

SENATE BILL No. 731

September 24, 2003, Introduced by Senators CLARK-COLEMAN, BASHAM, BERNERO, SCHAUER, JACOBS, CHERRY, SWITALSKI, BRATER, CLARKE, PRUSI, SCOTT, OLSHOVE, BARCIA, EMERSON, JELINEK and GOSCHKA 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 388.1704a), as amended by 2003 PA
 158.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SENATE BILL No. 731

1 Sec. 104a. (1) In order to receive state aid under this
 2 act, a district shall comply with this section and shall
 3 administer state assessments to high school pupils in the subject
 4 areas of communications skills, mathematics, science, and social
 5 studies. If the department ~~of treasury or the Michigan~~
 6 ~~assessment governing board, as applicable,~~ determines that it
 7 would be consistent with the purposes of this section, the
 8 department ~~of treasury or the Michigan assessment governing~~
 9 ~~board, as applicable,~~ may designate the grade 11 Michigan
 10 education assessment program tests or the ACT/ACT work keys tests

1 as the assessments to be used for the purposes of this section.
2 The district shall include on the pupil's high school transcript
3 all of the following:

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

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

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

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

1 eligible for any state endorsement.

2 (3) The assessments administered for the purposes of this
3 section shall be administered to pupils during the last 30 school
4 days of grade 11. The department ~~of treasury~~ shall ensure that
5 the assessments are scored and the scores are returned to pupils,
6 their parents or legal guardians, and districts not later than
7 the beginning of the pupil's first semester of grade 12. The
8 department ~~of treasury~~ shall arrange for those portions of a
9 pupil's assessment that cannot be scored mechanically to be
10 scored in Michigan by persons who are Michigan teachers, retired
11 Michigan teachers, or Michigan school administrators and who have
12 been trained in scoring the assessments. The returned scores
13 shall indicate the pupil's scaled score for each subject area
14 assessment, the range of scaled scores for each subject area, and
15 the range of scaled scores required for each category established
16 under subsection (2). In reporting the scores to pupils,
17 parents, and schools, the department ~~of treasury~~ shall provide
18 specific, meaningful, and timely feedback on the pupil's
19 performance on the assessment.

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

1 shall invite and encourage the pupil's parent, legal guardian, or
2 person in loco parentis to attend the meeting and shall mail a
3 notice of the meeting to the pupil's parent, legal guardian, or
4 person in loco parentis. The purpose of this meeting and any
5 subsequent meeting under this subsection shall be to determine an
6 educational program for the pupil designed to have the pupil
7 achieve state endorsement in each subject area in which he or she
8 did not achieve state endorsement. In addition, a district may
9 provide for subsequent meetings with the pupil conducted by a
10 high school counselor or teacher designated by the pupil's high
11 school principal, and shall invite and encourage the pupil's
12 parent, legal guardian, or person in loco parentis to attend the
13 subsequent meetings. The district shall provide special programs
14 for the pupil or develop a program using the educational programs
15 regularly provided by the district unless the board of the
16 district decides otherwise and publishes and explains its
17 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
21 individual may repeat an assessment at any time the district
22 administers an applicable assessment instrument or during a
23 retesting period under subsection (7).

24 (6) The department ~~of treasury~~ shall ensure that the length
25 of the assessments used for the purposes of this section and the
26 combined total time necessary to administer all of the
27 assessments are the shortest possible that will still maintain

1 the degree of reliability and validity of the assessment results
2 determined necessary by the department. ~~of treasury.~~ The
3 department ~~of treasury~~ shall ensure that the maximum total
4 combined length of time that schools are required to set aside
5 for administration of all of the assessments used for the
6 purposes of this section 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 ~~of treasury~~ shall establish, schedule,
10 and arrange periodic retesting periods throughout the year for
11 individuals who desire to repeat an assessment under this
12 section. The department ~~of treasury~~ shall coordinate the
13 arrangements for administering the repeat assessments and shall
14 ensure that the retesting is made available at least within each
15 intermediate district and, to the extent possible, within each
16 district.

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

24 (9) For the purposes of this section, the department ~~of~~
25 ~~treasury~~ shall develop or select and approve assessment
26 instruments to measure pupil performance in communications
27 skills, mathematics, social studies, and science. Unless the

1 department ~~of treasury~~ selects and approves the ACT/ACT work
2 keys tests, the assessment instruments shall be based on the
3 model core academic content standards objectives under section
4 1278 of the revised school code, MCL 380.1278.

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

20 (11) All assessment instruments developed or selected and
21 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 model core academic content standards
24 objectives under section 1278 of the revised school code,
25 MCL 380.1278.

26 (12) A person who has graduated from high school after 1996
27 and who has not previously taken an assessment under this section

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

12 (13) A child who is a student in a nonpublic school or home
13 school may take an assessment under this section. To take an
14 assessment, a child who is a student in a home school shall
15 contact the district in which the child resides, and that
16 district shall administer the assessment, or the child may take
17 the assessment at a nonpublic school if allowed by the nonpublic
18 school. Upon request from a nonpublic school, the department ~~of~~
19 ~~treasury~~ shall supply assessments and the nonpublic school may
20 administer the assessment.

21 (14) The purpose of the assessment under this section is to
22 assess pupil performance in mathematics, science, social studies,
23 and communication arts for the purpose of improving academic
24 achievement and establishing a statewide standard of competency.
25 The assessment under this section provides a common measure of
26 data that will contribute to the improvement of Michigan schools'
27 curriculum and instruction by encouraging alignment with

1 Michigan's curriculum framework standards. These standards are
2 based upon the expectations of what pupils should know and be
3 able to do by the end of grade 11.

4 ~~(15) If the Michigan assessment governing board is~~
5 ~~established by law, the Michigan assessment governing board shall~~
6 ~~administer this section and shall have all of the powers and~~
7 ~~duties as otherwise provided under this section for the~~
8 ~~department of treasury.~~

9 (15) ~~—(16)—~~ As used in this section:

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

11 (b) "Social studies" means geography, history, economics, and
12 American government.

13 Enacting section 1. This amendatory act is intended to
14 return to the superintendent of public instruction, the
15 department of education, and the state board of education certain
16 functions relating to state assessments transferred to the
17 department of treasury under Executive Reorganization Order
18 No. 1999-7, MCL 388.995.

19 Enacting section 2. This amendatory act does not take
20 effect unless all of the following bills of the 92nd Legislature
21 are enacted into law:

22 (a) Senate Bill No. 729.

23

24 (b) Senate Bill No. 730.

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26 (c) Senate Bill No. 732.

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