

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5228**

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1279 (MCL 380.1279), as amended by 1997 PA
25.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1279. (1) The board of a school district or public
2 school academy shall ~~award a state-endorsed high school diploma~~
3 ~~to an eligible high school graduate as provided in this section.~~
4 ADMINISTER STATE ASSESSMENTS TO HIGH SCHOOL PUPILS IN THE SUBJECT
5 AREAS OF COMMUNICATIONS SKILLS, MATHEMATICS, SCIENCE, AND, BEGIN-
6 NING WITH PUPILS SCHEDULED TO GRADUATE IN 2000, SOCIAL STUDIES.
7 THE BOARD SHALL INCLUDE ON THE PUPIL'S HIGH SCHOOL TRANSCRIPT ALL
8 OF THE FOLLOWING:

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1 (A) FOR EACH HIGH SCHOOL GRADUATE WHO HAS COMPLETED A
2 SUBJECT AREA ASSESSMENT UNDER THIS SECTION, THE PUPIL'S SCALED
3 SCORE ON THE ASSESSMENT.

4 (B) IF THE PUPIL'S SCALED SCORE ON A SUBJECT AREA ASSESSMENT
5 FALLS WITHIN THE RANGE REQUIRED UNDER SUBSECTION (2) FOR A CATE-
6 GORY ESTABLISHED UNDER SUBSECTION (2), AN INDICATION THAT THE
7 PUPIL HAS ACHIEVED STATE ENDORSEMENT FOR THAT SUBJECT AREA.

8 (C) THE NUMBER OF SCHOOL DAYS THE PUPIL WAS IN ATTENDANCE AT
9 SCHOOL EACH SCHOOL YEAR DURING HIGH SCHOOL AND THE TOTAL NUMBER
10 OF SCHOOL DAYS IN SESSION FOR EACH OF THOSE SCHOOL YEARS.

11 ~~(2) For pupils scheduled to graduate from high school in
12 1997, if a pupil achieves the academic objectives required by the
13 state board, as measured by an assessment developed under
14 subsection (7), for a state-endorsed high school diploma, or
15 meets the requirements described in former subsection (1)(c) for
16 a state-endorsed diploma, in 1 or more of the subject areas of
17 communications skills, mathematics, and science, the pupil's
18 school district or public school academy shall award a state
19 endorsement on the pupil's diploma in each of the subject areas
20 in which the pupil demonstrated the required proficiency.~~

21 ~~Beginning with pupils scheduled to graduate in 1998, if a pupil
22 achieves the objectives required by the state board, as measured
23 by an assessment instrument developed under subsection (7), for
24 a state-endorsed high school diploma in 1 or more of the subject
25 areas of communications skills, mathematics, science, and, begin-
26 ning with pupils scheduled to graduate in 2000, social studies,
27 the pupil's school district or public school academy shall award~~

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1 ~~a state endorsement on the pupil's diploma in each of the subject~~
2 ~~areas in which the pupil demonstrated the required proficiency.~~
3 ~~A school district or public school academy shall not award a~~
4 ~~state endorsement to a pupil unless the pupil meets the applica-~~
5 ~~ble requirements for the endorsement, as described in this~~
6 ~~subsection.~~ THE DEPARTMENT SHALL DEVELOP SCALED SCORES FOR
7 REPORTING SUBJECT AREA ASSESSMENT RESULTS FOR EACH OF THE SUBJECT
8 AREAS UNDER THIS SECTION. SUBJECT TO APPROVAL BY THE STATE BOARD,
9 THE SUPERINTENDENT OF PUBLIC INSTRU-
10 TION SHALL ESTABLISH 3 CATEGORIES FOR EACH SUBJECT AREA INDICAT-
11 ING BASIC COMPETENCY, ABOVE AVERAGE, AND OUTSTANDING, AND SHALL
12 ESTABLISH THE SCALED SCORE RANGE REQUIRED FOR EACH CATEGORY. THE
13 DEPARTMENT SHALL DESIGN AND DISTRIBUTE TO SCHOOL DISTRICTS,
14 INTERMEDIATE SCHOOL DISTRICTS, PUBLIC SCHOOL ACADEMIES, AND NON-
15 PUBLIC SCHOOLS A SIMPLE AND CONCISE DOCUMENT THAT DESCRIBES THESE
16 CATEGORIES IN EACH SUBJECT AREA AND INDICATES THE SCALED SCORE
17 RANGES FOR EACH CATEGORY IN EACH SUBJECT AREA. A school district
18 or public school academy may award a high school diploma to a
19 pupil who successfully completes local school district or public
20 school academy requirements established in accordance with state
21 law for high school graduation, regardless of whether the pupil
22 is eligible for any state endorsement.

22 (3) THE ASSESSMENTS ADMINISTERED FOR THE PURPOSES OF THIS
23 SECTION SHALL BE ADMINISTERED TO PUPILS DURING THE LAST 30 SCHOOL
24 DAYS OF GRADE 11. THE DEPARTMENT SHALL ENSURE THAT THE ASSESS-
25 MENTS ARE SCORED AND THE SCORES ARE RETURNED TO PUPILS, THEIR
26 PARENTS OR LEGAL GUARDIANS, AND SCHOOL DISTRICTS OR PUBLIC SCHOOL
27 ACADEMIES NOT LATER THAN THE BEGINNING OF THE PUPIL'S FIRST

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1 SEMESTER OF GRADE 12. NOT LATER THAN FALL 1999, THE DEPARTMENT
2 SHALL ARRANGE FOR THOSE PORTIONS OF A PUPIL'S ASSESSMENT THAT
3 CANNOT BE SCORED MECHANICALLY TO BE SCORED IN MICHIGAN BY PERSONS
4 WHO ARE MICHIGAN TEACHERS, RETIRED MICHIGAN TEACHERS, OR MICHIGAN
5 SCHOOL ADMINISTRATORS AND WHO HAVE BEEN TRAINED IN SCORING THE
6 ASSESSMENTS. THE RETURNED SCORES SHALL INDICATE THE PUPIL'S
7 SCALED SCORE FOR EACH SUBJECT AREA ASSESSMENT, THE RANGE OF
8 SCALED SCORES FOR EACH SUBJECT AREA, AND THE RANGE OF SCALED
9 SCORES REQUIRED FOR EACH CATEGORY ESTABLISHED UNDER
10 SUBSECTION (2). IN REPORTING THE SCORES TO PUPILS, PARENTS, AND
11 SCHOOLS, THE DEPARTMENT SHALL PROVIDE SPECIFIC, MEANINGFUL, AND
12 TIMELY FEEDBACK ON THE PUPIL'S PERFORMANCE ON THE ASSESSMENT.

13 (4) ~~(3) A pupil who does not achieve the requirements of~~
14 ~~subsection (2) may be reevaluated each school year until the~~
15 ~~pupil achieves an applicable requirement for a state-endorsed~~
16 ~~diploma. In addition~~ FOR EACH PUPIL WHO DOES NOT ACHIEVE STATE
17 ENDORSEMENT IN 1 OR MORE SUBJECT AREAS, the board of the school
18 district or public school academy in which the pupil is enrolled
19 shall provide that there be at least 1 meeting attended by at
20 least the pupil and a member of the school district's or public
21 school academy's staff or a local or intermediate school district
22 consultant who is proficient in the measurement and evaluation of
23 pupils. The school district or public school academy may provide
24 the meeting as a group meeting for pupils in similar
25 circumstances. If the pupil is a minor, the school district or
26 public school academy shall invite and encourage the pupil's
27 parent, legal guardian, or person in loco parentis to attend the

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1 meeting and shall mail a notice of the meeting to the pupil's
2 parent, legal guardian, or person in loco parentis. The purpose
3 of this meeting and any subsequent meeting under this subsection
4 shall be to determine an educational program for the pupil
5 designed to have the pupil ~~reach proficiency~~ ACHIEVE STATE
6 ENDORSEMENT in each subject ~~or skill~~ area in which he or she
7 ~~was assessed by the testing as not proficient~~ DID NOT ACHIEVE
8 STATE ENDORSEMENT. In addition, a school district or public
9 school 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 pro-
16 vided by the district unless the board of the school district or
17 public school academy decides otherwise and publishes and
18 explains its decision in a public justification report.

19 (5) A pupil ~~may be reevaluated~~ WHO WANTS TO REPEAT AN
20 ASSESSMENT ADMINISTERED UNDER THIS SECTION MAY REPEAT THE ASSESS-
21 MENT, WITHOUT CHARGE TO THE PUPIL, IN THE NEXT SCHOOL YEAR OR
22 AFTER GRADUATION. AN INDIVIDUAL MAY REPEAT AN ASSESSMENT at any
23 time the school district or public school academy administers an
24 applicable assessment instrument OR DURING A RETESTING PERIOD
25 UNDER SUBSECTION (7).

26 ~~(4) For a state-endorsed diploma, a pupil must achieve the~~
27 ~~requirements of subsection (2) in addition to any other~~

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~~1 requirements established by law or by the board of the school
2 district or public school academy for a high school diploma. If
3 the board of a school district or public school academy deter-
4 mines that a pupil qualifies for a state-endorsed diploma, the
5 board shall indicate on the pupil's high school diploma and tran-
6 script that the pupil achieved the proficiency necessary for
7 receipt of a state-endorsed diploma.~~

~~8 (5) An individual may repeat any of the tests or assessment
9 instruments specified in subsection (2) at any time the school
10 district or public school academy regularly offers the test or
11 assessment. If an individual described in this subsection
12 achieves the requirements of subsection (2) and completes all
13 other applicable requirements for a high school diploma, the
14 individual shall be awarded a state-endorsed diploma as otherwise
15 provided in this section.~~

16 (6) THE DEPARTMENT SHALL ENSURE THAT THE LENGTH OF THE
17 ASSESSMENTS USED FOR THE PURPOSES OF THIS SECTION AND THE COM-
18 BINED TOTAL TIME NECESSARY TO ADMINISTER ALL OF THE ASSESSMENTS,
19 INCLUDING SOCIAL STUDIES, ARE THE SHORTEST POSSIBLE THAT WILL
20 STILL MAINTAIN THE DEGREE OF RELIABILITY AND VALIDITY OF THE
21 ASSESSMENT RESULTS DETERMINED NECESSARY BY THE DEPARTMENT. THE
22 DEPARTMENT SHALL ENSURE THAT THE MAXIMUM TOTAL COMBINED LENGTH OF
23 TIME THAT SCHOOLS ARE REQUIRED TO SET ASIDE FOR ADMINISTRATION OF
24 ALL OF THE ASSESSMENTS USED FOR THE PURPOSES OF THIS SECTION,
25 INCLUDING SOCIAL STUDIES, DOES NOT EXCEED 8 HOURS. HOWEVER, THIS
26 SUBSECTION DOES NOT LIMIT THE AMOUNT OF TIME THAT INDIVIDUALS MAY
27 HAVE TO COMPLETE THE ASSESSMENTS.

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1 (7) THE DEPARTMENT SHALL ESTABLISH, SCHEDULE, AND ARRANGE
2 PERIODIC RETESTING PERIODS THROUGHOUT THE YEAR FOR INDIVIDUALS
3 WHO DESIRE TO REPEAT AN ASSESSMENT UNDER THIS SECTION. THE
4 DEPARTMENT SHALL COORDINATE THE ARRANGEMENTS FOR ADMINISTERING
5 THE REPEAT ASSESSMENTS AND SHALL ENSURE THAT THE RETESTING IS
6 MADE AVAILABLE AT LEAST WITHIN EACH INTERMEDIATE SCHOOL DISTRICT
7 AND, TO THE EXTENT POSSIBLE, WITHIN EACH SCHOOL DISTRICT.

8 (8) ~~-(6)-~~ A school district or public school academy shall
9 provide accommodations to a pupil with disabilities for the
10 ~~proficiency testing or assessment~~ ASSESSMENTS required under
11 this section, as provided under section 504 of title V of the
12 rehabilitation act of 1973, Public Law 93-112, 29 U.S.C. 794;
13 subtitle A of title II of the Americans with disabilities act of
14 1990, Public Law 101-336, 42 U.S.C. 12131 to 12134; and the
15 implementing regulations for those statutes.

16 (9) ~~-(7)-~~ For the purposes of this section, the state board
17 shall develop or select and approve assessment instruments to
18 ~~determine pupil proficiency~~ MEASURE PUPIL PERFORMANCE in commu-
19 nications skills, mathematics, social studies, and science. The
20 assessment instruments shall be based on the state board model
21 core academic content standards objectives.

22 (10) ~~-(8)-~~ All assessment instruments developed or selected
23 and approved by the state under any statute or rule for a purpose
24 related to K to 12 education shall be objective-oriented and con-
25 sistent with the state board model core academic content stan-
26 dards objectives.

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1 (11) ~~(9) Upon payment of a reasonable fee any person may~~
2 ~~take the state-endorsed diploma test and, upon demonstrating the~~
3 ~~required proficiency in a subject area, have his or her high~~
4 ~~school diploma state-endorsed for that subject area.~~ A PERSON
5 WHO HAS GRADUATED FROM HIGH SCHOOL AFTER 1996 AND WHO HAS NOT
6 PREVIOUSLY TAKEN AN ASSESSMENT UNDER THIS SECTION MAY TAKE AN
7 ASSESSMENT USED FOR THE PURPOSES OF THIS SECTION, WITHOUT CHARGE
8 TO THE PERSON, AT THE SCHOOL DISTRICT FROM WHICH HE OR SHE GRADU-
9 ATED FROM HIGH SCHOOL AT ANY TIME THAT SCHOOL DISTRICT ADMINIS-
10 TERS THE ASSESSMENT OR DURING A RETESTING PERIOD SCHEDULED UNDER
11 SUBSECTION (7) AND HAVE HIS OR HER SCALED SCORE ON THE ASSESSMENT
12 INCLUDED ON HIS OR HER HIGH SCHOOL TRANSCRIPT. IF THE PERSON'S
13 SCALED SCORE ON A SUBJECT AREA ASSESSMENT FALLS WITHIN THE RANGE
14 REQUIRED UNDER SUBSECTION (2) FOR A CATEGORY ESTABLISHED UNDER
15 SUBSECTION (2), THE SCHOOL DISTRICT SHALL ALSO INDICATE ON THE
16 PERSON'S HIGH SCHOOL TRANSCRIPT THAT THE PERSON HAS ACHIEVED
17 STATE ENDORSEMENT FOR THAT SUBJECT AREA.

18 (12) NOT LATER THAN JULY 1 OF EACH YEAR UNTIL 2000, THE
19 DEPARTMENT SHALL SUBMIT A COMPREHENSIVE REPORT TO THE LEGISLATURE
20 ON THE STATUS OF THE ASSESSMENT PROGRAM UNDER THIS SECTION. THE
21 REPORT SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING:

22 (A) THE ANNUAL PUPIL ASSESSMENT DATA.

23 (B) A DESCRIPTION OF THE FEEDBACK PROVIDED TO PUPILS, PAR-
24 ENTS, AND SCHOOLS.

25 (C) A DESCRIPTION OF ANY SIGNIFICANT ALTERATIONS MADE IN THE
26 PROGRAM BY THE DEPARTMENT OR STATE BOARD DURING THE PERIOD
27 COVERED BY THE REPORT.

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1 (D) ANY RECOMMENDATIONS BY THE DEPARTMENT OR STATE BOARD FOR
2 LEGISLATIVE CHANGES TO THE PROGRAM.

3 (E) AN UPDATE OF THE REPORTS OF THE ASSESSMENT ADVISORY COM-
4 MITTEES OF THE STATE BOARD.

5 (13) PUPILS SCHEDULED TO GRADUATE IN 1998 WHO TOOK THE
6 ASSESSMENTS USED FOR THE PURPOSES OF THIS SECTION DURING THE
7 1996-97 SCHOOL YEAR MAY REPEAT 1 OR MORE OF THE ASSESSMENTS
8 DURING THE 1997-98 SCHOOL YEAR. THE DEPARTMENT, IN COOPERATION
9 WITH SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADEMIES, SHALL MAKE
10 ARRANGEMENTS FOR REPEAT ASSESSMENTS TO BE AVAILABLE FOR THESE
11 PUPILS IN EACH SCHOOL DISTRICT THAT OPERATES A HIGH SCHOOL DURING
12 THE 1997-98 SCHOOL YEAR IN TIME FOR THESE PUPILS TO REPEAT THE
13 ASSESSMENTS BEFORE GRADUATION. THE REPEAT ASSESSMENTS MAY BE
14 ADMINISTERED AT TIMES OTHER THAN REGULAR SCHOOL HOURS.

15 (14) A CHILD WHO IS A STUDENT IN A NONPUBLIC SCHOOL OR HOME
16 SCHOOL MAY TAKE AN ASSESSMENT UNDER THIS SECTION. TO TAKE AN
17 ASSESSMENT, A CHILD WHO IS A STUDENT IN A HOME SCHOOL SHALL CON-
18 TACT THE SCHOOL DISTRICT IN WHICH THE CHILD RESIDES, AND THAT
19 SCHOOL DISTRICT SHALL ADMINISTER THE ASSESSMENT, OR THE CHILD MAY
20 TAKE THE ASSESSMENT AT A NONPUBLIC SCHOOL IF ALLOWED BY THE NON-
21 PUBLIC SCHOOL. UPON REQUEST FROM A NONPUBLIC SCHOOL, THE DEPART-
22 MENT SHALL SUPPLY ASSESSMENTS AND THE NONPUBLIC SCHOOL MAY ADMIN-
23 ISTER THE ASSESSMENT.

24 (15) THE PURPOSE OF THE ASSESSMENT UNDER THIS SECTION IS TO
25 ASSESS PUPIL PERFORMANCE IN MATHEMATICS, SCIENCE, SOCIAL STUDIES,
26 AND COMMUNICATION ARTS FOR THE PURPOSE OF IMPROVING ACADEMIC
27 ACHIEVEMENT AND ESTABLISHING A STATEWIDE STANDARD OF COMPETENCY.

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1 THE ASSESSMENT UNDER THIS SECTION PROVIDES A COMMON MEASURE OF
2 DATA THAT WILL CONTRIBUTE TO THE IMPROVEMENT OF MICHIGAN SCHOOLS'
3 CURRICULUM AND INSTRUCTION BY ENCOURAGING ALIGNMENT WITH
4 MICHIGAN'S CURRICULUM FRAMEWORK STANDARDS. THESE STANDARDS ARE
5 BASED UPON THE EXPECTATIONS OF WHAT PUPILS SHOULD KNOW AND BE
6 ABLE TO DO BY THE END OF GRADE 11.

7 (16) NOT LATER THAN 90 DAYS AFTER THE EFFECTIVE DATE OF THIS
8 SUBSECTION, THE STATE BOARD SHALL APPOINT AN 11-MEMBER ASSESSMENT
9 ADMINISTRATION ADVISORY COMMITTEE TO ADVISE THE STATE BOARD ON
10 MICHIGAN EDUCATION ASSESSMENT PROGRAM (MEAP) TESTS AND ON THE
11 ASSESSMENTS USED FOR STATE ENDORSEMENTS UNDER THIS SECTION. THIS
12 ADVISORY COMMITTEE SHALL BE COMPOSED OF REPRESENTATIVES OF SCHOOL
13 DISTRICTS, INTERMEDIATE SCHOOL DISTRICTS, SCHOOL ADMINISTRATORS,
14 TEACHERS, AND PARENTS, WITH THE APPOINTMENTS REFLECTING THE GEO-
15 GRAPHIC AND POPULATION DIVERSITY OF SCHOOL DISTRICTS IN THIS
16 STATE. THE REPRESENTATIVES OF SCHOOL DISTRICTS AND INTERMEDIATE
17 SCHOOL DISTRICTS SHALL BE PERSONS WHO ARE EXPERT IN TESTING OR
18 TEST ADMINISTRATION. THIS ADVISORY COMMITTEE SHALL EVALUATE
19 THESE TESTS AND ASSESSMENTS AND MAKE RECOMMENDATIONS TO THE STATE
20 BOARD AND DEPARTMENT ON ISSUES RELATED TO ADMINISTRATION, SCOR-
21 ING, AND REPORTING AND USE OF RESULTS OF THESE TESTS AND ASSESS-
22 MENTS, INCLUDING, BUT NOT LIMITED TO, LENGTH OF THE TESTS AND
23 ASSESSMENTS; THE TIME OF THE TESTING PERIOD DURING THE SCHOOL
24 YEAR; FEEDBACK PROVIDED TO PUPILS, PARENTS, AND SCHOOLS; ACCURATE
25 AND RELEVANT REPORTING OF RESULTS TO THE GENERAL PUBLIC; THE
26 SELECTION OF A RETESTING PERIOD AND PROCEDURES AND ARRANGEMENTS
27 FOR REPEATING TESTS OR ASSESSMENTS; LOCAL SCORING AND OTHER

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1 GENERAL ISSUES REGARDING SCORING OF TESTS AND ASSESSMENTS;
2 CATEGORIES OF SCORING ON THE MEAP TESTS AND CATEGORIES OF STATE
3 ENDORSEMENT UNDER THIS SECTION; AND PROFESSIONAL DEVELOPMENT FOR
4 TEACHERS TO ASSIST IN PREPARING PUPILS TO HAVE THE NECESSARY
5 SKILLS AND KNOWLEDGE TO SUCCEED ON THE TESTS AND ASSESSMENTS.

6 (17) AS USED IN THIS SECTION:

7 (A) "COMMUNICATIONS SKILLS" MEANS READING AND WRITING.

8 (B) "SOCIAL STUDIES" MEANS GEOGRAPHY, HISTORY, ECONOMICS,
9 AND AMERICAN GOVERNMENT.

10 Enacting section 1. This amendatory act does not take
11 effect unless all of the following bills of the 89th Legislature
12 are enacted into law:

13 (a) House Bill No. 5229.

14 (b) House Bill No. 5230.

15 (c) House Bill No. 5232.

16 (d) House Bill No. 5234.

17 (e) House Bill No. 5235.