools.

### **Opposing Argument**

Under the bill, a parent or guardian of a child who attended a school that had not met accreditation standards for three consecutive years could send the child to any accredited public school with an appropriate grade level within the school district or, if there were no accredited public school within the school

district, within the intermediate school district to which it was constituent. It is not certain what effect this provision could have on school desegregation plans in a school district. Furthermore, the bill is not clear on whether the school district or the parent would be responsible for transporting a child to a school other than the school the child previously attended.

#### **Opposing Argument**

If a school did not meet accreditation standards for three consecutive years, the bill would authorize the Superintendent of Public Instruction to appoint an administrator to manage the school until that school met the standards. It is not certain whether the local district or the Department of Education would be responsible for paying the salary and expenses of the administrator.

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#### **A8990/S41A**

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