

# HOUSE BILL No. 6334

November 10, 2004, Introduced by Reps. Voorhees, Palmer, Robertson, Vander Veen, Mortimer, Taub, Huizenga, Shaffer and Bisbee and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1279 and 1280 (MCL 380.1279 and 380.1280), section 1279 as amended by 2004 PA 399 and section 1280 as amended by 2003 PA 275, and by adding sections 1279g and 1279h; and to repeal acts and parts of acts.

**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~~ **English**  
4 **language arts**, mathematics, **and** science. ~~—, and social studies.~~  
5 The board shall include on the pupil's high school transcript all  
6 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

1 the assessment.

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

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

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

27 (3) The assessments administered for the purposes of this

1 section shall be administered to pupils during the last 90 school  
2 days of grade 11. The ~~department~~ **superintendent of public**  
3 **instruction** shall ensure that the assessments are scored and the  
4 scores are returned to pupils, their parents or legal guardians,  
5 and school districts or public school academies not later than  
6 the beginning of the pupil's first semester of grade 12. The  
7 ~~department~~ **superintendent of public instruction** shall arrange  
8 for those portions of a pupil's assessment that cannot be scored  
9 mechanically to be scored in Michigan by persons who are Michigan  
10 teachers, retired Michigan teachers, or Michigan school  
11 administrators and who have been trained in scoring the  
12 assessments. The returned scores shall indicate the pupil's  
13 scaled score for each subject area assessment, the range of  
14 scaled scores for each subject area, and the range of scaled  
15 scores required for each category established under  
16 subsection (2). In reporting the scores to pupils, parents, and  
17 schools, the ~~department~~ **superintendent of public instruction**  
18 shall provide specific, meaningful, and timely feedback on the  
19 pupil's performance on the assessment.

20 (4) Beginning with assessments conducted in the 2005-2006  
21 school year, all of the following apply to the assessments under  
22 this section:

23 (a) The superintendent of public instruction shall ensure  
24 that any contractor used for scoring the assessment supplies an  
25 individual report for each pupil that will identify for the  
26 student's parents and teachers whether the pupil met expectations  
27 or failed to meet expectations for each question, to allow the

1 pupil's parents and teachers to assess and remedy problems before  
2 the pupil moves to the next grade.

3 (b) The superintendent of public instruction shall ensure  
4 that any contractor used for scoring, developing, or processing  
5 an assessment instrument meets quality management standards  
6 commonly used in the assessment industry, including at least  
7 meeting level 2 of the capability maturity model developed by the  
8 software engineering institute of Carnegie Mellon university for  
9 the 2005-2006 school year assessments and at least meeting level  
10 3 of the capability maturity model for subsequent assessments.

11 (c) The superintendent of public instruction shall ensure  
12 that any contract it enters into for scoring, administering, or  
13 developing an assessment instrument includes specific deadlines  
14 for all steps of the assessment process, including, but not  
15 limited to, deadlines for the correct testing materials to be  
16 supplied to schools and for the correct results to be returned to  
17 schools, and includes penalties for noncompliance with these  
18 deadlines.

19 (d) The superintendent of public instruction shall ensure  
20 that the assessment instruments meet all of the following:

21 (i) Are designed to test pupils on grade level content  
22 expectations in all subjects tested.

23 (ii) Include not more than 2 written response portions for  
24 English language arts, and do not include a written response  
25 portion for any other subject area.

26 (iii) Comply with requirements of the no child left behind  
27 act of 2001, Public Law 107-110.

1           (5) ~~-(4)-~~ For each pupil who does not achieve state  
2 endorsement in 1 or more subject areas, the board of the school  
3 district or public school academy in which the pupil is enrolled  
4 shall provide that there be at least 1 meeting attended by at  
5 least the pupil and a member of the school district's or public  
6 school academy's staff or a local or intermediate school district  
7 consultant who is proficient in the measurement and evaluation of  
8 pupils. The school district or public school academy may provide  
9 the meeting as a group meeting for pupils in similar  
10 circumstances. If the pupil is a minor, the school district or  
11 public school academy shall invite and encourage the pupil's  
12 parent, legal guardian, or person in loco parentis to attend the  
13 meeting and shall mail a notice of the meeting to the pupil's  
14 parent, legal guardian, or person in loco parentis. The purpose  
15 of this meeting and any subsequent meeting under this subsection  
16 shall be to determine an educational program for the pupil  
17 designed to have the pupil achieve state endorsement in each  
18 subject area in which he or she did not achieve state  
19 endorsement. In addition, a school district or public school  
20 academy may provide for subsequent meetings with the pupil  
21 conducted by a high school counselor or teacher designated by the  
22 pupil's high school principal, and shall invite and encourage the  
23 pupil's parent, legal guardian, or person in loco parentis to  
24 attend the subsequent meetings. The school district or public  
25 school academy shall provide special programs for the pupil or  
26 develop a program using the educational programs regularly  
27 provided by the district unless the board of the school district

1 or public school academy decides otherwise and publishes and  
2 explains its decision in a public justification report.

3       **(6)** ~~—(5)—~~ A pupil who wants to repeat an assessment  
4 administered under this section may repeat the assessment,  
5 without charge to the pupil, in the next school year or after  
6 graduation. An individual may repeat an assessment at any time  
7 the school district or public school academy administers an  
8 applicable assessment instrument or during a retesting period  
9 under subsection ~~—(7)—~~ **(8)**.

10       **(7)** ~~—(6)—~~ The ~~—department—~~ **superintendent of public**  
11 **instruction** shall ensure that the length of the assessments used  
12 for the purposes of this section and the combined total time  
13 necessary to administer all of the assessments ~~—, including~~  
14 ~~social studies,~~ are the shortest possible that will still  
15 maintain the degree of reliability and validity of the assessment  
16 results determined necessary by the ~~—department—~~ **superintendent**  
17 **of public instruction**. The ~~—department—~~ **superintendent of public**  
18 **instruction** shall ensure that the maximum total combined length  
19 of time that schools are required to set aside for administration  
20 of all of the assessments used for the purposes of this section  
21 ~~—, including social studies,~~ does not exceed 8 hours. However,  
22 this subsection does not limit the amount of time that  
23 individuals may have to complete the assessments.

24       **(8)** ~~—(7)—~~ The ~~—department—~~ **superintendent of public**  
25 **instruction** shall establish, schedule, and arrange periodic  
26 retesting periods throughout the year for individuals who desire  
27 to repeat an assessment under this section. The ~~—department~~

1 **superintendent of public instruction** shall coordinate the  
2 arrangements for administering the repeat assessments and shall  
3 ensure that the retesting is made available at least within each  
4 intermediate school district and, to the extent possible, within  
5 each school district.

6 (9) ~~(8)~~ A school district or public school academy shall  
7 provide accommodations to a pupil with disabilities for the  
8 assessments required under this section, as provided under  
9 section 504 of title V of the rehabilitation act of 1973, 29 USC  
10 794; subtitle A of title II of the Americans with disabilities  
11 act of 1990, 42 USC 12131 to 12134; and the implementing  
12 regulations for those statutes.

13 (10) ~~(9)~~ For the purposes of this section, the ~~department~~  
14 **superintendent of public instruction** shall develop or select and  
15 approve assessment instruments to measure pupil performance in  
16 ~~communications skills~~ **English language arts**, mathematics,  
17 ~~social studies,~~ and science. The assessment instruments shall  
18 be based on ~~the model core academic content standards objectives~~  
19 ~~under section 1278~~ **grade level content expectations**.

20 (11) ~~(10)~~ All assessment instruments developed or selected  
21 and approved by the state under any statute or rule for a purpose  
22 related to K to 12 education shall be objective-oriented and  
23 consistent with ~~the state board model core academic content~~  
24 ~~standards objectives~~ **grade level content expectations**.

25 ~~(11)~~ A person who has graduated from high school after 1996  
26 and who has not previously taken an assessment under this section  
27 may take an assessment used for the purposes of this section,

1 ~~without charge to the person, at the school district from which~~  
2 ~~he or she graduated from high school at any time that school~~  
3 ~~district administers the assessment or during a retesting period~~  
4 ~~scheduled under subsection (7) and have his or her scaled score~~  
5 ~~on the assessment included on his or her high school transcript.~~  
6 ~~If the person's scaled score on a subject area assessment falls~~  
7 ~~within the range required under subsection (2) for a category~~  
8 ~~established under subsection (2), the school district shall also~~  
9 ~~indicate on the person's high school transcript that the person~~  
10 ~~has achieved state endorsement for that subject area.~~

11 (12) A child who is a student in a nonpublic school or home  
12 school may take an assessment under this section. To take an  
13 assessment, a child who is a student in a home school shall  
14 contact the school district in which the child resides, and that  
15 school district shall administer the assessment, or the child may  
16 take the assessment at a nonpublic school if allowed by the  
17 nonpublic school. Upon request from a nonpublic school, the  
18 ~~department~~ **superintendent of public instruction** shall supply  
19 assessments and the nonpublic school may administer the  
20 assessment. **If a school district administers an assessment under**  
21 **this subsection to a child who is not enrolled in the school**  
22 **district, the scores for that child are not considered for any**  
23 **purpose to be scores of a pupil of the school district.**

24 (13) The purpose of the assessment under this section is to  
25 assess pupil performance in mathematics, science, ~~social~~  
26 ~~studies,~~ and ~~communication~~ **English language** arts for the  
27 purpose of improving academic achievement and establishing a



1 statewide standard of competency. The assessment under this  
2 section provides a common measure of data that will contribute to  
3 the improvement of Michigan schools' curriculum and instruction  
4 by encouraging alignment with Michigan's curriculum framework  
5 standards. These standards are based upon the expectations of  
6 what pupils should know and be able to do by the end of grade  
7 11.

8 ~~(14) The department 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~~  
15 ~~geographic 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~~  
20 ~~department on issues related to administration, scoring, and~~  
21 ~~reporting and use of results of these tests and assessments,~~  
22 ~~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~~

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 (14) ~~-(15)-~~ As used in this section, ~~—~~:

7 ~~——~~ (a) ~~"Communications skills"~~ **"English language arts"** means  
 8 reading and writing.

9 ~~(b) "Social studies" means geography, history, economics,~~  
 10 ~~and American government.~~

11 **Sec. 1279g. (1) The assessment advisory board is created as**  
 12 **an independent board within the department. The assessment**  
 13 **advisory board shall exercise its authority, powers, duties, and**  
 14 **responsibilities independently of the superintendent of public**  
 15 **instruction and the department. However, the department shall**  
 16 **provide staff for the assessment advisory board. Budgeting,**  
 17 **procurement, and related functions as directed by the assessment**  
 18 **advisory board are under the supervision of the superintendent of**  
 19 **public instruction.**

20 (2) The assessment advisory board shall consist of the  
 21 following 12 members:

22 (a) The superintendent of public instruction, or his or her  
 23 designee, as an ex officio member without the right to vote.

24 (b) Three members appointed by the governor who are experts  
 25 in academic subject areas to be assessed, to consist of 1 expert  
 26 in each of the following academic subject areas:

27 (i) Mathematics.

1 (ii) Science.

2 (iii) English language arts.

3 (c) Two members appointed by the governor who are experts in  
4 academic testing and assessment.

5 (d) Two members appointed by the governor. One of these  
6 members shall be a current teacher in this state, and 1 shall be  
7 a former teacher in this state. One of these members shall  
8 represent teachers in grades K to 8, and 1 shall represent high  
9 school teachers.

10 (e) Two nonvoting members appointed by the governor who are  
11 parents of public school pupils in this state. These members  
12 shall not have any familial relationship to each other.

13 (f) Two nonvoting members appointed by the governor who are  
14 public school pupils in this state in grade 11 or 12.

15 (3) A member of the assessment advisory board shall be  
16 appointed for a term of 4 years, except that the term of a member  
17 appointed under subsection (2)(e) or (f) shall be either 4 years  
18 or until the member no longer meets the qualifications under  
19 subsection (2)(e) or (f), whichever is shorter. A vacancy shall  
20 be filled for the balance of the unexpired term in the same  
21 manner as an original appointment.

22 (4) Except as otherwise provided by law, a member of the  
23 assessment advisory board shall not receive compensation for  
24 services, but the department shall reimburse each member for  
25 expenses necessarily incurred in the performance of his or her  
26 duties.

27 (5) The assessment advisory board shall do all of the

1 following:

2 (a) Not later than 120 days after the effective date of this  
3 section, establish grade level content expectations in  
4 mathematics and English language arts for all grades to be  
5 tested.

6 (b) Not later than 2012, establish grade level content  
7 expectations in science and civics for grades 3 to 8. As used in  
8 this subdivision, "civics" means American government, geography,  
9 and economics.

10 (c) Each year, not later than 120 days after completion of  
11 the assessment period for that year, develop and submit a  
12 comprehensive report to the legislature on the status of all  
13 pupil assessments that are part of an assessment program  
14 administered by the department, including, but not limited to,  
15 the Michigan educational assessment program under 1970 PA 38, MCL  
16 388.1081 to 388.1086, the high school assessments under section  
17 1279, and assessments for special education pupils and English  
18 language learners. The report shall include at least all of the  
19 following:

20 (i) The annual pupil assessment data.

21 (ii) A description of the feedback provided to pupils,  
22 parents, and schools.

23 (iii) A description of any alterations made in the program  
24 during the period covered by the report.

25 (iv) Any recommendations by the state assessment governing  
26 board for legislative changes to the program.

27 (d) Develop or select assessment instruments to be used for

1 assessments for grades 3 to 8. The assessment instruments shall  
2 meet all of the following:

3 (i) Shall comply with grade level content expectations and  
4 benchmarks established by the department for the purposes of  
5 determining adequate yearly progress under the no child left  
6 behind act of 2001, Public Law 107-110.

7 (ii) Shall be objective-oriented and not inconsistent with  
8 the state board model core academic curriculum content standards  
9 objectives developed under section 1278.

10 (e) Establish policies and guidelines for administration of  
11 the assessment instruments for grades 3 to 8. The policies and  
12 guidelines shall specify the testing period and shall ensure that  
13 all of the following are met:

14 (i) That the correct testing materials are provided to  
15 teachers at least 7 days before the beginning of the testing  
16 period.

17 (ii) That the testing period consists of at least 3 full  
18 weeks.

19 (iii) That testing materials are returned to the department  
20 by the schools not later than 7 days after the end of the testing  
21 period.

22 (iv) That scores are returned to the schools and to the  
23 parents of pupils within 30 days.

24 (f) Not later than 2007, establish procedures for  
25 administering all assessments for grades 3 to 8 electronically  
26 through the internet or other interactive connection.

27 (g) Oversee the grade 11 testing under section 1494 and

1 designate a writing test for the purposes of that section.

2 (h) Perform other functions as provided by law.

3 (6) The superintendent of public instruction and the  
4 department shall implement the policies, guidelines, and other  
5 decisions made by the assessment advisory board under subsection  
6 (5).

7 Sec. 1279h. Beginning with assessments conducted in the  
8 2005-2006 school year, all of the following apply to all pupil  
9 assessments administered by the superintendent of public  
10 instruction or the department:

11 (a) The superintendent of public instruction shall ensure  
12 that any contractor used for scoring an assessment instrument  
13 supplies an individual report for each pupil that will identify  
14 for the pupil's parents and teachers whether the pupil met  
15 expectations or failed to meet expectations on each question, to  
16 allow the pupil's parents and teachers to assess and remedy  
17 problems before the pupil moves to the next grade.

18 (b) The superintendent of public instruction shall ensure  
19 that any contractor used for scoring, developing, or processing  
20 an assessment instrument meets quality management standards  
21 commonly used in the assessment industry, including at least  
22 meeting level 2 of the capability maturity model developed by the  
23 software engineering institute of Carnegie Mellon university for  
24 the 2005-2006 school year assessments and at least meeting level  
25 3 of the capability maturity model for subsequent assessments.

26 (c) The superintendent of public instruction shall ensure  
27 that any contract it enters into for scoring, administering, or

1 developing an assessment instrument includes specific deadlines  
2 for all steps of the assessment process, including, but not  
3 limited to, deadlines for the correct testing materials to be  
4 supplied to schools and for the correct results to be returned to  
5 schools, and includes penalties for noncompliance with these  
6 deadlines.

7 (d) The superintendent of public instruction shall ensure  
8 that the assessment instruments meet all of the following:

9 (i) Are designed to test pupils on grade level content  
10 expectations in all subjects tested.

11 (ii) Include not more than 2 written response portions for  
12 English language arts, and do not include a written response  
13 portion for any other subject area.

14 (iii) Comply with requirements of the no child left behind  
15 act of 2001, Public Law 107-110.

16 Sec. 1280. (1) The board of a school district that does not  
17 want to be subject to the measures described in this section  
18 shall ensure that each public school within the school district  
19 is accredited.

20 (2) As used in subsection (1), and subject to subsection (6),  
21 "accredited" means certified by the superintendent of public  
22 instruction as having met or exceeded standards established under  
23 this section for 6 areas of school operation: administration and  
24 school organization; ~~—~~ curricula; ~~—~~ staff; ~~—~~ school plant  
25 and facilities; ~~—~~ school, **parent**, and community relations; ~~—~~  
26 and school improvement plans and student performance. The  
27 building-level evaluation used in the accreditation process shall

1 include, but is not limited to, school data collection,  
2 self-study, visitation and validation, determination of  
3 performance data to be used, and the development of a school  
4 improvement plan.

5 (3) The department shall develop and distribute to all public  
6 schools proposed accreditation standards. Upon distribution of  
7 the proposed standards, the department shall hold statewide  
8 public hearings for the purpose of receiving testimony concerning  
9 the standards. After a review of the testimony, the department  
10 shall revise and submit the proposed standards to the  
11 superintendent of public instruction. After a review and  
12 revision, if appropriate, of the proposed standards, the  
13 superintendent of public instruction shall submit the proposed  
14 standards to the senate and house committees that have the  
15 responsibility for education legislation. Upon approval by these  
16 committees, the department shall distribute to all public schools  
17 the standards to be applied to each school for accreditation  
18 purposes. **The process prescribed in this subsection also applies**  
19 **to all revisions made to the accreditation standards.**

20 (4) The superintendent of public instruction shall develop  
21 and distribute to all public schools standards for determining  
22 that a school is eligible for summary accreditation under  
23 subsection (6). The standards **and any revisions to the standards**  
24 shall be developed, reviewed, approved, and distributed using the  
25 same process as prescribed in subsection (3) for accreditation  
26 standards. ~~—, and shall be finally distributed and implemented~~  
27 ~~not later than December 31, 1994.~~



1 (5) The standards for accreditation or summary accreditation  
2 under this section shall include **as part of the criteria** pupil  
3 performance on Michigan education assessment program (MEAP) tests  
4 and the percentage of pupils achieving state endorsement under  
5 section 1279 ~~as criteria, but shall not be based solely on pupil~~  
6 ~~performance on MEAP tests or on the percentage of pupils~~  
7 ~~achieving state endorsement under section 1279.~~ The standards  
8 ~~shall also include~~ **and** multiple year change in pupil performance  
9 on MEAP tests and multiple year change in the percentage of  
10 pupils achieving state endorsement under section 1279. ~~as~~  
11 ~~criteria.~~ **However, beginning in the 2004-2005 school year, the**  
12 **department shall ensure that these pupil performance and change**  
13 **in pupil performance criteria comprise not more than 50% of the**  
14 **criteria used in the standards for determining a public school's**  
15 **accreditation status under this section or adequate yearly**  
16 **progress status under the no child left behind act of 2001,**  
17 **Public Law 107-110. The balance of the criteria to be used in**  
18 **the standards shall be determined by the department in**  
19 **consultation with the assessment advisory board created under**  
20 **section 1279g.** If it is necessary for the superintendent of  
21 public instruction to revise accreditation or summary  
22 accreditation standards established under subsection (3) or (4)  
23 to comply with **amendments to** this subsection, the revised  
24 standards shall be developed, reviewed, approved, and distributed  
25 using the same process as prescribed in subsection (3).

26 (6) If the superintendent of public instruction determines  
27 that a public school has met the standards established under

1 subsection (4) or (5) for summary accreditation, the school is  
2 considered to be accredited without the necessity for a full  
3 building-level evaluation under subsection (2).

4 (7) If the superintendent of public instruction determines  
5 that a school has not met the standards established under  
6 subsection (4) or (5) for summary accreditation but that the  
7 school is making progress toward meeting those standards, or if,  
8 based on a full building-level evaluation under subsection (2),  
9 the superintendent of public instruction determines that a school  
10 has not met the standards for accreditation but is making  
11 progress toward meeting those standards, the school is in interim  
12 status and is subject to a full building-level evaluation as  
13 provided in this section.

14 (8) If a school has not met the standards established under  
15 subsection (4) or (5) for summary accreditation and is not  
16 eligible for interim status under subsection (7), the school is  
17 unaccredited and subject to the measures provided in this  
18 section.

19 (9) Beginning with the 2002-2003 school year, if at least 5%  
20 of a public school's answer sheets from the administration of the  
21 Michigan educational assessment program (MEAP) tests are lost by  
22 the department or by a state contractor and if the public school  
23 can verify that the answer sheets were collected from pupils and  
24 forwarded to the department or the contractor, the department  
25 shall not assign an accreditation score or school report card  
26 grade to the public school for that subject area for the  
27 corresponding year for the purposes of determining state

1 accreditation under this section. The department shall not  
2 assign an accreditation score or school report card grade to the  
3 public school for that subject area until the results of all  
4 tests for the next year are available. **The department shall not**  
5 **subject the public school to any adverse fiscal effect or other**  
6 **adverse effect as a result of the lost answer sheets.**

7 (10) Subsection (9) does not preclude the department from  
8 determining whether a public school or a school district has  
9 achieved adequate yearly progress for the school year in which  
10 the answer sheets were lost for the purposes of the no child left  
11 behind act of 2001, Public Law 107-110. ~~—, 115 Stat. 1425.~~  
12 However, the department shall ensure that a public school or the  
13 school district is not penalized when determining adequate yearly  
14 progress status due to the fact that the public school's MEAP  
15 answer sheets were lost by the department or by a state  
16 contractor, but shall not require a public school or school  
17 district to retest pupils or produce scores from another test for  
18 this purpose.

19 (11) The superintendent of public instruction shall annually  
20 review and evaluate for accreditation purposes the performance of  
21 each school that is unaccredited and as many of the schools that  
22 are in interim status as permitted by the department's  
23 resources.

24 (12) The superintendent of public instruction shall, and the  
25 intermediate school district to which a school district is  
26 constituent, a consortium of intermediate school districts, or  
27 any combination thereof may, provide technical assistance, as

1 appropriate, to a school that is unaccredited or that is in  
2 interim status upon request of the board of the school district  
3 in which the school is located. If requests to the  
4 superintendent of public instruction for technical assistance  
5 exceed the capacity, priority shall be given to unaccredited  
6 schools.

7 (13) A school that has been unaccredited for 3 consecutive  
8 years is subject to 1 or more of the following measures, as  
9 determined by the superintendent of public instruction:

10 (a) The superintendent of public instruction or his or her  
11 designee shall appoint at the expense of the affected school  
12 district an administrator of the school until the school becomes  
13 accredited.

14 (b) A parent, legal guardian, or person in loco parentis of a  
15 child who attends the school may send his or her child to any  
16 accredited public school with an appropriate grade level within  
17 the school district.

18 (c) The school, with the approval of the superintendent of  
19 public instruction, shall align itself with an existing  
20 research-based school improvement model or establish an  
21 affiliation for providing assistance to the school with a college  
22 or university located in this state.

23 (d) The school shall be closed.

24 (14) The superintendent of public instruction shall evaluate  
25 the school accreditation program and the status of schools under  
26 this section and shall submit an annual report based upon the  
27 evaluation to the senate and house committees that have the

1 responsibility for education legislation. The report shall  
2 address the reasons each unaccredited school is not accredited,  
3 including, but not limited to, each of the 6 areas of school  
4 operation specified under subsection (2), and shall recommend  
5 legislative action that will result in ~~the accreditation of all~~  
6 ~~public schools in this state~~ improvements to elementary and  
7 secondary education in this state, in alignment of curriculum to  
8 assessment and testing, and in the assessment and testing process  
9 that will result in unaccredited schools achieving  
10 accreditation.

11 Enacting section 1. Section 104a of the state school aid  
12 act of 1979, 1979 PA 94, MCL 388.1704a, is repealed.