

HOUSE BILL No. 5062

September 20, 2001, Introduced by Reps. Zelenko, Spade, Waters, Lipsey, Rich Brown, Adamini, McConico, Plakas, Pestka, Neumann, Minore, Gielegem, Murphy, Bogardus, Wojno, Dennis, O'Neil, Bernero, Jacobs, Clarke and Hansen and referred to the Committee on Education.

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 104a (MCL 380.1704a), as amended by 1999 PA 119.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 104a. (1) In order to receive state aid under this
2 act, a district shall comply with this section and shall adminis-
3 ter state assessments to high school pupils in the subject areas
4 of communications skills, mathematics, science, and, beginning
5 with pupils scheduled to graduate in 2000, social studies. The
6 district shall include on the pupil's high school transcript all
7 of the following:

8 (a) For each high school graduate who has completed a
9 subject area assessment under this section, the pupil's scaled
10 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 cate-
3 gory 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~~ STATE BOARD shall develop scaled scores
9 for reporting subject area assessment results for each of the
10 subject areas under this section. The ~~superintendent~~ STATE
11 BOARD shall establish 3 categories for each subject area indicat-
12 ing basic competency, above average, and outstanding, and shall
13 establish the scaled score range required for each category. The
14 ~~department~~ STATE BOARD shall design and distribute to dis-
15 tricts, intermediate districts, and nonpublic schools a simple
16 and concise document that describes these categories in each
17 subject area and indicates the scaled score ranges for each cate-
18 gory in each subject area. A district may award a high school
19 diploma to a pupil who successfully completes local district
20 requirements established in accordance with state law for high
21 school graduation, regardless of whether the pupil is eligible
22 for any state endorsement.

23 (3) The assessments administered for the purposes of this
24 section shall be administered to pupils during the last 30 school
25 days of grade 11. The ~~department~~ STATE BOARD shall ensure that
26 the assessments are scored and the scores are returned to pupils,
27 their parents or legal guardians, and districts not later than

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

15 (4) For each pupil who does not achieve state endorsement in
16 1 or more subject areas, the board of the district in which the
17 pupil is enrolled shall provide that there be at least 1 meeting
18 attended by at least the pupil and a member of the district's
19 staff or a local or intermediate district consultant who is pro-
20 ficient in the measurement and evaluation of pupils. The dis-
21 trict may provide the meeting as a group meeting for pupils in
22 similar circumstances. If the pupil is a minor, the district
23 shall invite and encourage the pupil's parent, legal guardian, or
24 person in loco parentis to attend the meeting and shall mail a
25 notice of the meeting to the pupil's parent, legal guardian, or
26 person in loco parentis. The purpose of this meeting and any
27 subsequent meeting under this subsection shall be to determine an

1 educational program for the pupil designed to have the pupil
2 achieve state endorsement in each subject area in which he or she
3 did not achieve state endorsement. In addition, a district may
4 provide for subsequent meetings with the pupil conducted by a
5 high school counselor or teacher designated by the pupil's high
6 school principal, and shall invite and encourage the pupil's
7 parent, legal guardian, or person in loco parentis to attend the
8 subsequent meetings. The district shall provide special programs
9 for the pupil or develop a program using the educational programs
10 regularly provided by the district unless the board of the dis-
11 trict decides otherwise and publishes and explains its decision
12 in a public justification report.

13 (5) A pupil who wants to repeat an assessment administered
14 under this section may repeat the assessment, without charge to
15 the pupil, in the next school year or after graduation. An indi-
16 vidual may repeat an assessment at any time the district adminis-
17 ters an applicable assessment instrument or during a retesting
18 period under subsection (7).

19 (6) The ~~department~~ STATE BOARD shall ensure that the
20 length of the assessments used for the purposes of this section
21 and the combined total time necessary to administer all of the
22 assessments, including social studies, are the shortest possible
23 that will still maintain the degree of reliability and validity
24 of the assessment results determined necessary by the
25 ~~department~~ STATE BOARD. The ~~department~~ STATE BOARD shall
26 ensure that the maximum total combined length of time that
27 schools are required to set aside for administration of all of

1 the assessments used for the purposes of this section, including
2 social studies, does not exceed 8 hours. However, this subsec-
3 tion does not limit the amount of time that individuals may have
4 to complete the assessments.

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

13 (8) A district shall provide accommodations to a pupil with
14 disabilities for the assessments required under this section, as
15 provided under section 504 of title V of the rehabilitation act
16 of 1973, Public Law 93-112, 29 U.S.C. 794; subtitle A of title II
17 of the Americans with disabilities act of 1990, Public Law
18 101-336, 42 U.S.C. 12131 to 12134; and the implementing regula-
19 tions for those statutes.

20 (9) For the purposes of this section, the ~~superintendent~~
21 STATE BOARD shall develop or select and approve assessment
22 instruments to measure pupil performance in communications
23 skills, mathematics, social studies, and science. The assessment
24 instruments shall be based on the model core academic content
25 standards objectives under section 1278 of the revised school
26 code, MCL 380.1278.

1 (10) Upon written request by the pupil's parent or legal
2 guardian stating that the request is being made for the purpose
3 of providing the pupil with an opportunity to qualify to take 1
4 or more postsecondary courses as an eligible student under the
5 postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to
6 388.524, the board of a district shall allow a pupil who is in at
7 least grade 10 to take an assessment administered under this sec-
8 tion without charge at any time the district regularly adminis-
9 ters the assessment or during a retesting period established
10 under subsection (7). A district is not required to include in
11 an annual education report, or in any other report submitted to
12 the department for accreditation purposes, results of assessments
13 taken under this subsection by a pupil in grade 11 or lower until
14 the results of that pupil's graduating class are otherwise
15 reported.

16 (11) All assessment instruments developed or selected and
17 approved by ~~the~~ THIS state under any statute or rule for a pur-
18 pose related to K to 12 education shall be objective-oriented and
19 consistent with the model core academic content standards objec-
20 tives under section 1278 of the revised school code,
21 MCL 380.1278.

22 (12) A person who has graduated from high school after 1996
23 and who has not previously taken an assessment under this section
24 may take an assessment used for the purposes of this section,
25 without charge to the person, at the district from which he or
26 she graduated from high school at any time that district
27 administers the assessment or during a retesting period scheduled

1 under subsection (7) and have his or her scaled score on the
2 assessment included on his or her high school transcript. If the
3 person's scaled score on a subject area assessment falls within
4 the range required under subsection (2) for a category estab-
5 lished under subsection (2), the district shall also indicate on
6 the person's high school transcript that the person has achieved
7 state endorsement for that subject area.

8 (13) Not later than July 1 of each year, ~~until 2000, the~~
9 ~~department~~ THE STATE BOARD shall submit a comprehensive report
10 to the legislature and the state budget director on the status of
11 the assessment program under this section. The report shall
12 include at least all of the following:

13 (a) The annual pupil assessment data.

14 (b) A description of the feedback provided to pupils, par-
15 ents, and schools.

16 (c) A description of any significant alterations made in the
17 program during the period covered by the report.

18 (d) Any recommendations for legislative changes to the
19 program.

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

22 (14) A child who is a student in a nonpublic school or home
23 school may take an assessment under this section. To take an
24 assessment, a child who is a student in a home school shall con-
25 tact the district in which the child resides, and that district
26 shall administer the assessment, or the child may take the
27 assessment at a nonpublic school if allowed by the nonpublic

1 school. Upon request from a nonpublic school, the ~~department~~
2 STATE BOARD shall supply assessments and the nonpublic school may
3 administer the assessment.

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

14 (16) As used in this section:

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

16 (b) "Social studies" means geography, history, economics,
17 and American government.

18 Enacting section 1. This amendatory act does not take
19 effect unless all of the following bills of the 91st Legislature
20 are enacted into law:

21 (a) Senate Bill No. _____ or House Bill No. 5060 (request
22 no. 04812'01).

23 (b) Senate Bill No. _____ or House Bill No. 5061 (request
24 no. 04812'01 a).

25 (c) Senate Bill No. _____ or House Bill No. 5063 (request
26 no. 04812'01 c).