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**MICHIGAN EDUCATIONAL
ASSESSMENT PROGRAM
ADMINISTRATION**

**House Bills 5060 and 5061
Sponsor: Rep. Virg Bernero**

**House Bill 5062
Sponsor: Rep. Paula Zelenko**

**House Bill 5063
Sponsor: Rep. Doug Spade**

**Committee: Education
Complete to 9-24-01**

A SUMMARY OF HOUSE BILLS 5060 - 5063 AS INTRODUCED 9-20-01

The bills would require that the Michigan Educational Assessment Program (MEAP) be managed and administered by the State Board of Education. The bills are tie-barred to each other so that none could become law unless the others also were enacted.

Currently the MEAP program is administered by the Department of Treasury under Executive Reorganization Order No. 1999-7 (more commonly known as Executive Order No. 1999-12) which was promulgated on October 19, 1999 and then ordered to take effect January 1, 2000. The executive order specifies that "all of the administrative statutory powers, duties, functions and responsibilities of the State Board of Education and the Superintendent of Public Instruction as they relate to state assessments as set forth in the following provisions of the Michigan Compiled Laws:

1. Section 388.1081 et seq. Regarding assessment of educational progress;
2. Section 380.1279c and Section 380.1279(2)(3)(6)(7)(9)(10) and (12-16) regarding state assessments administered to high school pupils; and
3. Section 388.1704a(2)(3)(6)(7)(9)(11)(13)(14)(15) and (16) regarding state assessments administered to high school pupils,

are hereby transferred to the Department of Treasury by a Type II transfer." However, the EO further specifies: "The State Board of Education shall retain its policy making authority with regard to these statutory provisions by determining the policies, if any, on which the administration of these provisions shall be based."

Before the EO was executed by the governor, the Michigan Educational Assessment Program was administered by the Department of Education where testing specialists first developed the statewide assessment program in 1970. Between 1970 and 2000, various subject-matter tests were created in order to ascertain the educational progress of elementary, middle-, and high-school age students. Today, different subject matter tests are administered annually in grade 4 (reading and mathematics), grade 5 (science, social studies, and writing), grade 7 (reading and mathematics), grade 8 (mathematics, science, social studies, and writing), and grade 11 (reading, mathematics, science, social studies, and writing). According to the rationale

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offered in EO, the assessment program was transferred from the Department of Education to the Department of Treasury because the treasury department administers the Michigan Merit Scholarship Award, a scholarship enacted in law during 1999. Under the Merit Scholarship program, a \$2,500 scholarship is awarded to every eligible high school student based on his or her achievement test scores earned on either the high school MEAP assessment (without regard for the social studies assessment), or the ACT Work Keys assessment.

As indicated below, the statutes have not been updated to reflect the changes in program administration since the EO was issued in 1999. Further, these bills would not incorporate the EO changes, but instead would lodge the responsibility for administering the MEAP subject matter tests with the State Board of Education. A detailed summary of each bill follows.

House Bill 5060 would amend Public Act 38 of 1970, which provides for a statewide assessment program of educational progress (MCL 388.1081 et al.) to specify that the State Board of Education would be responsible to administer the assessment program, including the promulgation of rules necessary to carry out the provisions of the law. Currently the law specifies that the Department of Education is responsible to administer the program (but, under the executive order, the responsibility currently resides in the treasury department). Further and under the law, the statewide assessment program covers all students annually at two grade levels in public schools. House Bill 5060 would specify instead that the statewide assessment program covered all students “in at least” two grade levels. The bill also would eliminate outdated language that directed the department to expand a once-current basic skills testing inventory in grades 4 and 7.

House Bill 5061 would amend the Revised School Code (MCL 380.1279) to specify that the State Board of Education would be responsible to administer and manage all aspects of the high school assessment program (administered in grade 11 to assess achievement in communication arts, mathematics, science, and social studies). Currently under the law this responsibility rests with the Department of Education, or in the case of particular provisions, with the Superintendent of Public Instruction subject to approval by the State Board of Education (but, again as noted, the executive order transferred these functions to the Department of Treasury). House Bill 5061 also would eliminate an outdated provision that gave students an opportunity to re-take the high school assessments during the 1997-98 school year.

House Bill 5062 would amend the State School Aid Act (MCL 380.1704a) to specify that the State Board of Education would be responsible to administer and manage all aspects of the high school assessment program (administered in grade 11 to assess achievement in communication arts, mathematics, science, and social studies). Currently under the law this responsibility rests with the Department of Education, or in the case of particular provisions, with the Superintendent of Public Instruction subject to approval by the State Board of Education (but under the executive order, with the Department of Treasury). In addition, House Bill 5062 would reinstate a requirement that not later than July 1 of each year, a comprehensive report be submitted to the legislature and to the state budget director concerning the status of the high school assessment program. Under the law this responsibility once fell to the Department of Education; however, that responsibility was eliminated on July 1, 2000. Under the bill, the submission of the report would be the responsibility of the State Board of Education.

House Bill 5063 would amend the Michigan Merit Award Scholarship Act (MCL 390.1459) to prohibit the board that administers the scholarship program from prescribing rules that govern assessment test administration, and from prescribing rules that address cheating on the assessment test.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.