

# HOUSE BILL No. 6231

September 22, 2004, Introduced by Reps. Palmer and Voorhees and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1279 and 1279d (MCL 380.1279 and 380.1279d), section 1279 as amended by 1997 PA 175 and section 1279d as added by 2002 PA 640.

**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,  
4 mathematics, science, and ~~—, beginning with pupils scheduled to~~  
5 ~~graduate in 2000,—~~ social studies. The board shall include on  
6 the pupil's high school transcript all of the following:

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

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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~~ **department** shall establish  
12 3 categories for each subject area indicating basic competency,  
13 above average, and outstanding, and shall establish the scaled  
14 score range required for each category. The department shall  
15 design and distribute to school districts, intermediate school  
16 districts, public school academies, and nonpublic schools a  
17 simple and concise document that describes these categories in  
18 each subject area and indicates the scaled score ranges for each  
19 category in each subject area. A school district or public  
20 school academy may award a high school diploma to a pupil who  
21 successfully completes local school district or public school  
22 academy requirements established in accordance with state law for  
23 high school graduation, regardless of whether the pupil is  
24 eligible for any state endorsement.

25 (3) The assessments administered for the purposes of this  
26 section shall be administered to pupils during the last ~~30~~ **90**  
27 school 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~~ **The**  
5 department shall arrange for those portions of a pupil's  
6 assessment that cannot be scored mechanically to be scored in  
7 Michigan by persons who are Michigan teachers, retired Michigan  
8 teachers, or Michigan school administrators and who have been  
9 trained in scoring the assessments. The returned scores shall  
10 indicate the pupil's scaled score for each subject area  
11 assessment, the range of scaled scores for each subject area, and  
12 the range of scaled scores required for each category established  
13 under subsection (2). In reporting the scores to pupils,  
14 parents, and schools, the department shall provide specific,  
15 meaningful, and timely feedback on the pupil's performance on the  
16 assessment.

17 (4) For each pupil who does not achieve state endorsement in  
18 1 or more subject areas, the board of the school district or  
19 public school academy in which the pupil is enrolled shall  
20 provide that there be at least 1 meeting attended by at least the  
21 pupil and a member of the school district's or public school  
22 academy's staff or a local or intermediate school district  
23 consultant who is proficient in the measurement and evaluation of  
24 pupils. The school district or public school academy may provide  
25 the meeting as a group meeting for pupils in similar  
26 circumstances. If the pupil is a minor, the school district or  
27 public school academy shall invite and encourage the pupil's

1 parent, legal guardian, or person in loco parentis to attend the  
2 meeting and shall mail a notice of the meeting to the pupil's  
3 parent, legal guardian, or person in loco parentis. The purpose  
4 of this meeting and any subsequent meeting under this subsection  
5 shall be to determine an educational program for the pupil  
6 designed to have the pupil achieve state endorsement in each  
7 subject area in which he or she did not achieve state  
8 endorsement. In addition, a school district or public school  
9 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  
16 provided by the district unless the board of the school district  
17 or public school academy decides otherwise and publishes and  
18 explains its decision in a public justification report.

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

26 (6) The department shall ensure that the length of the  
27 assessments used for the purposes of this section and the

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

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

19 (8) A school district or public school academy shall provide  
20 accommodations to a pupil with disabilities for the assessments  
21 required under this section, as provided under section 504 of  
22 title V of the rehabilitation act of 1973, ~~Public Law 93-112,~~  
23 29 ~~U.S.C.~~ **USC** 794; subtitle A of title II of the Americans with  
24 disabilities act of 1990, ~~Public Law 101-336,~~ 42 ~~U.S.C.~~ **USC**  
25 12131 to 12134; and the implementing regulations for those  
26 statutes.

27 (9) For the purposes of this section, the ~~state board~~

1 **department** shall develop or select and approve assessment  
2 instruments to measure pupil performance in communications  
3 skills, mathematics, social studies, and science. The assessment  
4 instruments shall be based on the ~~state board~~ model core  
5 academic content standards objectives **under section 1278.**

6 (10) All assessment instruments developed or selected and  
7 approved by the state under any statute or rule for a purpose  
8 related to K to 12 education shall be objective-oriented and  
9 consistent with the state board model core academic content  
10 standards objectives.

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

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

1 ~~—— (a) The annual pupil assessment data.~~

2 ~~—— (b) A description of the feedback provided to pupils,~~  
3 ~~parents, and schools.~~

4 ~~—— (c) A description of any significant alterations made in the~~  
5 ~~program by the department or state board during the period~~  
6 ~~covered by the report.~~

7 ~~—— (d) Any recommendations by the department or state board for~~  
8 ~~legislative changes to the program.~~

9 ~~—— (e) An update of the reports of the assessment advisory~~  
10 ~~committees of the state board.~~

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

21 ~~(12) —(14)—~~ A child who is a student in a nonpublic school or  
22 home school may take an assessment under this section. To take  
23 an assessment, a child who is a student in a home school shall  
24 contact the school district in which the child resides, and that  
25 school district shall administer the assessment, or the child may  
26 take the assessment at a nonpublic school if allowed by the  
27 nonpublic school. Upon request from a nonpublic school, the

1 department shall supply assessments and the nonpublic school may  
2 administer the assessment.

3       (13) ~~—(15)—~~ The purpose of the assessment under this section  
4 is to assess pupil performance in mathematics, science, social  
5 studies, and communication arts for the purpose of improving  
6 academic achievement and establishing a statewide standard of  
7 competency. The assessment under this section provides a common  
8 measure of data that will contribute to the improvement of  
9 Michigan schools' curriculum and instruction by encouraging  
10 alignment with Michigan's curriculum framework standards. These  
11 standards are based upon the expectations of what pupils should  
12 know and be able to do by the end of grade 11.

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



1 results of these tests and assessments, including, but not  
2 limited to, length of the tests and assessments; the time of the  
3 testing period during the school year; feedback provided to  
4 pupils, parents, and schools; accurate and relevant reporting of  
5 results to the general public; the selection of a retesting  
6 period and procedures and arrangements for repeating tests or  
7 assessments; local scoring and other general issues regarding  
8 scoring of tests and assessments; categories of scoring on the  
9 MEAP tests and categories of state endorsement under this  
10 section; and professional development for teachers to assist in  
11 preparing pupils to have the necessary skills and knowledge to  
12 succeed on the tests and assessments.

13       **(15)** ~~-(17)-~~ As used in this section:

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

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

17       Sec. 1279d. If the department of treasury, **superintendent**  
18 **of public instruction**, or any other state agency has reason to  
19 suspect that there are irregularities in a school district's or  
20 public school academy's administration of, or preparation of  
21 pupils for, a Michigan educational assessment program (MEAP)  
22 test, the department of treasury, ~~or any~~ **superintendent of**  
23 **public instruction, or** other state agency shall not report the  
24 suspected irregularities to any person or entity not involved in  
25 the scoring or administration of the test before notifying the  
26 school district or public school academy of the suspected  
27 irregularities and allowing at least 5 business days for school

1 officials to respond.