

HOUSE BILL No. 5766

April 23, 1998, Introduced by Reps. Stallworth, Kilpatrick, Hale and Thomas 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, mathemat-
4 ics, science, and, beginning with pupils scheduled to graduate in
5 2000, social studies. The board shall include on the pupil's
6 high school transcript all of the following:

7 (a) For each high school graduate who has completed a
8 subject area assessment under this section, the pupil's scaled
9 score on the assessment.

1 (b) If the pupil's scaled score on a subject area assessment
2 falls within the range required under subsection (2) for a
3 category established under subsection (2), an indication that the
4 pupil has achieved state endorsement for that subject area.

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

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

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

16 (4) For each pupil who does not achieve state endorsement in
17 1 or more subject areas, the board of the school district or
18 public school academy in which the pupil is enrolled shall pro-
19 vide that there be at least 1 meeting attended by at least the
20 pupil and a member of the school district's or public school
21 academy's staff or a local or intermediate school district con-
22 sultant 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

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 achieve state endorsement in each
6 subject area in which he or she did not achieve state
7 endorsement. In addition, a school district or public school
8 academy may provide for subsequent meetings with the pupil con-
9 ducted by a high school counselor or teacher designated by the
10 pupil's high school principal, and shall invite and encourage the
11 pupil's parent, legal guardian, or person in loco parentis to
12 attend the subsequent meetings. The school district or public
13 school academy shall provide special programs for the pupil or
14 develop a program using the educational programs regularly pro-
15 vided by the district unless the board of the school district or
16 public school academy decides otherwise and publishes and
17 explains its decision in a public justification report.

18 (5) A pupil who wants to repeat an assessment administered
19 under this section may repeat the assessment, without charge to
20 the pupil, in the next school year or after graduation. An indi-
21 vidual may repeat an assessment at any time the school district
22 or public school academy administers an applicable assessment
23 instrument or during a retesting period under subsection (7).

24 (6) The department shall ensure that the length of the
25 assessments used for the purposes of this section and the com-
26 bined total time necessary to administer all of the assessments,
27 including social studies, are the shortest possible that will

1 still maintain the degree of reliability and validity of the
2 assessment results determined necessary by the department. The
3 department shall ensure that the maximum total combined length of
4 time that schools are required to set aside for administration of
5 all of the assessments used for the purposes of this section,
6 including social studies, does not exceed 8 hours. However, this
7 subsection does not limit the amount of time that individuals may
8 have to complete the assessments.

9 (7) The department shall establish, schedule, and arrange
10 periodic retesting periods throughout the year for individuals
11 who desire to repeat an assessment under this section. The
12 department shall coordinate the arrangements for administering
13 the repeat assessments and shall ensure that the retesting is
14 made available at least within each intermediate school district
15 and, to the extent possible, within each school district.

16 (8) A school district or public school academy shall provide
17 accommodations to a pupil with disabilities for the assessments
18 required under this section, as provided under section 504 of
19 title V of the rehabilitation act of 1973, Public Law 93-112, 29
20 U.S.C. 794; subtitle A of title II of the Americans with disabili-
21 ties act of 1990, Public Law 101-336, 42 U.S.C. 12131 to 12134;
22 and the implementing regulations for those statutes.

23 (9) For the purposes of this section, the state board shall
24 develop or select and approve assessment instruments to measure
25 pupil performance in communications skills, mathematics, social
26 studies, and science. The assessment instruments shall be based

1 on the state board model core academic content standards
2 objectives.

3 (10) All assessment instruments developed or selected and
4 approved by the state under any statute or rule for a purpose
5 related to K to 12 education shall be objective-oriented and con-
6 sistent with the state board model core academic content stan-
7 dards objectives.

8 (11) A person who has graduated from high school after 1996
9 and who has not previously taken an assessment under this section
10 may take an assessment used for the purposes of this section,
11 without charge to the person, at the school district from which
12 he or she graduated from high school at any time that school dis-
13 trict administers the assessment or during a retesting period
14 scheduled under subsection (7) and have his or her scaled score
15 on the assessment included on his or her high school transcript.
16 If the person's scaled score on a subject area assessment falls
17 within the range required under subsection (2) for a category
18 established under subsection (2), the school district shall also
19 indicate on the person's high school transcript that the person
20 has achieved state endorsement for that subject area.

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

25 (a) The annual pupil assessment data.

26 (b) A description of the feedback provided to pupils,
27 parents, and schools.

1 (c) A description of any significant alterations made in the
2 program by the department or state board during the period cov-
3 ered by the report.

4 (d) Any recommendations by the department or state board for
5 legislative changes to the program.

6 (e) An update of the reports of the assessment advisory com-
7 mittees of the state board.

8 (13) Pupils scheduled to graduate in 1998 who took the
9 assessments used for the purposes of this section during the
10 1996-97 school year may repeat 1 or more of the assessments
11 during the 1997-98 school year. The department, in cooperation
12 with school districts and public school academies, shall make
13 arrangements for repeat assessments to be available for these
14 pupils in each school district that operates a high school during
15 the 1997-98 school year in time for these pupils to repeat the
16 assessments before graduation. The repeat assessments may be
17 administered at times other than regular school hours.

18 (14) A child who is a student in a nonpublic school or home
19 school may take an assessment under this section. To take an
20 assessment, a child who is a student in a home school shall con-
21 tact the school district in which the child resides, and that
22 school district shall administer the assessment, or the child may
23 take the assessment at a nonpublic school if allowed by the non-
24 public school. Upon request from a nonpublic school, the depart-
25 ment shall supply assessments and the nonpublic school may admin-
26 ister the assessment.

1 (15) The purpose of the assessment under this section is to
2 assess pupil performance in mathematics, science, social studies,
3 and communication arts for the purpose of improving academic
4 achievement and establishing a statewide standard of competency.
5 The assessment under this section provides a common measure of
6 data that will contribute to the improvement of Michigan schools'
7 curriculum and instruction by encouraging alignment with
8 Michigan's curriculum framework standards. These standards are
9 based upon the expectations of what pupils should know and be
10 able to do by the end of grade 11.

11 (16) ~~Not~~ SUBJECT TO SUBSECTION (17), NOT later than 90
12 days after the effective date of this subsection, the state board
13 shall appoint an 11-member assessment administration advisory
14 committee to advise the state board on Michigan education assess-
15 ment program (MEAP) tests and on the assessments used for state
16 endorsements under this section. ~~This~~ SUBJECT TO SUBSECTION
17 (17), THIS advisory committee shall be composed of representa-
18 tives of school districts, intermediate school districts, school
19 administrators, teachers, and parents, with the appointments
20 reflecting the geographic and population diversity of school dis-
21 tricts in this state. The representatives of school districts
22 and intermediate school districts shall be persons who are expert
23 in testing or test administration. This advisory committee shall
24 evaluate these tests and assessments and make recommendations to
25 the state board and department on issues related to administra-
26 tion, scoring, and reporting and use of results of these tests
27 and assessments, including, but not limited to, length of the

1 tests and assessments; the time of the testing period during the
2 school year; feedback provided to pupils, parents, and schools;
3 accurate and relevant reporting of results to the general public;
4 the selection of a retesting period and procedures and arrange-
5 ments for repeating tests or assessments; local scoring and other
6 general issues regarding scoring of tests and assessments; cate-
7 gories of scoring on the MEAP tests and categories of state
8 endorsement under this section; and professional development for
9 teachers to assist in preparing pupils to have the necessary
10 skills and knowledge to succeed on the tests and assessments.

11 (17) NOT LATER THAN 90 DAYS AFTER THE EFFECTIVE DATE OF THIS
12 SUBSECTION, THE STATE BOARD SHALL APPOINT 5 ADDITIONAL MEMBERS TO
13 THE ASSESSMENT ADMINISTRATION ADVISORY COMMITTEE CREATED IN SUB-
14 SECTION (16), AS FOLLOWS:

15 (A) THREE MEMBERS REPRESENTING MINORITY-OWNED BUSINESSES, 1
16 OF WHOM IS AFFILIATED WITH A BUSINESS EMPLOYING LESS THAN 30
17 PEOPLE, 1 OF WHOM IS AFFILIATED WITH A BUSINESS EMPLOYING AT
18 LEAST 30 BUT NOT MORE THAN 100 PEOPLE, AND 1 OF WHOM IS AFFILI-
19 ATED WITH A BUSINESS EMPLOYING MORE THAN 100 PEOPLE.

20 (B) TWO MEMBERS REPRESENTING THE BUSINESS COMMUNITY IN GEN-
21 ERAL, 1 OF WHOM IS AFFILIATED WITH A BUSINESS EMPLOYING LESS THAN
22 30 PEOPLE AND 1 OF WHOM IS AFFILIATED WITH A BUSINESS EMPLOYING
23 MORE THAN 100 PEOPLE.

24 (18) ~~-(17)-~~ As used in this section:

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

26 (b) "Social studies" means geography, history, economics,
27 and American government.