

HOUSE BILL No. 5710

December 17, 2009, Introduced by Rep. Sheltroun and referred to the Committee on Education.

A bill to amend 1970 PA 38, entitled

"An act to provide for assessment and remedial assistance programs of students in reading, mathematics and vocational education,"

by amending section 2 (MCL 388.1082), as amended by 2005 PA 31.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) The statewide assessment program of educational
2 progress shall cover all students annually in at least 2 elementary
3 and middle school grade levels in public schools. If the federal
4 government requires assessments at additional grade levels under
5 the no child left behind act of 2001, Public Law 107-110, the
6 superintendent of public instruction shall ensure that this state
7 complies with those requirements.

8 (2) The superintendent of public instruction shall ~~develop and~~
9 conduct the assessment program and may utilize the assistance of
10 appropriate testing organizations or testing specialists. ~~Beginning~~

1 ~~with assessments conducted in the 2005-2006 school year, all~~ **ALL** of
2 the following apply to the assessment program:

3 **(A) BEGINNING WITH ASSESSMENTS CONDUCTED DURING THE 2010-2011**
4 **SCHOOL YEAR, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL REPLACE**
5 **THE CURRENT ASSESSMENTS USED IN THE PROGRAM THAT WERE DEVELOPED BY**
6 **THE DEPARTMENT WITH 1 OR MORE NATIONALLY NORMED, GROWTH MODEL**
7 **ASSESSMENTS PURCHASED FOR THE PURPOSES OF THE PROGRAM.**

8 **(B)** ~~(a)~~—The superintendent of public instruction shall ensure
9 that any contractor used for scoring an assessment instrument
10 supplies an individual report for each student that will identify
11 for the student's parents and teachers whether the student met
12 expectations or failed to meet expectations for each standard, to
13 allow the student's parents and teachers to assess and remedy
14 problems before the student moves to the next grade.

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

23 **(D)** ~~(c)~~—The superintendent of public instruction shall ensure
24 that any contract ~~it~~ **THE DEPARTMENT** enters into for scoring ~~, OR~~
25 administering ~~, or developing~~ an assessment instrument includes
26 specific deadlines for all steps of the assessment process,
27 including, but not limited to, deadlines for the correct testing

1 materials to be supplied to schools and for the correct results to
2 be returned to schools, and includes penalties for noncompliance
3 with these deadlines.

4 (E) ~~(d)~~—The superintendent of public instruction shall ensure
5 that the assessment instruments **PURCHASED FOR THE PURPOSES OF THE**
6 **PROGRAM** meet all of the following:

7 (i) Are designed to test students on grade level content
8 expectations in all subjects tested for each grade level tested.

9 (ii) Comply with requirements of the no child left behind act
10 of 2001, Public Law 107-110.

11 (iii) Are consistent with the code of fair testing practices in
12 education prepared by the joint committee on testing practices of
13 the American psychological association.

14 (iv) Are factually accurate. If the superintendent of public
15 instruction determines that a question is not factually accurate
16 and should be removed from an assessment instrument, the ~~state~~
17 ~~board and the~~ superintendent shall ensure that the question is
18 removed from the assessment instrument **BEFORE THE ASSESSMENT**
19 **INSTRUMENT IS USED FOR THE PURPOSES OF THE PROGRAM.**

20 (3) The program shall assess competencies in the basic skills
21 and collect and utilize other relevant information essential to the
22 assessment program.

23 (4) Based on information from the program, the public schools
24 shall identify students who have extraordinary need for assistance
25 to improve their competence in the basic skills and shall identify
26 students who have demonstrated extraordinary competence in multiple
27 subject areas who should be recommended for advancement.

1 (5) Information from the program shall be given to each school
2 as soon as possible to assist it in its efforts to improve the
3 achievement of students in the basic skills.