

SCHOOL LETTER GRADING SYSTEMS

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House Bill 5112

Sponsor: Rep. Lisa Posthumus Lyons

Committee: Education

Complete to 10-30-13

A SUMMARY OF HOUSE BILL 5112 AS INTRODUCED 10-29-13

The bill would amend the Revised School Code (MCL 380.1280c et al.) to prescribe frameworks for two public school letter grading systems, one for grades K-8, and one for grades 9-12.

In addition, it describes the grading scale; allows the creation of "alternative education campuses"; and allows waivers of regulatory and statutory requirements for schools consistently earning a grade of A or B. The grading systems would be administered by the Michigan Department of Education, and would be put into place by July 1, 2016.

The bill is tie-barred to House Bill 4154, meaning it could not go into effect unless House Bill 4154 is also enacted. [House Bill 4154, recently introduced, would repeal the existing Michigan school accreditation program, and require that schools be graded A through F by the Michigan Department of Education.]

A more detailed description of the bill follows.

Performance and Growth Letter Grades

The bill requires that not later than July 1, 2016, the Department of Education develop and implement a system of assigning letter grades to each public school, based on the school's performance and student growth.

Determining K-8 Letter Grades

The grade for each public school that includes any of grades K to 8 would be determined as follows:

- First, points would be assigned for each of the following performance and growth factors, as determined by the department:

One point for each one percent of the students who score at or above proficient on state assessments in the learning disciplines of reading, mathematics, writing, science, and social studies. In addition, one point for each one percent of students making annual learning gains in reading and mathematics. Further, one point each for each one percent of students who are in the lowest 30 percent of reading students and who make annual learning gains in reading and mathematics.

- Second, the points would be added together.
- Third, a grade would be assigned to the school, according to a scale described below.

Determining Grades 9 to 12 Letter Grade

The grade for each public school that includes any of grades 9 to 12 would be determined as follows:

- First, using a point system determined by the department, the point system would be required to assign (1) at least 50 percent of the points based on student proficiency, as determined by state assessments and other measures considered appropriate; and (2) the balance of the points based on the school's graduation rate, measures of college and career readiness, and measures of learning gains.
- Second, the points would be added together.
- Third, a grade would be assigned to the school, according to the scale described below.

Scale to Determine the Assigned Grade.

The bill specifies that after the department assigns points to each Michigan public school (as described above), it would establish a grading scale to be assigned that year, according to the number of points earned, and assign grades based on that scale.

Under the bill, the department would be required to develop separate grading scales for K-8 schools, and schools having grade 9 to 12.

All of the following would apply to these separate grading scales:

- For the first school year grades were assigned, the department would ensure that no more than 10 percent of the school received a grade of A; approximately 28 percent a grade of B; approximately 31 percent a grade of C; approximately 28 percent a grade of D; and at least five percent a grade of F. The bill specifies that the department's deviations from these percentages would be based on any observed natural cut points in the distribution of school scores.
- For subsequent school years, the number of points required for each grade would remain the same as when it was established. However, the department would adjust the number of points required to achieve a grade on the grading scale, if either of two conditions existed (described below), by increasing the number of points required to achieve each grade on the scale by five percent (or by a greater amount if that was needed to ensure the conditions prompting the adjustment would not reoccur the following year).

The two conditions prompting an adjustment would be: (1) the use of the point scale would result in more than 74 percent of the schools receiving a grade of A or B for the immediately preceding school year; or (2) if at the time of the projection, a federal law required the department to identify the lowest achieving five percent of all public schools in Michigan, and it was probable that the use of the point scale would result in fewer than five percent being assigned a grade of F.

The bill specifies that the department would modify the grading scale to reflect the total possible points that could be achieved if a schools grade configuration did not include all of grades K to 8 or all of grades 9 to 12.

Notifying Schools of Their Letter Grades

The bill specifies that after the implementation of the letter grade system, all of the following would apply:

- Before August 1 of each year, the Department of Education would notify each public school and school district of all of the following, and provide an appeal process that was concluded by August 1: (1) each public school's letter grade for that year and, if available, from the immediately preceding two years; (2) the detailed formula and metrics for the letter grade system; (3) the building-level data used to generate the letter grade; (4) the number of teachers for each school who were rated as effective or highly effective under the performance evaluation system described in Section 1249 of the Code, as well as the total number of teachers teaching in each school; and (5) the number of school administrators who were rated as effective or highly effective under Section 1249, as well as the total number of administrators in the school.
- On August 1 of each year, the Department of Education would post on its website, with a link from the homepage, and also report to the legislature, all of the information described above.
- The school district or charter school would then be required to include the information described above in the posting of information under Section 18(2) of the State School Aid Act; and publish the information described above on its website, with a link on its homepage, and if the school district or charter school maintained a homepage for each particular school, then also a link of those individual school homepages.

The bill requires the Department of Education to provide written notice of any change to the letter grade system before implementing the change, to the Senate and House standing committees on education, and to make personnel available to those committees to discuss the change.

The bill specifies that if a public school operated both one or more of grades K to 8 and one or more of grades 9 to 12, then the department would be required to calculate and

assign a separate grade for the school for each of those separate grade configurations, treating each of the separate grade configurations as a separate public school.

Failing Schools

Under the bill, if the department determined that a public school that had been in operation for at least three school years met *both* of the following criteria, the state school superintendent could either close the school, or place it under the supervision of the state school reform/redesign officer (as described in Section 1280c of the Code). The two criteria are: (1) the school had been assigned a grade of F for two or more years in a period of four consecutive years; and (2) the school had performed in the lowest five percent of all Michigan public schools in learning grains for two or more years during the same period of four consecutive years.

Alternative Education Campus

Under House Bill 5112, a school district or charter school could, with the approval of its intermediate school district or authorizing body, apply to the state school superintendent to designate one or more of its schools as an alternative education campus, if the state superintendent determined the school met one or more of the following criteria:

- The school served a student population in which more than 95 percent of its students had an individualized education plan.
- The school served a student population in which a majority of its students were (1) homeless; (2) had a documented history of serious psychological behavioral disorders (including, but not limited to suicidal behaviors); and (3) for a high school, had students over the traditional age for their grade level, and who lacked adequate credit hours to be on track to graduate in four years.
- The school was a strict discipline academy established under Sections 1311b to 1311m of the Revised School Code.

Under the bill, if a school was designated as an alternative education campus, then the Department of Education would not assign a letter grade to that school, and would instead issue a summary status of "maintaining" or "failing" for that school. Then, the information reported under subsection (5) of the bill concerning assignment of a letter grade would be based on the school's summary status. A summary status of "maintaining" would be assigned if an alternative education campus was in compliance with Sections 1204a, 1277, 1278, 1278a, and 1278b of the Code, and the school's students were making meaningful, measurable academic progress toward education goals that had been established by the school's board or board of directors, and approved by the state school superintendent.

Other Ranking Systems Prohibited

House Bill 5112 would prohibit the State Board of Education and the Department of Education from establishing any evaluation or ranking system for public schools or school districts other than the letter grade system described above.

Waiver for Schools Graded A or B.

Not later than July 1, 2016, the Department of Education would be required to establish and implement a waiver system for waiving regulatory or statutory reports and requirements for a public school that consistently maintained a grade of A or B. If the department determined that a school qualified for a the waiver, state school superintendent would be required to grant the waiver, effective for as long as the school maintained its A or B grade, and the regulatory or statutory requirement that was waived would not apply during the duration of the waiver.

The bill requires that before implementing the waiver system, the department submit a list of the regulatory and statutory reports and requirements that are proposed to be subject to waiver, to the Senate and House standing committees on education.

Definition

House Bill 5112 defines the term "included pupil" to mean a pupil who has been enrolled in the public school for at least one full school year.

FISCAL IMPACT:

The bill would have likely minimal, if any, fiscal impact on the state and no fiscal impact on school districts. The Michigan Department of Education could see increased administrative costs and redirection of staff time in order to create the prescribed letter grade system and establish the initial waiver process for school districts that earn an A or B.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.