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**SFA**



**BILL ANALYSIS**

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House Bill 5228 (Substitute H-1 as passed by the House)  
House Bill 5229 (Substitute H-1 as passed by the House)  
House Bill 5230 (Substitute H-1 as passed by the House)  
House Bill 5231 (Substitute H-1 as passed by the House)  
House Bill 5232 (Substitute H-1 as passed by the House)  
House Bill 5233 (Substitute H-1 as passed by the House)  
House Bill 5234 (as passed by the House)  
House Bill 5235 (Substitute H-1 as passed by the House)  
Sponsor: Representative Sharon Gire (H.B. 5228)  
Representative Mark Schauer (H.B. 5229)  
Representative Ron Jelinek (H.B. 5230)  
Representative Rose Bogardus (H.B. 5231)  
Representative Jessie Dalman (H.B. 5232)  
Representative James Agee (H.B. 5233)  
Representative Clyde LeTarte (H.B. 5234)  
Representative Kwame Kilpatrick (H.B. 5235)

House Committee: Education  
Senate Committee: Education

Date Completed: 11-12-97

## **CONTENT**

**House Bills 5228 (H-1) and 5229 (H-1) would amend the Revised School Code and the State School Aid Act, respectively, to do the following:**

- Require a school board or public school academy to award a State endorsement, instead of a State endorsed high school diploma, to an eligible high school graduate; and, require that the applicable endorsement appear on a pupil's transcript.
- Require the State Board of Education to develop three categories of State endorsement indicating basic competency, above average, and outstanding.
- Require that the State assessments be administered to pupils during the first semester of grade 12.
- Require that assessment scores indicate a pupil's numerical score for each subject area and the range of scores needed for each category of State endorsement.
- Require the Department of Education to ensure that the length of the assessments and the time needed to

administer them were the shortest possible, and that the maximum time needed to complete all assessments not exceed six hours.

- Require the Department to establish periodic retesting periods throughout the year for persons who wanted to repeat an assessment.
- Require the Department to submit to the Legislature annually until 2000 a comprehensive report on the status of the State endorsement program.
- Permit persons who are to graduate in 1998 and who took the assessments during the 1996-97 school year to repeat an assessment during the 1997-98 school year.
- Permit a high school graduate who did not have an endorsement and who had not taken an assessment to take the tests at no cost.

- **Permit a nonpublic school student and a home school student to take an assessment, and require a school district to administer an assessment for a home school student.**
- **State the purpose of the assessments as the improvement of academic achievement and the establishment of a statewide standard of competency.**

**In addition, House Bill 5228 (H-1) would require the State Board to appoint an assessment advisory committee and a technical advisory group to advise the State Board on the Michigan Education Assessment Program (MEAP) tests and State endorsement assessments.**

**House Bills 5230 (H-1) through 5235 (H-1) would amend the Revised School Code and other statutes to make changes pertaining to retaking assessments; professional development funding; school improvement plans; school accreditation; and special assistance.**

The bills all are tie-barred to each other. A more description of the bills follows.

### **House Bills 5228 (H-1) and 5229 (H-1)**

#### **Purpose of Assessment**

The bills state that the “purpose of the assessments is to assess pupil performance in mathematics, science, social studies, and communication arts for the purpose of improving academic achievement and establishing a statewide standard of competency.” The bills also state that an assessment “provides a common measure of data that will contribute to the improvement of Michigan schools’ curriculum and instruction by encouraging alignment with Michigan’s curriculum framework standards. These standards are based upon the expectations of what pupils should know and be able to do by the end of grade 11. Pupils indicating basic, above average, and outstanding performance in mathematics, science, social studies, and communication arts will qualify for state endorsements in each of these areas.”

The bills would define “communication skills” as reading and writing; and, would define “social studies” as geography, history, economics, and American government.

#### **State Endorsement**

Currently, the Revised School Code requires the board of a school district or public school academy to award a State endorsed high school diploma to an eligible high school graduate. The State School Aid Act requires a school district or a public school academy to award an endorsed high school diploma in order to receive State aid. Under the bills, a board would have to award a State endorsement to an eligible high school graduate.

Under the Revised School Code and the State School Aid Act, if a pupil achieves the objectives required by the State Board of Education, as measured by an assessment instrument, for a State endorsed high school diploma in one or more specified subject areas, the pupil’s school district or public school academy must award a State endorsement on the pupil’s diploma in each of the subject areas in which the pupil demonstrated the required proficiency. Under the bills, a school district or public school academy, instead, would have to include the applicable State endorsement on the pupil’s transcript in each of the subject areas in which he or she achieved the requirements for a State endorsement.

In addition, the State Board would have to develop three categories of State endorsement for each subject area indicating basic competency, above average, and outstanding and using terminology for the categories and required assessment scores for each as determined by the State Board. If the board of a school district or public school academy determined that a pupil qualified for a State endorsement, the board would have to indicate on the pupil’s high school transcript that he or she achieved the requirements for a State endorsement and the category of endorsement earned for each subject area.

#### **Assessment Administration**

The assessments would have to be administered to pupils during the first semester of grade 12. The Department of Education would have to ensure that the assessments were scored and the scores were returned to pupils, their parents or legal guardians, and school districts or public school academies by the end of the pupil’s first semester of grade 12. The returned scores would have to indicate the pupil’s numerical score for each subject area and the range of scores necessary for each category of State endorsement for each subject area.

By fall 1999, the Department would have to

arrange for those portions of a pupil's assessment that could not be scored mechanically to be scored by persons holding a valid Michigan teaching certificate, retired Michigan teachers, or Michigan school administrators, who had been trained in scoring assessments. In reporting scores to pupils, parents, and schools, the Department would have to provide specific, meaningful, and timely feedback on the areas in which a pupil had to improve in order to achieve the requirements for a State endorsement.

### Repeat Assessments

Currently under the Revised School Code and the State School Aid Act, a pupil who does not achieve the requirements for a State endorsed high school diploma may be reevaluated each school year until he or she achieves an applicable requirement for a State endorsed diploma. Under the bills, a pupil who did not achieve the requirements for a State endorsement could be reevaluated, without cost to the pupil, later in the school year or after graduation until the pupil achieved an applicable requirement for a State endorsement.

An individual currently may repeat any of the tests or assessment instruments at any time the school district or public school academy regularly offers the test or assessment. Under the bills, a person could repeat any of the assessment instruments at any time established by the Department as a retesting period. The Department would have to establish, schedule, and arrange periodic retesting periods throughout the year for individuals who desired to repeat an assessment. The Department would have to coordinate the arrangements for administering the repeat assessments and would have to ensure that the retesting was made available at least within each intermediate school district and, to the extent possible, within each school district.

The State School Aid Act permits a pupil, who is in at least grade 10, to take a test or an assessment when a district regularly administers it in order to qualify for a postsecondary enrollment option. A district is not required to include a pupil's test results in grade 10 or lower as part of an annual education report or any other report submitted for accreditation purposes. House Bill 5229 (H-1) would permit a pupil to take an assessment during a retesting period established by the Department or when the district regularly administered the assessment. The bill provides that results of tests taken in grade 11 or lower would not have to be reported until the results for a pupil's graduating

class were otherwise reported.

Upon payment of a reasonable fee any person currently may take the State endorsed diploma test and upon demonstrating the required proficiency in a subject area, have his or her high school diploma endorsed for that subject area. The bills provide that a person who had graduated from high school without an endorsement and who had not previously taken an assessment could take the assessments, without cost to the person, during a retesting period established by the Department. Upon meeting the requirements for a State endorsement in a subject area, a person would have a State endorsement for that subject area included on his or her high school transcript.

Pupils scheduled to graduate in 1998 who took the assessments during the 1996-97 school year could repeat one or more of the assessments during the 1997-98 school year. The Department, in cooperation with school districts and public school academies, would have to make arrangements for repeat assessments to be available for these pupils in each school district that operated a high school during the 1997-98 school year in time for these pupils to earn State endorsement before graduation. The repeat assessments could be administered at times other than regular school hours.

### Assessment Length

The Department would have to ensure that the length of the assessments and the combined total time necessary to administer all of the assessments, including social studies, would be the shortest possible that would still maintain the degree of reliability and validity of the assessment results determined necessary by the Department. The Department also would have to ensure that the maximum total combined length of time pupils were allowed for completion of all of the assessments, including social studies, did not exceed six hours.

### Nonpublic School Students

A child who was a student in a nonpublic school or home school could take an assessment under the bills. To take an assessment, a child who was a student in a home school would have to contact the school district in which the child resided, and that school district would have to administer the assessment. Upon request from a nonpublic school, the Department would have to supply assessments and the nonpublic school could

administer them to its students.

#### Report to Legislature

By July 1 of each year until 2000, the Department would have to submit a comprehensive report to the Legislature on the status of the State endorsement program. The report would have to include at least all of the following: the annual pupil assessment data; a description of the feedback provided to pupils, parents, and schools; a description of any significant alterations made in the program by the Department or State Board during the period covered by the report; and, any recommendations by the Department or State Board for legislative changes to the program.

#### Advisory Committee

Under House Bill 5228 (H-1), within 90 days after the bill's effective date, the State Board would have to appoint an 11-member assessment administration advisory committee to advise the State Board on MEAP tests and on the assessments used for State endorsements. The advisory committee would have to be composed of representatives of school districts, intermediate school districts, school administrators, teachers, and parents, with the appointments reflecting the geographic and population diversity of school districts in the State. The advisory committee would have to evaluate the tests and assessments and make recommendations to the State Board and Department on issues related to the administration, scoring, and reporting and use of results of these tests and assessments; the time of the testing period during the school year; feedback provided to pupils, parents, and schools; accurate and relevant reporting of results to the general public; the selection of a retesting period and procedures and arrangements for repeating tests or assessments; local scoring and other general issues regarding scoring of tests and assessments that were not addressed by the technical advisory group; categories of scoring on the MEAP tests and categories of State endorsement; and professional development for teachers to assist in preparing pupils to have the necessary skills and knowledge to succeed on the tests and assessments.

#### Technical Advisory Group

Under House Bill 5228 (H-1), within 90 days after the bill's effective date, the State Board would have to appoint a seven-member technical advisory group to advise the State Board and Department on the technical aspects of MEAP tests and

assessments used for State endorsement. The advisory group would have to be composed of persons who were experts in measurement and assessment. The advisory group would have to review these tests and assessments and advise the State Board and Department on the validity, reliability, and other technical standards of these tests or assessments and of their administration and use.

#### **House Bill 5230 (H-1)**

The Revised School Code provides that, upon the written request of a pupil's parent or legal guardian stating that the request is for the purpose of giving the pupil the opportunity to take one or more postsecondary courses, the board of a school district must allow a pupil who is in at least grade 10 to take a test or assessment at any time the district regularly administers the test or assessment or administers a retest for the test or assessment. The bill would amend this provision to require the school district to allow the pupil to take an assessment at any time the district regularly administered the test or assessment or during a retesting period established by the Department.

A school district currently is not required to include in an annual education report, or any other reported submitted to the Department for accreditation purposes, results of tests or assessments taken under this provision by a pupil in grade 10. The bill would not require the reporting of tests or assessments taken by a pupil in grade 11 or lower until the results of that pupil's graduating class were otherwise reported.

#### **House Bill 5231 (H-1)**

The bill would amend the Revised School Code to require the Legislature, beginning in the 1998-99 State fiscal year, to appropriate additional funds for professional development to be used for training for teachers in all of the following: teaching pupils the locally adopted core curriculum, as described in the Code, based on the Michigan content standards; and, the assessments used for State endorsement under the Code and providing pupils with the skills and knowledge required to achieve State endorsement.

The bill also would add that the funds appropriated by the Legislature to support professional development and education could be used for professional development programs for administrators and teachers on the use of data and assessment instruments, including MEAP tests and

the assessments used for State endorsement, to identify pupils who needed additional assistance and to improve teaching and learning for all pupils. Currently, funds may be used for professional development programs on the use of data and assessment instruments to improve teaching and learning for all pupils.

#### **House Bill 5232 (H-1)**

The bill would amend the Postsecondary Options Enrollment Act to delete from the definition of “eligible student” reference to a student enrolled in grade 12 in a school district. Currently, “eligible student” means a student enrolled in at least one high school class in at least grade 11 who has successfully completed the requirements for a State endorsement in all subject areas under the Revised School Code. For a student who is enrolled in grade 12 but who has not successfully completed the requirements for a State endorsement in all subject areas, the student is an eligible student only for the limited purpose of dual enrollment in a subject area for which he or she has earned an endorsement, in computer science or a foreign language not offered by the school district, or in fine arts. Under the bill, this limitation would apply to a student in either grade 11 or grade 12 who had not successfully completed the requirements for a State endorsement in all subject areas.

#### **House Bill 5233 (H-1)**

The bill would amend the Revised School Code to revise criteria that must be included in school improvement plans for school districts and intermediate school districts (ISDs). Under the bill, a school district’s school improvement plan would have to include goals centered on student academic learning, strategies to accomplish the goals, professional development to help teachers and administrators learn approaches for attaining the goals, and evaluation of the plan. The bill also would require that an ISD school improvement plan include methods to assist districts in academic learning, activities for professional development that supported academic learning, collaborative efforts with supporting agencies that enhanced academic learning, and evaluation of the plan.

The bill would delete the following criteria that currently must be included in a school district school improvement plan: identification of the adult roles for which graduates need to be prepared; identification of the education and skills that are needed to allow graduates to fulfill those adult

roles; a determination of whether the existing school curriculum is providing pupils with the education and skills needed to fulfill those adult roles; and, identification of changes that must be made in order to provide graduates with the necessary education and skills and specific recommendations for implementing those changes. The bill also would delete the following criteria that must be included in an ISD school improvement plan: a plan for addressing classroom needs and improvements throughout the territory of the ISD without regard to school district boundaries; a plan for delivery of effective and relevant professional development for teachers within the ISD that will lead to improved teaching and learning; and, coordination of services and service delivery with other existing State and local human services agencies.

#### **House Bill 5234**

The bill would amend the Revised School Code to require that standards for school accreditation or summary accreditation include student performance on State endorsement assessments and the multiple year change in pupil performance on those assessments. The bill would retain the current requirement that these standards include pupil performance on the MEAP tests.

#### **House Bill 5235 (H-1)**

The bill would amend the Revised School Code to require a school board to use MEAP tests results as an indicator of which pupils needed special assistance to have a fair opportunity to achieve State endorsement and of whether the school district’s curriculum was adequately aligned to prepare pupils to achieve State endorsement.

Currently, a school board must provide a core academic curriculum, learning processes, special assistance, and sufficient access to each of these so that all pupils have a fair opportunity to achieve a State endorsed diploma. The bill would delete reference to a State endorsed diploma and specify, instead, a State endorsement, and would require that special assistance be included particularly for students with reading disorders.

Under the bill, the special assistance could include at least one meeting attended by at least the pupil and a member of the school district’s staff or a local or ISD consultant who was knowledgeable in the measurement and evaluation of pupils. The school district could provide the meeting as a group meeting for pupils in similar circumstances. If the

pupil were a minor, the school district would have to invite and encourage the pupil's parent, legal guardian, or person in loco parentis to attend the meeting and would have to mail a notice of the meeting to that person.

The bill specifies that the purpose of the meeting and any subsequent meeting would be to determine an educational program for the pupil designed to assist the pupil to achieve at least a satisfactory score in each subject or skill area in which he or she had not achieved at least a satisfactory score. The school district also could provide for subsequent meetings with the pupil conducted by a counselor or teacher designated by the pupil's principal, and would have to invite and encourage the pupil's parent, legal guardian, or person in loco parentis to attend the subsequent meetings. The school district could provide special programs for the pupil or develop a program using the educational programs regularly provided by the school district.

MCL 380.1279 et al. (H.B. 5228)  
388.1704a (H.B. 5229)  
380.1279f (H.B. 5230)  
380.1525 (H.B. 5231)  
388.513 (H.B. 5232)  
380.1277 (H.B. 5233)  
380.1280 (H.B. 5234)  
380.1282 (H.B. 5235)

Legislative Analyst: L. Arasim

### **FISCAL IMPACT**

Changes in the assessment process could result in an indeterminate increase in costs at the State and local levels. At the State level, there could be increased costs associated with the following requirements: a faster turn-around time of the scores, ensuring that the length of the tests did not exceed six hours, establishing and arranging the retesting periods (particularly for those students who took the test in 1996-97 and chose to retake the test in 1997-98), the submission of a comprehensive report to the Legislature detailing the status of the State endorsement program, the creation of two advisory groups - an assessment administration committee and a technical committee, additional cost of professional development funding, and a possible increase in participation in dual enrollment programs. The costs of these increased requirements are indeterminable because it is unknown whether the current funding of more \$1,300,000 would be sufficient to cover these costs.

Local districts also could incur a cost for re-evaluating students to determine if they were ready to take the assessment tests. This cost would have to be paid from a school's general operating fund, which may or may not be sufficient depending on the school district.

Fiscal Analyst: J. Carrasco

### **S9798\S5228SA**

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.